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CULTURAL COMMISSION  
COUNTY OF MAUI  
STATE OF HAWAII

REGULAR MEETING

Held at the Planning Department Conference Room, Kalana  
Pakui Building, 250 South High Street, Wailuku, Maui,  
Hawaii, commencing at 10:00 a.m., March 3, 2011.

REPORTED BY: Rachelle Primeaux CSR No. 370

## A P P E A R A N C E S

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3 CHAIRMAN:

4           ERIK FREDERICKSEN

5

6 COMMISSIONERS:

7           RAY HUTAFF, VICE-CHAIR

8           BRANDIS SARICH

9           BRUCE U'U

10           VERONICA MARQUEZ

11           RHIANNON CHANDLER

12

13

14 CORPORATION COUNSEL:

15           MICHAEL HOPPER, ESQ.

16

17 STAFF:

18

19           WILLIAM SPENCE, DIRECTOR

20           MICHELE McCLEAN, DEPUTY DIRECTOR

21           STANLEY SOLAMILLO, PLANNER

22           SUZETTE ESMERALDA, COMMISSION SECRETARY

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1 MAUI COUNTY CULTURAL COMMISSION

2 TRANSCRIPT OF PROCEEDINGS

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4 CHAIR FREDERICKSEN: Good morning, all. I would  
5 like to call the March 2011 Maui County Cultural Resources  
6 Commission meeting to order. Let's see, first item of  
7 business is a resolution thanking outgoing Commission Member  
8 Veronica Marquez. Stanley.

9 MR. SOLAMILLO: Aloha, Commissioners.

10 COMMISSIONERS: Aloha.

11 MR. SOLAMILLO: This is a resolution of the  
12 Cultural Resources Commission.

13 Whereas, Veronica Marquez has served the County of  
14 Maui since April 2006 as a member of the Cultural Resources  
15 Commission.

16 And whereas, Ms. Marquez has served with  
17 distinction and performed her duties in the highest  
18 professional manner with the Cultural Resources Commission.

19 And whereas, Ms. Marquez's term of office expires  
20 on March 31st, 2011. Now, therefore, be it resolved that  
21 the Maui County Cultural Resources Commission hereby  
22 commends Ms. Marquez for her dedication and her public  
23 service to the people of Maui County.

24 And furthermore, be it resolved that the Cultural  
25 Resources Commission expresses their sincere appreciation

1 for Ms. Marquez's services and extends their best wishes in  
2 her future endeavors; and furthermore, be it resolved that  
3 copies of this resolution be transported to the Honorable  
4 Alan Arakawa, Mayor of the County of Maui, and the Honorable  
5 Danny Mateo, Council Chair of the Maui County Council.

6 And it is signed by Erik Fredericksen, Chair, Ray  
7 Hutaff, Vice Chair and the rest of this Commission.

8 CHAIR FREDERICKSEN: Thank you, Stanley. I would  
9 like to thank Verna big time for her presence on the  
10 Commission. You've been a delight in your insights and  
11 very, very welcome in keeping us honest from your educator's  
12 background.

13 COMMISSIONER MARQUEZ: Thank you so much.

14 COMMISSIONER HUTAFF: I would like to ditto that  
15 and add that I am extremely disappointed that I'm not going  
16 to be able to look across the way and have you challenge me  
17 with your looks.

18 COMMISSIONER MARQUEZ: The eye. Thank you.

19 COMMISSIONER HUTAFF: Thank you.

20 COMMISSIONER CHANDLER: Yeah. Thank you so much.  
21 I think it's so valuable the mana'o you bring from Molokai  
22 because I think we don't think about it enough, and we're  
23 learning that. And I think that's going to change because  
24 of you and your presence in all that you wanted to bring to  
25 your island, so I appreciate that.

1 COMMISSIONER MARQUEZ: Thank you. Sweet.

2 COMMISSIONER U'U: I'll also want to echo that  
3 what was brought up about the dedication. It's hard enough  
4 living on island to serve on any commission, but when you  
5 come from a different island like Molokai and you serve on a  
6 commission as faithfully as she has for the last year that  
7 I've been on, you've got to give big time credit. So, I  
8 give you a lot of credit. And thanks for the wisdom in  
9 representing your island. You did a great job.

10 COMMISSIONER MARQUEZ: Thank you.

11 CHAIR FREDERICKSEN: Brandis, Verna, this is her  
12 last meeting, and if you would like to say anything.

13 COMMISSIONER SARICH: Thank you. Sorry I'm late,  
14 everybody. Verna, it's going to be really sad not sitting  
15 next to you. I have I've felt very safe with you next to me  
16 because you have a lot of wisdom, and you can give me the  
17 little look if I'm saying something funny. I appreciate it,  
18 so we'll miss you.

19 COMMISSIONER MARQUEZ: Yeah. May I?

20 CHAIR FREDERICKSEN: Yes, Verna, please.

21 COMMISSIONER MARQUEZ: Nice. This has been like a  
22 family. I've been on five years. I've seen people come and  
23 go, and go and come. But I'm proud that I lasted five  
24 years. Poor Stanley probably wanted to have me out a long  
25 time ago, but I was determined. I learned a lot. I

1 learned -- I learned a lot, especially across this way. I'm  
2 going to miss this challenge, but I'm glad I had the  
3 opportunity to come and share, come and listen, come and  
4 learn. And I know the mission of this mana'o is to protect  
5 and serve the cultural sites; however, we still have the  
6 human essence involved here.

7           So, thank you. I would like to look at you when  
8 you come across with your mana'o. And you, young man, keep  
9 going. You always do. Thank you my stink-eye friend  
10 across. Thank you, Rhiannon. James was a little creative,  
11 so give my aloha. And Erik, moving on being the Chair and  
12 all, don't worry, anytime you're out, that man is right  
13 here.

14           CHAIR FREDERICKSEN: Excellent.

15           COMMISSIONER MARQUEZ: And Stanley, thank you so  
16 much. Suzie in the back, thank you. And one more thing. I  
17 tell you, I know we're volunteers, and I have to say this.  
18 They fly me over. Well, yeah, they have to, and so I make  
19 the best of it. So, sometimes I stay over, and they'll tell  
20 me when do you want your flight back. It's so totally cool  
21 that they'll do all that arrangement. So, from my heart to  
22 the County's heart -- she's writing everything down, so I've  
23 got to be nice -- I like they treat you as a volunteer, but  
24 they treat you as a human.

25           And they really ask you now do you need a ride, do

1 you need -- what do you need? Do you need a pickup, a  
2 drop-off? And like today, I'm moving on to Kona because of  
3 my mom's passing, and they were kind enough to do all those  
4 arrangements for the volunteers. So, I'm telling people at  
5 home it's not as bad as it sounds. Because, you know,  
6 Molokai is a stepchild, which will change. And a lot of  
7 people don't want to do this, because it's, oh, humbug. You  
8 know us kua'aina, we don't drive on the island.

9           And I said you don't have to. You've got the  
10 limousines. You got your furs. You got people doing all  
11 your resume. And they look at me like, for real? I'm like,  
12 for real. Well, yeah, almost 99 percent. And I'm proud to  
13 know that somebody will be here in my place, because we talk  
14 story. And I know she got excited somehow I think, so there  
15 will be somebody here. And on that note mahalo ia oe ko.  
16 Mahalo for all of your mana'o. And all of you sitting out  
17 there, nice to see all your smiles. And with that note,  
18 moving on.

19           CHAIR FREDERICKSEN: All right, Verna. Thanks  
20 once again. Let's see, let's go to Item C. Stanley.

21           MR. SOLAMILLO: Item C is the introduction of  
22 Deputy Director Michele McLean, who is sitting on the side.

23           MS. McLEAN: Aloha Commissioners. Good morning.  
24 My name is Michele McLean. I'm the new Deputy Director of  
25 the Planning Department. And I just wanted to introduce

1 myself and give you a little bit of my background. Let's  
2 see, years ago, from the mid '90s into the early 2000's, I  
3 worked for the County Council as a legislative analyst,  
4 working for what was then the planning committee that  
5 handled all planning issues. Right now the Council has  
6 three committees. But back then, it was just one doing  
7 community plans, land use changes. We did the Ag bill, the  
8 Rural bill, the first Bed and Breakfast bill. So, I was the  
9 analyst who staffed the committee at that time.

10 So, that's where I received my background,  
11 experience in planning. And I left the County and did my  
12 own consulting for a time working for just smaller  
13 applicants, smaller projects, worked also for a short time  
14 for a developer. And then left to join the Kahoolawe Island  
15 Reserve Commission, which is a state agency within the  
16 Department of Land and Natural Resources doing the  
17 management and restoration of the Kahoolawe Island Reserve.

18 I was the Deputy Director there for a little more  
19 than five years and left that to come join the Planning  
20 Department. When I worked for the County previously, Will  
21 Spence was a staff planner, and I worked closely with him on  
22 a few projects, and we got to be friends and maintained that  
23 friendship. And so, it was very exciting to think about  
24 coming back to the County working on planning issues again  
25 and working with Will.



1           So, I'm very glad to be here, very excited about  
2 the huge variety that the Planning Department and would like  
3 to make myself available to any of you if there's anything  
4 we can do with the -- at the Deputy or Director level. And  
5 I also did want to discuss if you're so interested the  
6 reason for not having this meeting on Molokai as the  
7 Commission voted last time around. That was a decision that  
8 Will and I made, and we did explain that in a letter back to  
9 you folks.

10           But I did want to be here in order to respond to  
11 any questions you might have about that. It was purely an  
12 administrative decision. And also because we do know that  
13 the Commission will need to be going to Molokai later this  
14 year quite a few times, and so we wanted to ensure that  
15 those meetings would be full and productive and just do it  
16 when the time is right. And I guess that's all I have to  
17 say. Thank you for allowing me to introduce myself.

18           CHAIR FREDERICKSEN: Yes, Ray.

19           COMMISSIONER HUTAFF: You want to go first?

20           CHAIR FREDERICKSEN: Yeah. Go ahead.

21           COMMISSIONER HUTAFF: Just a comment. Thank you  
22 for the letter. Because I think the biggest issue we had  
23 was going. And the fact that we don't get to go when we  
24 wanted to go is really not that big of an issue for us here  
25 I think, if I can speak for them. It's getting Molokai on

1 an agenda.

2 MS. McLEAN: Absolutely.

3 COMMISSIONER HUTAFF: And thank you for the  
4 letter, because you've basically put it on the agenda. And  
5 I think you're right. We need to have a real focus on why  
6 we're going, so we can be very productive. Thank you.

7 MS. McLEAN: You're welcome, and I do hope though  
8 you will then be a former Commissioner, you will be able to  
9 join us when we do go over there.

10 COMMISSIONER MARQUEZ: You know, this is a good  
11 thing. Nothing is perfect. So, this is a step in the right  
12 direction. Of course, I wanted the meeting today, selfish  
13 reasons; however, Molokai will be Molokai. Whether we're  
14 there or not, it still will go forward. And when this  
15 Commission comes over, let me know. If I'm on the planet,  
16 I'll be there.

17 COMMISSIONER HUTAFF: You'll be there.

18 COMMISSIONER U'U: Just a question.

19 CHAIR FREDERICKSEN: Yeah, Bruce.

20 COMMISSIONER U'U: And I think this is a question  
21 more to Verna. Have you ever, in the last five years, has a  
22 meeting been held on Molokai?

23 COMMISSIONER MARQUEZ: 'A'ole, no.

24 MS. McLEAN: And I do understand that should  
25 happen annually, and we will see that that does happen

1 annually at least.

2 COMMISSIONER U'U: So, I would like to add that  
3 that I would like to thank you for taking a step in the  
4 right direction. For five years that not going on the  
5 island, I had no idea. And obviously, I do now, and now we  
6 have some scheduled meetings. So, I know that it's a change  
7 of administration, and it's a procedure you guys need to go  
8 through, but might be going in the right direction right  
9 now.

10 So, thank you for bringing the life and the  
11 importance that we need as a body to be on that island and  
12 not treat it as a stepchild.

13 COMMISSIONER MARQUEZ: And the thing is, too, you  
14 know, we're county. I mean we are part of the County,  
15 although some people think otherwise. And the thing is, I  
16 think according to our Commission and vision and policy,  
17 that we're supposed to also be having those meetings on  
18 site.

19 I understand coming over with mana'o, you know,  
20 purposeful, of course. You know, but however there is  
21 always something on the island that we -- we have that  
22 should be looked into. And Stanley did a lot of research on  
23 that, so I do look forward to seeing the Commission.  
24 Mahalo.

25 COMMISSIONER HUTAFF: And I would also like to add

1 that we probably should kind of apologize to Stanley,  
2 because we did put him in the middle. And you know --

3 COMMISSIONER U'U: I agree.

4 COMMISSIONER HUTAFF: It will be the last time I  
5 apologize for that.

6 CHAIR FREDERICKSEN: Any other questions or  
7 comments for Michele? Thank you, Michele. And I like your  
8 energy, and thank you once again for introducing yourself.

9 MS. McLEAN: You're welcome. Thank you.

10 COMMISSIONER HUTAFF: Appreciate it.

11 CHAIR FREDERICKSEN: Let's see, Item D, approval  
12 of minutes of the October 7th, 2010 meeting. Any Commission  
13 Members have comments or --

14 COMMISSIONER SARICH: I just haven't been able to  
15 read them all. And I would like to read them before  
16 approving them, so I don't know how that works.

17 CHAIR FREDERICKSEN: So we could defer.

18 COMMISSIONER HUTAFF: Yeah. Would you please? We  
19 didn't get this until Monday night, and I didn't get a  
20 chance to go through it.

21 CHAIR FREDERICKSEN: Anyone want to make a motion?  
22 Bruce.

23 COMMISSIONER U'U: Motion to defer.

24 COMMISSIONER SARICH: Second.

25 CHAIR FREDERICKSEN: All those in favor.

1 COMMISSIONERS: Aye.

2 MR. HOPPER: Just so you know, the minutes are  
3 required to be made available to the public 30 days from the  
4 meeting, approved or not. The Department will have to make  
5 a draft available for the record and mark it as a draft, but  
6 that's the Sunshine Law requirement of 30 days after the  
7 meeting.

8 So, whether or not you approve it, yeah, it's got  
9 to be made available.

10 CHAIR FREDERICKSEN: Okay. Thank you.

11 COMMISSIONER HUTAFF: Where is it available?  
12 Because I looked on the web site, and we've missed a few.  
13 There's no minutes on the web site.

14 MR. HOPPER: They don't necessarily have to be on  
15 the web site, but someone should be able to get a copy of --

16 CHAIR FREDERICKSEN: If they request it.

17 MR. HOPPER: -- either the minutes in draft or  
18 form, or at the very least, the tape recording of the  
19 meeting.

20 COMMISSIONER HUTAFF: Okay, cool. Thanks.

21 CHAIR FREDERICKSEN: All right. Before we proceed  
22 any further, does anyone in the audience have any time  
23 constraints and need to testify on one of the agenda items?  
24 If you do, come forward, and state your name. Otherwise, if  
25 you can wait until the particular agenda item comes up,

1 that's fine.

2 But if you do need to take off and want to have  
3 that opportunity, go ahead and come on up. State your name,  
4 please.

5 MS. MORRISON: Good morning. My name is Theo  
6 Morrison. I'm the Executive Director of the Lahaina  
7 Restoration Foundation.

8 CHAIR FREDERICKSEN: Good morning.

9 MS. MORRISON: Good morning. I came here today to  
10 thank you for deferring the decision to demolish the house  
11 on Prison Street. We are now -- as a result of that, the  
12 family came to me, and we went to see them at the house.  
13 And we are currently in negotiations to save the house.

14 And what the family said to me that day was, as a  
15 result -- this isn't a direct quote -- as a result of the  
16 CRC meeting, we started to think about restoration. So, I  
17 give you guys credit for doing -- giving the family the time  
18 to think about an option. And I also would like to thank  
19 Stanley, because he is just -- has undying faith that we  
20 will be able to save every single building, which, of  
21 course, we can't. But without that belief, we wouldn't save  
22 any.

23 And we also have that same belief. And we go  
24 after that, so it was just -- it was rather -- it was really  
25 a magic moment, because we went to that house -- we meaning

1 myself and my operations guy who is our restoration guy,  
2 thinking that we would just be getting door knobs and window  
3 panes. And it's turned out that they actually would want to  
4 save the house, and we're going to help them do that.

5 CHAIR FREDERICKSEN: Theo, that sounds great. Are  
6 they going to move the house or save it on property?

7 MS. MORRISON: Yeah. We haven't done any final --  
8 we have a meeting coming up this Friday, but basically, the  
9 idea that they would be leasing it to us, and we would use  
10 it as like an educational museum-type facility. And we  
11 would restore the house. The lease would be probably for a  
12 dollar a year or something. But the basic idea would be the  
13 restoration of the house.

14 CHAIR FREDERICKSEN: Nice, creative solution.

15 MS. MORRISON: Yeah. And I mean I understand  
16 we're, you know, right -- we just restored the Pioneer Mill  
17 smoke stack. And when we did that, we did this event out  
18 there called Plantation Days. And we asked the community  
19 for artifacts. And it took a while, and then all of the  
20 sudden, we were like flooded with artifacts. And we told  
21 the community we were going to build a museum some day with  
22 the artifacts.

23 Well, within nine months, we opened a museum  
24 because we had so much stuff. I had no idea about all this  
25 stuff. And most of the stuff would have been thrown away.

1 So, it's actually this is the time. We are the people that  
2 will save or not save the plantation era. And, you know,  
3 it's easy for us, because we grew up with it. We think it's  
4 just an old house. We don't see it like the Bailey Home --  
5 I mean, well, the Bailey Home. Also, like the Baldwin Home.  
6 Those were obviously historic houses, because they're so  
7 old.

8 But in 100 years -- you know, I mean this house  
9 we're talking about now is over 100 years old. Another 100  
10 years, it will be 200 years old. So, we are the people that  
11 will save this era. So, I just want to thank you for  
12 deferring that decision and letting this opportunity happen,  
13 so thanks.

14 CHAIR FREDERICKSEN: Thanks, Theo. Any other --  
15 any comments? Yes. State your name, please.

16 MS. JORGENSEN: Aloha, Commissioners. Good  
17 morning. My name is Mary Jorgensen, and I just recently  
18 bought a house at -- on Prison Street right across from this  
19 house. So, this is wonderful news to hear that this is  
20 going to be restored.

21 To me, it's like a model plantation house on that  
22 street, which is very small houses, and has a lot of  
23 potential to, you know, maintain that era of, you know, the  
24 houses have not been restored. And so, this will set a  
25 model for the other property owners along that street, which



1 as, you know, being Prison Street, we're all within a block  
2 of the historic prison. So, it's a very -- it's very  
3 wonderful to hear this decision that you did. And I just  
4 want to thank you.

5 CHAIR FREDERICKSEN: Thanks so much. Anyone else?  
6 Any comments?

7 Okay, Stanley.

8 Oh, we can have Will say hi. Got you, Will.

9 DIRECTOR SPENCE: Commissioners, my name is Will  
10 Spence. I'm the new Planning Director, and I'm very happy  
11 to meet you. I understand you've already discussed the item  
12 about going to Molokai. And to reiterate, we do want the  
13 Commission to go to Molokai. We want, you know, to  
14 formulate some very specific things for you to go take a  
15 look at.

16 I used to be one of the staff planners for Molokai  
17 and have many fond memories of going there, and not always  
18 of the hours sitting in front of the Commission, but, you  
19 know, it's a wonderful island. I always look forward to  
20 going there. So, we will want you very much to comment on  
21 the draft Molokai Community Plan and the resources that are  
22 there. So, but I very much look forward to working with  
23 you. I have a lot of confidence in the staff.

24 I have a lot of confidence in, you know, what you  
25 bring to the table. So, any questions of me, you know, feel

1 free to give me a call or, you know, talk to Stanley and go  
2 get to me. We'll work with each other really well.

3 CHAIR FREDERICKSEN: Thanks, Will.

4 DIRECTOR SPENCE: Thanks, Erik.

5 CHAIR FREDERICKSEN: When I was on the CRC the  
6 first time, we did -- Will was a planner for Molokai, and we  
7 went over there two or three times while I was on the  
8 Commission the first time. So, I have full faith that we  
9 will be over there a second time.

10 COMMISSIONER HUTAFF: And as we said earlier,  
11 thank you for the letter, because it shows a commitment,  
12 which is really what we were trying to do, even though we  
13 put Stan in the middle. I told him I would never apologize  
14 again for putting him in the middle. But your openness to  
15 all that is warming I think to all of us here at the -- on  
16 the Commission just to know that it's something that is  
17 definitely planned. That's just nice. That's real nice.  
18 Thank you.

19 DIRECTOR SPENCE: And it really only came to  
20 Michele and my attention that I guess it's the charter or  
21 maybe that says that, you know, you're going to go to  
22 Molokai once a year, unknown to us, so until we started  
23 looking at some of those things. But we do really want to  
24 have a purpose.

25 COMMISSIONER HUTAFF: Yes.

1           DIRECTOR SPENCE: You know, to expend taxpayer's  
2 funds and all that. So, I'm -- I understand this next trip  
3 has already been paid for, but --

4           COMMISSIONER HUTAFF: Well, let's make it really  
5 worthwhile. I happen to know the guy.

6           DIRECTOR SPENCE: Hopefully, my schedule will  
7 permit going with you, because I would like to go.

8           COMMISSIONER HUTAFF: Cool.

9           CHAIR FREDERICKSEN: Rhiannon.

10          COMMISSIONER CHANDLER: Good morning, Director.  
11 Thank you very much for being here. The only thing I wanted  
12 to add is I understand there are going to be some really  
13 large projects that come through in the next year. And  
14 we've been anticipating that large development in south  
15 Maui, the Honua'ula project coming across our table  
16 eventually.

17                 And I just wanted to request that we have really  
18 ample time to review any documents that come to us for the  
19 cultural resources review, because that area is so  
20 extensive. I haven't personally done any research outside  
21 of this Commission, because I want to just wait, you know,  
22 for the information that comes. But I also -- typically, we  
23 get our minutes and things about a week or within a week  
24 before the meeting. And that's no fault of the staffers.  
25 I'm not saying anything about that.

1 I just want to say if it is a very big project, I  
2 think all of us understand the weight of the decisions that  
3 we make and how much that affects the lives of other people  
4 and past people and things like that. And so, I just want  
5 to request that. Thank you.

6 CHAIR FREDERICKSEN: Thanks, Rhiannon.

7 DIRECTOR SPENCE: And we can certainly accommodate  
8 some of those kinds of requests. I'm not familiar with  
9 what's going on with Honua'ula, formerly Wailea 670. Okay.  
10 I know that that was -- they received zoning. I'm not sure  
11 what is coming back before this Commission. But, you know,  
12 if there is -- if there are things coming back before the  
13 Commission, we can make arrangements to send it, you know,  
14 earlier, at least as portions.

15 CHAIR FREDERICKSEN: Yeah. Will, I think from my  
16 memory when I was on the CRC the first time, and it came  
17 before the Commission then -- and thank you for bringing  
18 that up, Rhiannon -- there were some community concerns with  
19 the level of archeological work that had been undertaken on  
20 the property. And some of the -- some of the comments that  
21 I recall were basically addressing the lack of overall  
22 comprehensive look at the entire parcel.

23 It had been done piecemeal. And so, I believe  
24 that was one of the concerns that was not -- had not really  
25 been answered when we got it back. Because it was -- it was

1 deferred. And so, we never really looked at what there was.

2 DIRECTOR SPENCE: Okay. I'll find out what's  
3 being -- what's triggering further review or whatever it is,  
4 and we'll get back to you.

5 CHAIR FREDERICKSEN: One more comment.

6 COMMISSIONER CHANDLER: It's just a great honor to  
7 have the deputy and yourself here at the same time, so I  
8 wanted to say another challenge that we have is the Lahaina  
9 NHL, I think a lot of the residents don't understand that  
10 they live in a historic area for whatever reason. And so,  
11 I'll just say when people come to the Commission, a lot of  
12 times they've done -- they've already done things to their  
13 building that they didn't know they shouldn't.

14 And we've talked about all kinds of things from  
15 having like an officer, a historic officer in town, or  
16 there's just so many things. I don't know. With budgetary  
17 constraints, we absolutely understand that. But if there's  
18 any educational campaign or any kind of outreach that can be  
19 done for people who live in the area or businesses in the  
20 area. Even if it's a onetime reminder every five years that  
21 there's a design criteria, there's a -- you know, there's  
22 restrictions for all of these things.

23 I think it would save some people a lot of time,  
24 possibly money and us time in debating with them when, you  
25 know, I think they didn't understand a ruling. And, Stan,

1 if you have anything to add, but that's a huge challenge for  
2 us. I just wanted you to know.

3 DIRECTOR SPENCE: We are going to be working with  
4 the landmark. I mean clearly there are resources being --  
5 that are in danger of being lost. But clearly, there are a  
6 lot of homes and things that have nothing to do with the  
7 historic character of Lahaina.

8 So, you know, we're going to be looking at some of  
9 those things. We already have some preliminary discussions  
10 of what are the issues. And a lot of the -- a lot of the  
11 last two months have just been coming up to speed for  
12 Michele and I, you know, what has staff been thinking, what  
13 has been on the back burner, what needs to come forward.  
14 So, we're working with all those issues.

15 COMMISSIONER CHANDLER: Thank you.

16 DIRECTOR SPENCE: Sure.

17 CHAIR FREDERICKSEN: Any other comments or  
18 questions? Brandis.

19 COMMISSIONER SARICH: Hi. Thank you for  
20 introducing yourself. I'm Brandis Sarich. I just wanted to  
21 ask you when you say that buildings that don't impact the  
22 historic quality of Lahaina what you mean by that?

23 DIRECTOR SPENCE: Just like just north of Puamana  
24 and some of those newer subdivisions that were built I think  
25 in the '70s. Nothing historic about those, nothing

1 contributing to the character of the landmark. You know,  
2 how are we going to treat some of the historic issues  
3 because just by virtue of being in the landmark. So, I am  
4 not an advocate of putting people through big, long  
5 permitting processes for absolutely no reason.

6           If there's a good reason to do it, you know, let's  
7 get those issues out on the table and discuss them. If  
8 they're -- if there's no reason to do it, let's not do it.  
9 You know, staff has plenty to do. We all have plenty to do.  
10 I would rather get into meaty issues rather than  
11 nonsubstantive simply because of regulatory glitches.

12           COMMISSIONER SARICH: Thank you.

13           CHAIR FREDERICKSEN: I would -- the one comment I  
14 have on that, and I do agree, but the one comment that I  
15 would have on that is you could have a, quote, unquote,  
16 newer building in an area. But if it's in a historically  
17 significant area, basically most of Lahaina, all of Lahaina  
18 is, we don't know what is necessarily subsurface. So, that  
19 regulatory -- and I know you know this, Will. I'm just  
20 saying it for the record.

21           That regulatory process that would still need to  
22 be followed would be the State Historic Preservation  
23 Division feedback, comments typically which would be  
24 monitoring.

25           DIRECTOR SPENCE: The things that I look at are

1 like if somebody wants to add a bedroom onto their house, or  
2 even easier, they want to remodel the kitchen, that triggers  
3 a building permit. What kind of historic review should that  
4 go through? Virtually nothing. But by virtue of being in  
5 the landmark, we have to make some kind of determination.  
6 It's just that kind of stuff is not necessary.

7 CHAIR FREDERICKSEN: Any other questions or  
8 comments?

9 COMMISSIONER HUTAFF: Big mahalos. Thank you for  
10 being here.

11 CHAIR FREDERICKSEN: Yeah. Good to see you, Will.  
12 And glad you're in the position.

13 DIRECTOR SPENCE: Thank you. Look forward to  
14 working with everybody.

15 CHAIR FREDERICKSEN: Take care, Will. Okay.  
16 Moving on. Item E, Demolition. Stanley.

17 MR. SOLAMILLO: Good morning, Commissioners.  
18 Again, another popular topic. Demolition. The first case,  
19 Mr. Shayne Agawa on behalf of the Richard Agawa Trust for a  
20 property that was proposed for demolition at 255 Prison  
21 Street has for the moment been withdrawn pending discussions  
22 with Lahaina Restoration Foundation. And I'll take this  
23 opportunity to commend Theo Morrison and Lahaina Restoration  
24 Foundation, because they are, in essence, our private  
25 partners, without whom all our endeavors to save the NHL



1 would probably be impossible.

2           The next item is Mr. David Victor on behalf of the  
3 State of Hawaii, Department of Accounting and General  
4 Services, requesting review and comment on the demolition of  
5 a plantation era administration and classroom building  
6 located at 189 West Kaahumanu Avenue, TMK 2-3-7-004:003 in  
7 Kahului, Maui.

8           The CRC may provide comments and recommendations.  
9 Public testimony will be accepted. If you would like to hit  
10 the lights for me, Mr. Chair, we can go to the presentation.  
11 First of all, I want to commended David Victor, because he  
12 came out to the site and met with me. And he unfortunately  
13 is with a different department than the Department of  
14 Education, and he gets the dirty work of having to take down  
15 historic buildings. So, we have to commend him for being  
16 willing to listen and to talk to us and to be here today.

17           On that note, Kahului, and I think some of you  
18 heard before, in 1900 after Honolulu was -- the China Town  
19 in Honolulu was burned to the ground, the same folks who  
20 were responsible for that came to Kahului, and they did it  
21 under the same auspices of suspected bubonic plague cases.  
22 I think two or three were confirmed, and they burned down  
23 China Town here at the harbor. And out of the ashes of that  
24 came Kahului as we kind of know it today, although it's been  
25 changed with the adding of Dream City.

1           Essentially, the block that's identified with an  
2 arrow is the Chinese business district in 1900, which was  
3 later moved outside of the harbor area and redeveloped  
4 strictly for use including lumber and warehousing as well as  
5 for Kahului Railroad locomotives and moving freight. Much  
6 of the older buildings, we can only glean images out of  
7 documents that have been produced in Japanese language  
8 books.

9           And so, we just get glimpses of what was here at  
10 one time, but it was a pretty substantial commercial  
11 district that developed after the fire and continued to  
12 develop throughout the early historic period. Kahului  
13 Railroad was the dominant business in town. And all the  
14 development of any kind of housing, educational facilities  
15 was subservient to the railroad company. And remember this  
16 railroad company was the only one on island who transported  
17 all the sugar, all the supplies and all the pineapple.

18           It was also responsible for getting children to  
19 school and a variety of other service transportation uses.  
20 This is a series of oblique and ground views of Kahului,  
21 which was taken out when Dream City was developed. And  
22 these occurred around 1930. I think the middle shot was  
23 after we had a big flood. But it was a very different town,  
24 and we had an intact grid. And camps, as I said earlier,  
25 were pretty much relegated to housing employees of Kahului

1 Railroad and well as for the merchant community that  
2 developed there.

3 Kahului Elementary School developed into a fairly  
4 large and substantial campus. This is a shot of a brick  
5 building I believe, which was built in 1927. And one of the  
6 graduating classes I think for 1930, and everybody is neat  
7 and proper. It was a substantial campus. Unfortunately, we  
8 have extremely little history on this place.

9 I think this is a Harland Bartholomew map, which  
10 was done prior to the construction of Dream City. And it  
11 shows the school lot as it appears in 1959 as well as the  
12 grid for the town at that time. This is a great aerial  
13 photograph taken in 1971. It shows Kahului School in 1927.  
14 A work progress administration perimeter wall that was built  
15 in 1938, Kahului Shopping Center that was built in 1959, and  
16 the camps that were left as remnants adjacent to the  
17 commercial shopping areas and the school.

18 An indeterminate time since this aerial photograph  
19 was taken in 1971, eight buildings had been demolished on  
20 this site. So, what we're left with is kind of a skeleton  
21 of what the original facilities were. The proposal that is  
22 coming to you today for recommendations of demolition, are  
23 two buildings and they're located where it's shown with an  
24 X.

25 The first one I believe was used as an

1 administration building, although it's had several uses.  
2 And the second one is a classroom building, and it too has  
3 had a lot of uses since the campus was actually closed, and  
4 the elementary school and middle school moved elsewhere. As  
5 things usually are here on Maui without having a historical  
6 record, things are not as they appear.

7           And I think at this time when we are in an update  
8 of the Cultural Resource Management Plan and dealing with  
9 the property types as they are territorial school buildings  
10 say for basic dates, 1910 to 1940, we find that we have a  
11 lot of school buildings that are kind of in the same  
12 position.

13           The significance for these building is usually  
14 under Criteria A or C, that being education and ethnic  
15 history and architecture. On Lanai, they have one school  
16 building, which was moved towards preservation over a decade  
17 ago and unimproved, and it essentially is a demo by neglect.  
18 We have teachers' cottages that were demolished over time on  
19 Lanai as well.

20           On Molokai, in Kalaniana'ole settlement, there's a  
21 school that's located there, and it also has been kind of  
22 left in an abandoned state, which essentially is a  
23 demolition by neglect.

24           On Maui, we have Old Kahului Elementary School  
25 campus. Six buildings have been demolished. Two additional

1 buildings have been proposed for demolition. At Puunene  
2 School, we have one National Register listed school  
3 building, which is concrete. And we have four wood school  
4 buildings, which are unlisted and unimproved, and  
5 essentially again demolition by neglect. The ownership of  
6 all these buildings varies from public to private.

7           This one is listed on the National Register, and  
8 that's Kaupo School. It was built in 1922, and as I made  
9 the comment earlier, things were not as you would expect.  
10 There was something familiar when I first looked at this  
11 building a couple of years ago when I was in the field. And  
12 it only recently, when we got this new batch of demolitions  
13 started to coalesce in trying to find out what looked  
14 familiar about this building to me.

15           And I found out that I had seen these buildings  
16 before, and these particular buildings were built from 1915  
17 through 1938 or '39 across the south by Rosenwald Schools.  
18 These two photographs come from a Board of Education  
19 publication I think from 1920. And they showed that  
20 everybody, all the kids were kind of labeled. So, on the  
21 top photograph, everybody's ethnicity is kind of called out.  
22 The objective for education at that time was for  
23 Americanization as well as for basic math and reading  
24 skills.

25           And by 1924, there was a court case involving

1 Japanese language schools, because the Territory essentially  
2 wanted to shut them down. Throughout the south, after 1900,  
3 black students were lucky to get an educational at all. So,  
4 what happened was the president of Sears Roebuck & Company  
5 got together with Tuskegee Institute and began the project  
6 of funding black schools and black school programs over 15  
7 states.

8           This grew into the Bureau of Education, which was  
9 centered in Nashville, Tennessee. And by 1920, they were  
10 taking the plans that were developed under the Rosenwald  
11 program and mailing them all over the United States and to  
12 the Territories of Alaska, as well as Hawaii. Under the  
13 auspices of health and sanitation alone, the Board of Health  
14 of the Territory of Hawaii was in correspondence with the  
15 U.S. Bureau of Education in Nashville. And there was a  
16 survey of school buildings that was undertaken in 1920.

17           Our buildings are a little bit different. We have  
18 architectural precedence, which were established by 1900.  
19 They included a full-length lanai and then the enclosing of  
20 the ends of a lanai for storage. These were, the top  
21 picture and the bottom picture, of Soong Fat Store in  
22 Waikapu, 1909. This kind of transformation of a building  
23 also occurred on the familiar kauhale of Hawaiian families,  
24 and you've seen this before. This was a kauhale which was  
25 photographed in Wailuku in 1904, and it showed that we had a

1 full-length lanai, but we also had enclosing portions of a  
2 the lanai for storage and other uses.

3 By the turn of the century, at least by 1900 to  
4 1901, the top photo was taken in 1904, this is pretty much  
5 an established building type on the island of Maui. This  
6 continues all the way to the '20s. The top photograph is  
7 Kaupo Store taken in 1901, which shows the lanai with two  
8 enclosed ends.

9 The thing which is demonstrative of any kind of  
10 Rosenwald influence is usually called the window bank, which  
11 is a series of tall windows, either five or six windows  
12 which have been ganged together. And the reason why they  
13 were ganged together was because most of the schools that  
14 were built under the Rosenwald program were not electrified.  
15 And the schools were oriented to take advantage of the sun  
16 and provide a maximum amount of sunlight.

17 This is a picture of Julius Rosenwald and Booker  
18 T. Washington at Tuskegee, and this was a map of the 15  
19 states in the south, which received 5,300 Rosenwald schools.  
20 The National Trust in 2002 recognized that Rosenwald schools  
21 were disappearing, and they placed the schools on their  
22 eleven most endangered list in that year. It's now  
23 estimated that out of 5,300 Rosenwald schools built from  
24 1914 to 1938, no more than 800 remain.

25 Rosenwald schools have plenty of variation. I

1 think there's almost 300 floor plans. And at this point, we  
2 haven't had any time to actually go into any serious and  
3 in-depth study of the school buildings that we have so that  
4 we can actually compare floor plan to floor plan. The work  
5 for Hawaii and for all the schools that have been built  
6 since 1900 hasn't really been prepared to document the  
7 development of school buildings throughout the entire  
8 archipelago.

9           So, for the moment, we will look at the facts that  
10 the Interstate School Building Service, which was under the  
11 U.S. Bureau in Nashville was sending out plan books which  
12 carried Rosenwald school designs, and that that agency was  
13 in contact with Hawaii, the Territory of Board of Education  
14 and basically dependent on the appearance of the multiple  
15 windows that we have found. That is a key for a suggestion  
16 that there is at least some design influence from Rosenwald  
17 schools.

18           You see the windows that provided maximum light  
19 for kids in an educational setting without electricity. I'm  
20 going to run through these fairly quickly. This is Kaupo  
21 School full-length lanai and enclosed ends for storage and  
22 restroom facilities. Puunene School, 1922 or a little bit  
23 later. We don't have a firm date on these school buildings.  
24 There ended up being three, which are located in a  
25 semicircle around the concrete school, same plan type



1 typologically, but they are a lot longer.

2           In this case, we have multiple bays of five or six  
3 windows all stacked up together. But the future of all  
4 these buildings is uncertain at this time. Lanai Elementary  
5 School, 1937. Look for the characteristic gang windows.  
6 This building was moved for its preservation and its  
7 decaying. But in this case, we've got much shorter windows.  
8 And also, some of these buildings have molded battens, which  
9 is kind of contrary to the norm for plantation period  
10 buildings.

11           And we're back at Kahului Elementary School. This  
12 is wider, so it is almost a double bay in depth. But as you  
13 see in the top photograph, it has the multiple gang windows.  
14 The full-length lanai enclosed on two ends. And we have no  
15 floor plans for this building, because the floor plans I  
16 believe have been lost. Interiors of this building are  
17 relatively intact. The accordion doors, which separated  
18 classroom areas, or in this case the classroom from the  
19 stage area, are also in the Rosenwald tradition.

20           The second building is the administrative  
21 building, the administration building, excuse me. From the  
22 outside on one corner, it looks fairly intact. But as you  
23 move around, additions have been made to this building, and  
24 when we went in to inspect the interior, the floor plan was  
25 vastly changed. At this point, we can take public comment.

1 And then my recommendations will follow.

2 CHAIR FREDERICKSEN: Any public comment? If not,  
3 go ahead and state your name.

4 MR. VICTOR: My name is David Victor, and I'm the  
5 Maui District Engineer for the Department of Accounting and  
6 General Services.

7 CHAIR FREDERICKSEN: Good morning.

8 MR. VICTOR: Commonly shortened to DAGS. It's how  
9 I'll refer to our department, as DAGS from now on. We're  
10 proposing a project to demolish two old abandoned wooden  
11 buildings, as Stanley mentioned previously. These buildings  
12 are located at the corner of Kaahumanu Avenue and Kane  
13 Street. And the acreage is 5.5 acres. This is right in the  
14 middle of Kahului. As Stanley mentioned, the previous use  
15 of the site was for an elementary school. And when Kahului  
16 Elementary School moved to its current location in Dream  
17 City, the use of this site as a school changed.

18 There are two buildings, and I'll refer to the  
19 building that's adjacent to Kane Street as Building B. This  
20 building, which is in the upper right-hand corner, was  
21 previously used as an administration building for Maui  
22 Economic Opportunity, MEO. When they constructed their new  
23 facility next to Cameron Center, the offices moved, and it  
24 has been abandoned since then. I think they moved in the  
25 mid '90s.

1           The other building, which is -- which I'll refer  
2 to as Building E is on Veval Street, and that's the building  
3 in the lower left-hand corner. That building was previously  
4 used by MEO as a Head Start classroom back in the '70s. The  
5 Head Start programs moved out to the elementary schools, and  
6 it was later used as a clothing thrift shop by MEO. It has  
7 since been abandoned.

8           CHAIR FREDERICKSEN: Excuse me, David. I've got a  
9 question for you. Backing up to the old actual two-story  
10 old Kahului School, elementary school building that was  
11 demolished in the '90s, do you know -- I remember it being  
12 the earlier part of the '90s. Do you have any specific  
13 date? It's one of those things that slips by.

14           MR. VICTOR: I think so. You're right. I think  
15 early '90s it was demolished, and I remember it being used  
16 as a dormitory.

17           CHAIR FREDERICKSEN: For MCC.

18           MR. VICTOR: Yeah, for MCC students. So, after  
19 the MCC students moved out, it was demolished.

20           CHAIR FREDERICKSEN: Thank you.

21           MR. VICTOR: The site is still being used by  
22 several agencies in the central building. DOE has their  
23 adult education classes and their lawn mower operators. So,  
24 they're still using one of the buildings, which we call it  
25 Building A. Also, MEO still uses the site as a

1 transportation facility, so they park all their buses there.

2           And they've also constructed modular buildings for  
3 their transportation offices. And as far as the ultimate  
4 use of this property, which is prime land right in the  
5 middle of Kahului, DAGS had plans to construct a six-story  
6 office building to house state agencies. That was back in  
7 late '80s. There's some rendition of the proposed six-story  
8 state office building, but planning, design and construction  
9 funds were never allocated by the Legislature. I think at  
10 the time, the estimated cost for that project was about \$30  
11 million.

12           Now, it's probably three times that, so I don't  
13 think, you know, due to the downturn in economy -- in the  
14 economy, I don't think we'll be seeing that building built  
15 in the near future, but we can leave it for future  
16 generations. Going back to the two buildings that we  
17 propose to demolish, there are quite a few reasons why we  
18 want those buildings taken down. First of all, they're  
19 abandoned. Nobody is using them anymore.

20           Secondly, they're old and pretty beat up. We  
21 estimate them to be at least 80 years old, probably more.  
22 And they're made of wood. So, you know, when you have these  
23 old buildings that are wooden, you know, you get a lot of  
24 termite damage and dry rot. The roofs leak, especially  
25 Building B. And the design is outdated. And what I mean,

1 you know, single wall construction. They're not ADA  
2 compliant. The electrical system is -- is not really safe.  
3 And it was, you know, it cannot accommodate computers and  
4 Xerox machines and printers and the stuff we use today,  
5 yeah.

6           And it's -- it's actually a fire hazard to use the  
7 old electrical system. The buildings also contain asbestos  
8 and lead paint, and so that's another problem. And they've  
9 been attracting homeless people. What happens is they break  
10 in. We kick them out. We board up the building, and it's  
11 kind of like a cycle. They find their way back in. And we  
12 do the same thing. But it's taking us -- it's taking  
13 resources from us because we have to devote labor and  
14 material to keep patching up where the homeless people break  
15 in.

16           Additionally, they leave their stuff in there and  
17 defecate and urinate in the building, so it is also a health  
18 and sanitation problem. And, you know, they are kind of an  
19 eyesore. They're abandoned. They're not in great shape.  
20 And they've served their useful life, I think. We've had  
21 experiences trying to renovate these old buildings. And  
22 we've found that it's not cost effective. What we --  
23 initially it appears that, you know, there may be some --  
24 they may be -- you may be able to renovate them, but what  
25 happens, you -- once you start removing boards, there's all

1 this hidden damage, you know, so you remove one board. Next  
2 board is termite eaten and so on and so on.

3 And by the time it is renovated, you know, it  
4 would be more cost effective to demolish and replace the  
5 building. I think that's pretty much it for my  
6 presentation. Any questions?

7 COMMISSIONER MARQUEZ: Is that area of campus also  
8 known as the annex? Was that called the annex before?  
9 Because we used to do workshops there. Is that the same  
10 area that the DOE called the annex?

11 MR. VICTOR: Yes.

12 COMMISSIONER MARQUEZ: It is, yeah?

13 MR. VICTOR: It's another building. It's not the  
14 two buildings that we propose to have demolished, but it's  
15 kind of a building -- kind of adjacent to -- on the other  
16 side of the -- yes, the one that Stanley is showing. That's  
17 the building that's called, sometimes called the annex.

18 COMMISSIONER MARQUEZ: Okay. Thank you.

19 MR. VICTOR: And it's still in use.

20 CHAIR FREDERICKSEN: Any other questions or  
21 comments?

22 COMMISSIONER HUTAFF: Yeah. When was the last  
23 time you had to board it up because of the homeless?

24 MR. VICTOR: Probably a month, a month ago.

25 COMMISSIONER HUTAFF: Okay. I know the area. I

1 know the police were trying to clean up that area for about  
2 the last year.

3 MR. VICTOR: Yeah, I've -- we've had them -- in  
4 fact, just Monday, February 28th, they were kind of living  
5 on the side of Building B.

6 COMMISSIONER HUTAFF: The bottom one, yeah.

7 MR. VICTOR: And we had them evicted, so it's a  
8 temporary fence to keep them out. But they're kind of  
9 persistent sometimes. And, you know, they do come back.

10 CHAIR FREDERICKSEN: Rhiannon.

11 COMMISSIONER CHANDLER: Thank you for your  
12 testimony. Are you aware of any work that DAGS does to care  
13 for these buildings along the way before they get to this  
14 state that they have to be torn down because of their  
15 condition?

16 MR. VICTOR: Once they're abandoned, we didn't  
17 want to spend any money doing any renovations. So, once  
18 they're abandoned, we pretty much left them alone. And the  
19 reason it's taken so long is I put in for demolition about  
20 ten years ago, but we didn't get funding until now. So,  
21 once they're abandoned, and maybe a couple of years later  
22 when we knew nobody was going to use them, you know, I did  
23 put in for funding for demolition.

24 But it's -- with the State, it's pretty hard to  
25 get funding, so it took ten years to get that funding.

1 COMMISSIONER CHANDLER: Thank you.

2 CHAIR FREDERICKSEN: Any other questions,  
3 comments?

4 COMMISSIONER SARICH: I would just say last week I  
5 actually was walking down that street and looked at that  
6 building and it caught my eye. And I thought this is a  
7 really cool building in the middle of town. I didn't know  
8 the history, but the building itself made me want to know  
9 what's going on. So, it's kind of coincidental we're  
10 learning what's going on.

11 It definitely speaks to another era and another  
12 sense of scale than what is next to it, which is a modern  
13 apartment building. I don't know if it's a dormitory.

14 CHAIR FREDERICKSEN: That's the college housing.

15 MR. VICTOR: Student housing.

16 CHAIR FREDERICKSEN: Any other questions or  
17 comments? Okay. Thank you. And Stanley.

18 MR. SOLAMILLO: Okay. The administrative  
19 building, which is Building B or A, which one?

20 MR. VICTOR: B.

21 MR. SOLAMILLO: Which is Building B, so we can hit  
22 the lights again, sorry. This building has been  
23 substantially altered. Based on the alterations, it is not  
24 eligible for listing in the National Registry of Historic  
25 Places, and no mitigation is recommended. On the next



1 building, which is Building E, this building has been  
2 slightly altered. It is eligible for listing, or I should  
3 say it appears eligible for listing in the National Register  
4 of Historic Places under Criteria A and C.

5           And I apologize. In your packet, A should be for  
6 broad patterns of history, and B is associations with  
7 significant persons and/or events. So, under A and C, which  
8 is architecture, and if no alternatives to demolition can be  
9 found, then mitigation of the adverse effect of demolition  
10 should be Historic American Building Survey, HABS Level III  
11 documentation, which shall include a floor plan, large  
12 format four by five photographs and a HABS Level III  
13 narrative.

14           The HABS Level III narrative shall include a  
15 statement of significance and architectural description, end  
16 notes, footnotes and a bibliography. The lights.

17           CHAIR FREDERICKSEN: Okay. Those are staff  
18 recommendations. Any questions?

19           MR. SOLAMILLO: Those are staff recommendations.

20           COMMISSIONER SARICH: The alterations to the  
21 Building E, is it mostly just the windows? Or is it --

22           MR. SOLAMILLO: Both buildings actually have the  
23 windows, but if the windows have been changed during the  
24 period of significance, which now includes up to 1960, then  
25 you can discount that change. The addition, which appears

1 to be have been made on one end on the makai side of the  
2 building and the interior floor plan alterations, there is  
3 virtually no indication of the original floor plan left.

4 COMMISSIONER SARICH: But in Building E --

5 MR. SOLAMILLO: Correct.

6 COMMISSIONER SARICH: -- the windows were replaced  
7 at one time?

8 MR. SOLAMILLO: They were replaced there as well,  
9 but the same fenestration patterns exist, and it appears  
10 that the interior floor plan is almost virtually intact.  
11 Only a slight modification to office areas. Right now we  
12 have absolutely no documentation on this entire campus.

13 COMMISSIONER SARICH: Really? Is our Commission  
14 allowed to recommend documentation on the whole thing?

15 MR. SOLAMILLO: I think under the HABS Level III  
16 we would have to document the significance of the site, when  
17 it was built, by whom, on what dates. Some buildings appear  
18 to have been moved in. Others were constructed on the site.  
19 So, you mean some indication of what the chronology of  
20 construction on the site was, and then its eventual closure  
21 and abandonment over time?

22 CHAIR FREDERICKSEN: I would like to also make a  
23 request following on what Brandis said, that some  
24 information on the old Kahului School two-story brick  
25 building, even though it's not there anymore, but it was

1 part of that, you know, that complex, that information be  
2 included in the HABS level documentation. Any other  
3 Commission Member comments? Verna.

4 COMMISSIONER MARQUEZ: I'm looking at the  
5 recommendation. And, yeah, we see the HABS Level III, four  
6 by five photographs, floor plan and the narrative documents  
7 and history. And so, when all of this has been had,  
8 Stanley, then what would be the next step?

9 MR. SOLAMILLO: The next step is that they get a  
10 demolition permit.

11 COMMISSIONER MARQUEZ: And with these in place,  
12 then it would like give them more leverage for -- where am I  
13 going with this? So, they get all this mana'o. You folks  
14 come back and look at this, and then at that point, they go  
15 for their approval of the permit, is that what you're  
16 saying?

17 MR. SOLAMILLO: Yeah. Actually, what happens is  
18 they submit to us and submit to SHPD simultaneously. And  
19 they usually get issued a go-ahead, and it's a concurrent  
20 issue, so they don't have to come back to the Commission.

21 COMMISSIONER MARQUEZ: Okay.

22 CHAIR FREDERICKSEN: But the information, once  
23 it's approved, the level of documentation, that would -- the  
24 Planning Department would receive.

25 MR. SOLAMILLO: The Planning Department gets a

1 copy. SHPD gets a copy as well. Ultimately with HABS, the  
2 entire collection goes to the Library of Congress in  
3 Washington D.C.

4 CHAIR FREDERICKSEN: Any other questions or  
5 comments, Commission Members?

6 COMMISSIONER SARICH: It just seems there should  
7 be some use for these buildings. I know that personally if  
8 I could have this building as my art studio, I would be  
9 pretty excited if there was anything available of this kind  
10 of space and height. But I don't know if there's any kind  
11 of program for people to be able to use these abandoned  
12 buildings.

13 COMMISSIONER HUTAFF: I can pretty much state that  
14 there are definitely people out there looking for space and  
15 buildings and looking for exactly this type, mainly because  
16 it's cheap.

17 COMMISSIONER SARICH: Yeah.

18 COMMISSIONER HUTAFF: There are definitely lots of  
19 organizations out there.

20 CHAIR FREDERICKSEN: I guess the challenge on it  
21 would be the, you know, if somebody -- how can someone use  
22 something that's pretty much at the level of where it's  
23 condemned. And for liability, that's what it kind of boils  
24 down to unfortunately is the liability side of the coin. It  
25 is that the one building, Building E, I completely agree

1 with what you said. It's a very attractive building.

2           The other one has been heavily altered, Building  
3 B. But Building E, it's been altered somewhat, but kind of  
4 the core is still there. But it's in bad shape. Any other  
5 comments?

6           COMMISSIONER SARICH: Other than that, I mean it  
7 just -- thank you so much for that presentation, Stanley,  
8 and understanding the significance of this building is  
9 tremendous and understanding how widespread this was and  
10 what it meant to America in general. And I didn't know that  
11 about Sears & Roebuck that they sponsored all of this. And  
12 to me, it's inspiring, and that means that this building to  
13 me has a lot more significance than just being an old  
14 building in Kahului.

15           I mean this is really part of our country and  
16 really part of our history.

17           COMMISSIONER HUTAFF: Right across the street from  
18 Sears, too.

19           COMMISSIONER MARQUEZ: Yeah.

20           MR. SOLAMILLO: If I may. We're only on the  
21 beginning point of the research. So, it's actually going  
22 through the actual plans and going through a lot more  
23 research to actually make these connections. I've got them  
24 in the reports to the Senate, the United States Senate that  
25 come from the agency U.S. Bureau of Education.

1           And they're indicating that they are sponsoring  
2 surveyors' facilities in Hawaii as well as health and  
3 sanitation. And they also mentioned that they are in  
4 contact with the Territorial Board of Education as well as  
5 the health authorities here. So, at this point, it's just  
6 conjectural. I'm leading -- you know, it looks good, but  
7 until we actually physically have, you know, a floor plan  
8 taken and adapted by an architect here in Hawaii, I would  
9 hesitate and caution everybody that it looks good, but until  
10 we have the facts.

11           CHAIR FREDERICKSEN: Stanley, for the sake of  
12 argument on this one, on Building E, if the floor plan and  
13 everything comes back, some of the research comes back and  
14 this building does prove to merit significance under the  
15 criteria, but also in the broader picture, are there -- and,  
16 you know, recognizing the -- well, State in this instance,  
17 but the State's fiscal situation, if it were determined that  
18 this building is really worth trying to save, would there --  
19 are there any -- any avenues that the State might be able to  
20 pursue that would provide funding?

21           Because otherwise, there's not -- the way the  
22 budget is, it's not going to happen.

23           MR. SOLAMILLO: Yeah, Mr. Victor would have to  
24 address that issue and given the fiscal situation here in  
25 Hawaii. It would have to be a private person coming in.

1 Essentially what Theo did with the house this morning, which  
2 was it was kind of like if you can enter into an agreement,  
3 we'll fix it up for you, or in this case, because it's  
4 location, we would have to move it I would presume. I can't  
5 speak to that.

6 CHAIR FREDERICKSEN: Right.

7 MR. VICTOR: It's pretty much up to the  
8 Legislature, yeah, to allocate funds for our projects. So,  
9 we could make a request and submit it, but it's -- you know,  
10 it took ten years to get approval for demolition, you know.  
11 And ten years ago, the fiscal situation of the State was  
12 better than it is now, so I don't know.

13 That's a big question mark. I think, you know,  
14 you may be kind of grasping at straws by thinking something  
15 could be done by the State in the near future regarding  
16 renovation.

17 CHAIR FREDERICKSEN: Right. Have you folks looked  
18 at offering it to someone to basically take it away? They  
19 provide the services to remove the building.

20 MR. VICTOR: The State is, you know, as a public  
21 agency, there's a lot of bureaucracy that we have to go  
22 through. What we would have to go through, you know, is  
23 kind of like offer it, you know, bid it out and open it up  
24 to everybody rather than just designate one individual that  
25 can have it, yeah. So, it would have to be like an open bid

1 process, so that's I guess procurement law.

2 And, you know, the bid price could be a buck or  
3 so, but it has to be -- we cannot show favoritism by  
4 offering it to just one entity, you know. It has to be open  
5 to everybody.

6 CHAIR FREDERICKSEN: Sure.

7 MR. VICTOR: So, yeah, it's possible. But, you  
8 know it would have to be kind of like bid out.

9 CHAIR FREDERICKSEN: Any other comments? Brandis.

10 COMMISSIONER SARICH: If there's any way to save  
11 it, I don't think it should be moved because of the  
12 significance of that site.

13 COMMISSIONER HUTAFF: I kind of agree. I think  
14 that whole site, you know, I still have a picture memory of  
15 that school.

16 CHAIR FREDERICKSEN: The two-story school.

17 COMMISSIONER HUTAFF: The two-story school. And I  
18 hadn't gone down to Kaahumanu Center and that road for like  
19 two years, and all of the sudden I drove by and went -- the  
20 grass was growing by then. I hear what he's saying about  
21 the Legislature and the time and all those things. And  
22 those are definitely paths that we understand they've been  
23 down before, but I also don't believe in the word can't.

24 Because once you say can't, your decision is made  
25 and it's final, and it's absolute. And I brought my kids up



1 never to use that word, so I'm not going to use that word  
2 today. I would like to see it go to the Legislature to be  
3 funded. I think that, you know, the fact that it was a  
4 school, it is across the street from the college. There is  
5 that four-story apartment complex or whatever it is for the  
6 students over there.

7 I think there's great potential for that whole  
8 property to become very lucrative or at least sensitive to  
9 the era. And if you look around the shopping center and  
10 everything else that you have across there, you take that  
11 away, you've taken everything away from Kahului pretty much  
12 within visual sites of --

13 CHAIR FREDERICKSEN: What's left.

14 COMMISSIONER HUTAFF: -- what's left. So, here is  
15 one that I think needs to stand out as absolutely most  
16 important.

17 CHAIR FREDERICKSEN: Bruce.

18 COMMISSIONER U'U: Are you talking about the two  
19 buildings?

20 CHAIR FREDERICKSEN: I think Building E.

21 COMMISSIONER U'U: Building E, so would we  
22 separate the items, so we can focus on --

23 CHAIR FREDERICKSEN: I don't know. I don't mean  
24 to speak for you, Ray. Were you speaking about Building B  
25 and E?

1           COMMISSIONER HUTAFF: Based upon the information  
2 that Stan provided is that one of the buildings is pretty  
3 much not in the picture.

4           CHAIR FREDERICKSEN: Building B.

5           COMMISSIONER HUTAFF: Yes, okay. Because there's  
6 something --

7           CHAIR FREDERICKSEN: That's heavily altered.

8           COMMISSIONER HUTAFF: Right. You're not really  
9 restoring, because it's already altered. So, to me, it even  
10 adds to the importance of the existing building. All the  
11 more reason, look, we're going to lose one no matter what.  
12 Actually, it was lost a long time ago, just like the school  
13 was. We can't do anything about the school.

14           But how about we really, really, really, really  
15 try and not use any can'ts.

16           COMMISSIONER MARQUEZ: I'm going to add something.  
17 Being with the Department of Ed for 33 years and DAGS, DAGS  
18 is very creative, by the way, there's hope. Because at the  
19 rate the Department took ten years to get here, trust me,  
20 people, it will be a while before things get happening with  
21 budgets and whatnot. So, enjoy what you have now, and I do  
22 agree there is a ray of hope.

23           So, if we can save that E in A will complement  
24 E -- gee, sounds like a DOE classroom -- that would be good.

25           COMMISSIONER HUTAFF: I always have strong faith

1 in the economy. Just my personal experience in our  
2 business, we're up 50 percent over last year. And last  
3 month was the best month we've ever, ever, ever, ever, ever  
4 had. And October in 2010 was the best year before or best  
5 month before that, so I think, you know, if we look at the  
6 tax and the budgets and all these kind of things that's  
7 funded through taxes, although the budgets are made a couple  
8 of years in advance, I see, barring anything weird happening  
9 again, that it is time to put it up. I would say put it up,  
10 let it fly. Put it up to the Legislature. Don't say can't.

11 CHAIR FREDERICKSEN: Brandis.

12 COMMISSIONER SARICH: Stanley, is there any way we  
13 could use the demolition of Building E in order to start  
14 documentation on the whole site?

15 MR. SOLAMILLO: Yes.

16 COMMISSIONER SARICH: Say that we need mitigation  
17 on that in order to start documenting the site and then buy  
18 time on Building B by recommending that they don't demolish  
19 it at this time.

20 CHAIR FREDERICKSEN: Building B is the one that's  
21 heavily altered.

22 COMMISSIONER SARICH: Sorry.

23 CHAIR FREDERICKSEN: E is the one that's more  
24 intact.

25 MR. SOLAMILLO: Do I need to start over? I meant

1 use the demolition of the administration building in order  
2 for us to be able to start.

3 CHAIR FREDERICKSEN: Building B would be the one  
4 that would get the permit.

5 COMMISSIONER SARICH: Yeah, so the admin building  
6 would get its permit, but we would take mitigating measures  
7 by starting to do documentation on the campus.

8 CHAIR FREDERICKSEN: Of the entire, yeah, of the  
9 campus, the complex.

10 COMMISSIONER SARICH: And then recommend that they  
11 not demolish the classroom building --

12 CHAIR FREDERICKSEN: Building E.

13 COMMISSIONER SARICH: -- at this time to buy more  
14 time to properly understand what that building's  
15 significance is.

16 CHAIR FREDERICKSEN: Bruce.

17 COMMISSIONER U'U: So for clarity, you're okay  
18 with the demolition of Building B?

19 COMMISSIONER SARICH: Yeah, especially if that  
20 will gain us the ability to document that whole site.

21 CHAIR FREDERICKSEN: And it has been heavily  
22 altered, and it's in really bad shape. I've seen it on the  
23 ground, Building B, B as in boy.

24 COMMISSIONER U'U: Okay.

25 COMMISSIONER HUTAFF: There's also that homeless

1 situation and the liabilities, because that's very close to  
2 the road. And like I said, I know that area very well. We  
3 tried for three years to -- just like he said, they come and  
4 they go. You get rid of them, and they're gone for three  
5 months. And all of the sudden, they're there right down the  
6 alley where the second van is.

7           Having that other one left alone because of its  
8 location in a pretty much open area is not attractive to  
9 people who want to basically hide.

10           COMMISSIONER U'U: So, do we have a motion?

11           MR. SOLAMILLO: Before we get a motion.

12           CHAIR FREDERICKSEN: Yeah, let's --

13           COMMISSIONER U'U: Discuss it?

14           MR. SOLAMILLO: We could do several things. We  
15 could, as has been recommended, that we recommend the first  
16 building, which is the administration building.

17           CHAIR FREDERICKSEN: Building B.

18           MR. SOLAMILLO: Building B. That we can proceed  
19 with the demolition. You can defer the demolition.

20           CHAIR FREDERICKSEN: Building E.

21           MR. SOLAMILLO: On Building E, and you can ask the  
22 Applicant to explore other options besides demolition. In  
23 fact, you could go -- by code, you can ask that for a  
24 demolition, you can ask for a structural engineer's report  
25 and all that documentation to show that the building is

1     unsound and unsafe.

2             MR. HOPPER: Stanley, just to clarify, to whom is  
3     the Commission making recommendations in this case?

4             MR. SOLAMILLO: To the Applicant, which would be  
5     DAGS.

6             THE COURT: And you're talking about requiring an  
7     engineer's report. This isn't in the County historic  
8     district, right?

9             MR. SOLAMILLO: That's right, a misstatement.  
10     Thank you.

11             MR. HOPPER: So basically, the Commission is  
12     looking at this as kind of something that's in the  
13     Commission shall advise and assist Federal, State and County  
14     government agencies in carrying out their historic  
15     preservation responsibilities?

16             MR. SOLAMILLO: Correct.

17             THE COURT: So, you're advising the applicant;  
18     you're not sending this to SHPD, for example?

19             MR. SOLAMILLO: This goes to SHPD.

20             MR. HOPPER: So, they're looking at this, too?

21             MR. SOLAMILLO: Absolutely.

22             MR. HOPPER: They're looking at the Commission's  
23     recommendation?

24             MR. SOLAMILLO: Correct.

25             MR. HOPPER: As well as the Planning Department is

1 also, they're kind of seeking recommendations from the CRC,  
2 too?

3 MR. SOLAMILLO: Correct.

4 MR. HOPPER: So, this recommendation will go to  
5 the applicant and go to the State?

6 MR. SOLAMILLO: Correct.

7 MR. HOPPER: And do any of these bodies actually  
8 approve the demolition permit?

9 MR. SOLAMILLO: The demolition permit comes from  
10 Public Works.

11 MR. HOPPER: Right, it's DSA. So, even if there's  
12 a recommendation to preserve, can DSA actually say deny the  
13 demolition permit if it meets the other code requirements?

14 MR. SOLAMILLO: No, because it's recommendation  
15 only.

16 MR. HOPPER: I just wanted to clarify that. Now,  
17 the county historic district is different.

18 MR. SOLAMILLO: Correct. Thank you for suggesting  
19 that.

20 MR. HOPPER: I just wanted to be clear on the  
21 recommendation. I'm a bit new, but I understand what the  
22 law reads, but I wanted to see where this one fell.

23 MR. SOLAMILLO: Thank you.

24 CHAIR FREDERICKSEN: Thank you, Corp Counsel.

25 COMMISSIONER MARQUEZ: So, then I have a question.

1 So bottom line, which entity or body gives the final  
2 approval for demolition?

3 MR. SOLAMILLO: Public Works.

4 COMMISSIONER MARQUEZ: Public Works. So, all of  
5 the mana'o recommended goes to whatever he says, and then  
6 Public Works makes the final decision?

7 MR. SOLAMILLO: What happens is once a building  
8 has been documented and the whole documentation package has  
9 been accepted, then a letter goes out, and that letter gets  
10 copied to Public Works. And at that point, the demolition  
11 permit is released to the applicant. Because, in essence,  
12 they've satisfied the recommendations of this body.

13 And usually what happens when this body makes a  
14 recommendation, SHPD concurs as well.

15 COMMISSIONER MARQUEZ: Oh.

16 MR. HOPPER: But can SHPD prevent a demolition  
17 permit in this type of district, do you happen to know that?

18 MR. SOLAMILLO: I do not know that.

19 MR. HOPPER: They do have a bit broader authority,  
20 as I understand, but I'm just not sure about that.

21 CHAIR FREDERICKSEN: It would be a call on the  
22 part of the architectural branch.

23 MR. SOLAMILLO: So, at that point, and I will  
24 retract the structural engineer's report. All we can  
25 recommend essentially is that the building be documented to



1 mitigate the adverse affect of demolition. And that  
2 includes the measured drawings, which is floor plan only.  
3 We're not asking for HABS Level I. It's HABS Level III, so  
4 it's floor plan only, four by five photographs and a  
5 narrative report, which will include, as has been suggested,  
6 if you vote on that recommendation to include the  
7 significance of the entire site where the building is  
8 located.

9 COMMISSIONER HUTAFF: These are two separate, or  
10 are they combined?

11 MR. SOLAMILLO: They're combined.

12 CHAIR FREDERICKSEN: So, what happens if there's  
13 a -- but the Commission will likely be recommending if  
14 there's a demolition approval or a recommendation for one  
15 demolition, but not the other one, does that stop the  
16 demolition permit, or does it split it and they get --

17 MR. SOLAMILLO: I mean they can be combined  
18 actually or separated.

19 COMMISSIONER HUTAFF: How do we separate?

20 MR. SOLAMILLO: We can do it here.

21 COMMISSIONER HUTAFF: Can we move?

22 CHAIR FREDERICKSEN: So, just so we as a  
23 Commission are clear, this is on the advisory side, okay.  
24 We still can make a motion, or is it just advisory?

25 MR. SOLAMILLO: Everything is advisory.

1 MR. HOPPER: I would say even to make your  
2 comments, we do this with like with EA's and EIS's, you  
3 would still want a motion. They're the comments of a body,  
4 not just a commissioner.

5 CHAIR FREDERICKSEN: All right. Anymore  
6 discussion?

7 COMMISSIONER MARQUEZ: So then, would the motion  
8 be we recommend, as he stated, and then we also proceed with  
9 Building E demo, demolition; that's what we're saying?

10 CHAIR FREDERICKSEN: Well, it would be a motion  
11 the Commission wants to put forward, but that seems to be  
12 what we're talking about. It's something a Commission  
13 Member needs to make a motion.

14 COMMISSIONER MARQUEZ: I want to be clear before  
15 moving.

16 CHAIR FREDERICKSEN: Yes, thank you.

17 COMMISSIONER HUTAFF: I would like to move we  
18 separate the two buildings into two separate demolition  
19 permits. And that building, which I don't know if it's A or  
20 B now or B or E.

21 CHAIR FREDERICKSEN: E is the keeper.

22 COMMISSIONER HUTAFF: Yeah, we make no comment  
23 other than to separate it.

24 COMMISSIONER MARQUEZ: Ray.

25 COMMISSIONER HUTAFF: Yes.

1 COMMISSIONER MARQUEZ: Just because this is my  
2 final meeting --

3 COMMISSIONER HUTAFF: You want me to explain my  
4 reason?

5 COMMISSIONER MARQUEZ: Would you elaborate on  
6 that?

7 COMMISSIONER HUTAFF: First of all, I think that  
8 based upon what I'm hearing, we kind of agree that there's  
9 no real purpose or reason to keep that because of its  
10 alterations.

11 CHAIR FREDERICKSEN: Building B.

12 COMMISSIONER HUTAFF: If we separate the two of  
13 them, then they need to be separate, okay. Making any kind  
14 of comment whatsoever might lead one to believe something  
15 about what we're going to decide on the other building that  
16 we, again, I'm assuming we might want to consider saving.  
17 Having no comment means we don't either accept or deny  
18 cultural or historic value to it. We're basically benign to  
19 it.

20 Then we can focus in on the reasons why the other  
21 building -- let that one go by, okay. You know, let's go  
22 work on the other one I think is more important. That's the  
23 reason why no comment, just to get it out of the way.

24 COMMISSIONER CHANDLER: I wonder if no comment  
25 would send a message that we're not --

1 CHAIR FREDERICKSEN: I think we should comment  
2 myself.

3 COMMISSIONER HUTAFF: Okay.

4 COMMISSIONER MARQUEZ: Yeah, I think I'm trying to  
5 follow you. And then I'm looking at DAGS and DOE and State  
6 is, you know, there is a building of significance, E. I got  
7 it. There is a one without, B. I got it. I was teaching  
8 elementary for a little while.

9 The thing is we really should move on, and if we  
10 can go ahead and proceed with this nonessential structure,  
11 cool. However, we focus in on the building that has some  
12 integrity and move on with that. But I can't see -- not  
13 can't see, but I beg to differ on separating these two and  
14 no comment.

15 COMMISSIONER HUTAFF: Then I remove the motion. I  
16 thank you. That's cool.

17 COMMISSIONER MARQUEZ: You're welcome. Cool.

18 COMMISSIONER SARICH: I have another question for  
19 Stanley before we make a motion. Stanley, even if we're  
20 recommending they don't demolish the building, can we ask to  
21 start documenting that building before it falls apart?

22 COMMISSIONER U'U: Building?

23 COMMISSIONER SARICH: Building E.

24 MR. SOLAMILLO: I would probably defer to  
25 corporation counsel. I mean the recommendations are made

1 and they are mitigated measures, and their whole purpose or  
2 the whole purpose of documentation is to mitigate the  
3 adverse effect of demolition, so it goes on the presumption  
4 the building will, in fact, be demolished.

5 COMMISSIONER SARICH: So, if we decided we wanted  
6 to try and get this building on the Historic Register,  
7 that's when we would do some documentation on it?

8 MR. SOLAMILLO: Well, I mean right now with the  
9 HABS level mitigation, you're still required to do this  
10 research and reportage on the history of the site as well as  
11 that particular building.

12 CHAIR FREDERICKSEN: Any other comments,  
13 questions? Okay. Now, as a Commission, someone needs to  
14 make a motion about what we've been discussing, and we'll  
15 see if it passes. Do we need more discussion on the motion  
16 in order to craft the motion?

17 COMMISSIONER SARICH: I think I'm ready.

18 CHAIR FREDERICKSEN: Okay.

19 COMMISSIONER U'U: I think.

20 CHAIR FREDERICKSEN: Have at it.

21 COMMISSIONER SARICH: I would like to motion that  
22 we recommend mitigation of demolition of Building B, and we  
23 would like HABS Level III documentation that includes a  
24 narrative that covers the entire significance of the site  
25 and that we as a body would recommend saving Building E,

1 especially until we can understand the significance of that  
2 building.

3 CHAIR FREDERICKSEN: Sounds good. Is there a  
4 second?

5 COMMISSIONER CHANDLER: Yes.

6 CHAIR FREDERICKSEN: Or a comment?

7 COMMISSIONER CHANDLER: I second and just wonder  
8 if we should separate them formally in this motion, or is it  
9 okay to make a motion like this, because currently both  
10 buildings are on the same application?

11 MR. SOLAMILLO: I'll defer to corporation counsel.

12 MR. HOPPER: I mean I don't -- you're making a  
13 recommendation, whether you make it in two separate motions  
14 or one.

15 CHAIR FREDERICKSEN: It's a recommendation.

16 MR. HOPPER: I don't think you can alter the  
17 permitting process. I think if they're allowed under the  
18 ESA's permit to apply for both under one, I think they get  
19 applications of both under one. I think the key thing for  
20 you is to be clear you've made different recommendations on  
21 each building. You could do that by two motions or in one  
22 motion.

23 COMMISSIONER CHANDLER: Okay. Thank you. Thank  
24 you, Brandis. I second that motion.

25 CHAIR FREDERICKSEN: Okay. We have a motion put

1 forward.

2 All those in favor of the motion, say aye.

3 COMMISSIONERS: Aye.

4 CHAIR FREDERICKSEN: Any opposed?

5 (Silence).

6 CHAIR FREDERICKSEN: Okay. The motion carries,  
7 and that's that.

8 COMMISSIONER HUTAFF: That was nice.

9 CHAIR FREDERICKSEN: Stanley, did you have  
10 anything you wanted to add?

11 MR. SOLAMILLO: No.

12 CHAIR FREDERICKSEN: Okay.

13 COMMISSIONER HUTAFF: Good job.

14 CHAIR FREDERICKSEN: Sorry, David, that's some  
15 headaches, but explore, please. Item Number 3.

16 Hold on. Let's take ten.

17 (Recess taken 11:38 a.m. to 11:50 a.m.)

18 CHAIR FREDERICKSEN: Okay. Let's reconvene.

19 Stanley.

20 MR. SOLAMILLO: All right. The last item on the  
21 agenda is Mr. Vince Bagoyo, Jr., on behalf of D&P Marino,  
22 LLC, requesting review and recommendations on the demolition  
23 of a plantation dwelling attached to a warehouse adjacent to  
24 the Maalaea General Store located at 232 Maalaea Road TMK  
25 2-3-6-001:025, Maalaea, Maui. The CRC may provide comments

1 and recommendations. Public testimony will be accepted.

2 And hit the lights.

3 My personal comment. When I first came back after  
4 30 years, I had a red hot dog right here.

5 CHAIR FREDERICKSEN: I would like to also add,  
6 well, I grew up in Lahaina, but we hauled our family's boat  
7 out from 1965 or six at the haul-out place at Maalaea and  
8 Jimmy Uno's was going strong then, and had many a hot dog  
9 over there.

10 COMMISSIONER U'U: They also had the cheapest  
11 tabis.

12 CHAIR FREDERICKSEN: Yeah, plenty ice and --

13 MR. SOLAMILLO: Maalaea for that reason sticks in  
14 everybody's minds. And unfortunately, the documentation of  
15 this Hawaiian place is extremely scant, and it's really  
16 unfortunate. At the turn of the century, there were some  
17 attempts to get a commercial harbor here, and they failed.  
18 And a commercial harbor didn't materialize until 1949.

19 So, actually probably a little bit late, was our  
20 first aerial is from 1949. But you can see, I mean there's  
21 been plenty of changes that have occurred here. At the  
22 time, there was just possibly a landing and beach and a  
23 small community of fishermen who operated out of Maalaea.  
24 1960, we finally find a harbor being built. And the store  
25 is located within the circle, and it contains several



1 buildings including a shrine.

2 COMMISSIONER HUTAFF: Including a shrine?

3 CHAIR FREDERICKSEN: That's an adjacent property.

4 MR. SOLAMILLO: That's an adjacent building.

5 This is a shot from 1988. We now have  
6 condominiums developed along the shoreline, and they come up  
7 to Maalaea. And the harbor is larger, and the condominiums  
8 are really close.

9 All right. The red arrow is pointing to the  
10 building that we're considering this morning, but because  
11 it's adjacent to three other buildings, they're also part of  
12 this project. Before we begin, going back, the black  
13 circle, which I think was another color when I did it last  
14 night, is the location of an Ebisoku Jinsha Shrine, which  
15 was a shrine dedicated to a fishing deity by a local  
16 Japanese fishermen.

17 It was built in 1916. It appears to have been  
18 moved to at least one other location, and it was not built  
19 by a carpenter, because the builder was a boat builder. So,  
20 it was different than your normal temple constructions or  
21 carpenters who build shrines and temples. The bottom left  
22 view comes from Bishop Museum. The bottom right view is the  
23 only picture that I could find. And that's actually off the  
24 back and front.

25 It shows that that were families at the time in

1 1990, there were about 80 members of the shrine. These are  
2 views -- and this was another case, and the Commission got  
3 to review this case, I believe. And they did the proper  
4 things. It went to a HABS Level I, that the building be  
5 recorded and measure drawings, large format photography and  
6 some sort of narrative. I haven't been able to find the  
7 documentation for this specific building, but probably it is  
8 an SHPD. The carpenter was Ann Matsunaga.

9 Ms. Arine, the Shinto priestess from Maui Jinsha,  
10 is the one who provided particular services at this  
11 particular shrine. And with the exception of the war years  
12 1941 to 1945 when the shrine was padlocked, it was open and  
13 used by the Maalaea community. There were two only Jinsha  
14 shrines in Maui County, and this one was the only one in the  
15 entire state dedicated to Ebisu Sama, the Japanese deity.

16 The building was dismantled in 1996, and I think  
17 -- the only reason I'm talking about it this was at the time  
18 an obvious eligible for National Register or Hawaii Register  
19 nomination, but it never happened. The oral tradition  
20 suggests that the importance of this shrine was not just for  
21 Japanese fishermen, but that it actually grew to include  
22 most fishermen who went and launched their boats from the  
23 harbor.

24 And I think something, which was an unanticipated  
25 consequence after the dismantling of the shrine and even

1 after the rebuilding of the newer building was that the ties  
2 between the fishing community and the building were severed.  
3 And outside of the annual January festival, the daily  
4 functions of saying prayers and leaving an offering before  
5 you went out to go fishing that day for a safe return ceased  
6 all together. And that's something that when we do CIA's,  
7 Cultural Impact Assessments, we don't really think what is  
8 the impact.

9           So, at this point, we have a rebuilt shrine that's  
10 contained within the red circle. The red arrow denotes the  
11 building we are going to look at in a few minutes. And this  
12 shrine is NRHP ineligible. It's a recent construction or  
13 reconstruction, and it's on an entirely new site. Here is  
14 Maalaea General Store, my favorite place to get hot dogs. I  
15 was really upset when it closed. But it is or it appears to  
16 be eligible for listing in both the Hawaii and National  
17 Register of Historic Places.

18           Concurrence on that determination will have to be  
19 made by SHPD. The building that we're looking for  
20 demolition is behind the building shown in the top  
21 photograph. It's really hard to see and hard to get to, and  
22 it's -- in the second shot, the red arrow points to the main  
23 roof and then a covered walkway on the rear and side of that  
24 building. This is the plan of the general store, plus the  
25 building in front, which is a warehouse. And the building

1 in yellow is the building that is being sought for a  
2 demolition permit.

3           These shots are, as I said, it was real difficult.  
4 Vince Bagoyo provided some, but they were shot with a wide  
5 angle, so I couldn't use all of them. The building in the  
6 foreground, this is the store. The building beyond, which  
7 is the plantation house, is the actual building.

8           CHAIR FREDERICKSEN: Stanley.

9           MR. SOLAMILLO: Yes.

10          CHAIR FREDERICKSEN: This building is pretty much  
11 not visible from the street, right?

12          MR. SOLAMILLO: It's not visible from the public  
13 right-of-way at all. So, you can't see it unless you enter  
14 into someone's property without permission and take your  
15 camera with you. It's in a pretty severe state of  
16 deterioration. But since we're talking about this building  
17 and it is literally adjacent to -- only separated by a  
18 passageway from the general store, and it abuts a warehouse,  
19 which fronts the harbor right next to the general store, we  
20 need to consider the applicant's overall plans for all these  
21 buildings involved.

22          COMMISSIONER CHANDLER: Stanley.

23          MR. SOLAMILLO: Yes.

24          COMMISSIONER CHANDLER: The unit we're talking  
25 about, the residential unit, it's connected by an adjoining

1 roof or completely separate?

2 MR. SOLAMILLO: It's connected to the building  
3 physically.

4 COMMISSIONER CHANDLER: Does that affect the  
5 nomination at all of the general store?

6 MR. SOLAMILLO: It's separate from the general  
7 store. It's attached to a warehouse in front, so it's  
8 separated by a five to six-foot passageway. So, would it  
9 affect the nomination? Probably it could if you wanted it  
10 to, and it couldn't if you wished it not to.

11 COMMISSIONER CHANDLER: Okay. And was the general  
12 store and the residential dwelling built at the same time?  
13 Do you know like were they meant to be together?

14 MR. SOLAMILLO: They appear to be within a decade  
15 of each other, but I have not done property record research  
16 to actually determine the build dates of any of the  
17 buildings on this site.

18 Walking around the building. Oblique and front  
19 views. Rear view. Side view. When you walk into it,  
20 virtually -- there's been some stabilization work, which the  
21 applicant has done to stabilize at least one wall, and he's  
22 increased the size of the columns for structural reasons.  
23 And it looks like there's a flitch beam that's been  
24 positioned in to keep the ceiling and roof structure in  
25 place. And there's two ancillary rooms, but literally the

1 material, you've got over 75 percent of the building still  
2 intact including storefronts, (inaudible), original doors,  
3 six sliders as well as the ceilings and wall finishes and  
4 floor finishes, which is scored concrete. So, you have  
5 literally enough to do a certified rehab.

6 So, we would be talking about starting with the  
7 store on the left, the building on the right, which is a  
8 warehouse. The building on the far right is I just was  
9 informed today by the applicant it's too late. It's 1972  
10 construction date, so that one kicks out. But then you've  
11 got the building behind, which is in the lower left-hand  
12 side, and that one could be included as well.

13 So, you've got three buildings that could be  
14 applied for a certified rehabilitation and appear to be NRHP  
15 eligible. You've all seen this before. And Maui County has  
16 now taken advantage of this Federal Historic Preservation  
17 Tax Incentives. As a program, it was created in 1976 to  
18 help preserve historic buildings from demolition and  
19 encourage their adaptive reuse.

20 The program is managed both by the National Park  
21 Service and the Internal Revenue Service. There are  
22 basically two credits, one for historic properties or HTC's,  
23 which is the one that would be applied for in this case; and  
24 one for nonhistoric properties. They are available for  
25 buildings that are National Historic Landmarks listed on the

1 National Register of Historic Places or contribute to  
2 National Register of Historic districts or local districts.

3 Nonhistoric tax credits are also available for the  
4 rehabilitation of the older buildings built before 1936 that  
5 do not have historic status associated with them. And all  
6 restored buildings and properties must be income-producing,  
7 so you can't use this for residential properties as your  
8 primary home or dwelling and rehabilitated according to the  
9 standards set by the Secretary of the Interior.

10 I want to commend both the applicant and their  
11 representative for coming to us early so that we could let  
12 them know about the program and assist them if they choose  
13 to go that way. Rehabilitation, as we have mentioned  
14 before, is identified under 36 CFR Part 67. It is a process  
15 of returning a building or buildings to a state of utility  
16 through repair or alteration, which makes possible an  
17 efficient use while preserving those portions and features  
18 of the building and its site and environment, which are  
19 significant to its historic architectural and cultural  
20 values.

21 A certified historic structure means any building  
22 that is listed on National Register, located in a registered  
23 historic district and certified by the Secretary of the  
24 Interior as being of historic significance to a district.  
25 I'll gloss over that. For tax credits, they have been

1 designed to reward private investment for the  
2 rehabilitations of historic properties such as offices,  
3 retail stores, factories and rental housing.

4           The current tax incentives offered by this program  
5 include two different tax credits, which directly reduce the  
6 amount of tax owed by a property owner. These two tax  
7 credits are mutually exclusive, and their use depends on the  
8 type of the building. A 20 percent tax credit or HTC for  
9 the certified rehabilitations of certified historic  
10 structures, and the ten percent tax credit for the  
11 rehabilitation of nonhistoric, nonresidential buildings  
12 constructed before 1936.

13           In this case, the store, and I'm just giving these  
14 kind of circa dates. 1928, the warehouse to the right; 1938  
15 and the little building behind is probably within the same  
16 date range, not going past 1960, which is our 50-year  
17 threshold. They all appear eligible for listing and the 20  
18 percent tax credit. To get the tax credit, you have to do a  
19 nomination. And you also have to do what is called a  
20 Historic Preservation Certification application. All the  
21 members of this Commission were familiar with one that was  
22 prepared for the Fred Baldwin Memorial Home.

23           That ended up with the National Park Service  
24 signing off, and the value of that tax credit project is  
25 \$200,000. So, it was a pretty significant tax credit



1 project. Part one is the equivalent of a nomination and  
2 duplicates the same tax, so it is the valuation of the  
3 significance of the property. Part 2 is an actual  
4 description of the rehabilitation work, and it's keyed to  
5 photographs that are taken throughout the building and the  
6 photo index and actual descriptions of the work, which are  
7 keyed to architectural and engineering drawings.

8           These were prepared for the Baldwin Memorial Home.  
9 And the documentation for that was actually we received a  
10 compliment from the National Park Service. They said it was  
11 an excellent application. So, this is the actual entire  
12 project, one demolition of a building which is eligible, and  
13 the preservation and certified rehabilitation for three  
14 buildings which are also eligible for listing.

15           At this point, we can turn it over to the  
16 applicant's representative as well as the applicant  
17 themselves. And I want to compliment everyone involved for  
18 coming to Maui County with this project.

19           CHAIR FREDERICKSEN: Thank you, Stanley.

20           MR. BAGOYO: Good afternoon, Commissioners. Thank  
21 you so much. It's already afternoon. Thank you so much,  
22 Stanley. My name is Vince Bagoyo, and I represent the  
23 owner, Mr. and Mrs. Dominique Marino. And if you have any  
24 specific questions with regards to renovations, I will be  
25 more than happy to respond. The good news is that they are

1 renovating the general store. As I recall, like many of  
2 you, that used to be my hang-out when we were growing up on  
3 Maui buying hot dogs and bait fish.

4           So, they are in the process of making the plans to  
5 renovate the existing general store and the storage, which  
6 is on the right side of the main general store building.  
7 The dwelling that is subject for our permit for demolition  
8 is actually according to the property tax office. It's  
9 really a warehouse, and which is the yellow. It looks like  
10 a dwelling. It's an old plantation with post and piers.  
11 But the property tax office called that as a warehouse.

12           And it's actually used as a warehouse by the  
13 previous general store owners. The plan to renovate is  
14 really mostly interior renovations and as much as possible  
15 trying to keep the architectural integrity of the existing  
16 building, using like the windows, using the old plantation  
17 and even using existing windows that they have now. It's  
18 really a beautiful building.

19           CHAIR FREDERICKSEN: Vince, I've got a question.

20           MR. BAGYOYO: Sure.

21           CHAIR FREDERICKSEN: Has the project looked at  
22 the -- at what Stanley was talking about, the potential for  
23 tax credits and all of this interplay?

24           MR. BAGYOYO: Definitely, yeah. Because I think  
25 it's -- I think the owner is willing to at least renovate

1 and keep the existing general store and the warehouse  
2 intact. And so, any tax credit that can be applied for, I  
3 think it's -- and I do appreciate Stan for bringing that up  
4 to us. He's been very helpful. The Planning Department has  
5 been very helpful in this process. Thank you so much.

6 CHAIR FREDERICKSEN: Just another comment, and  
7 this is to the Commission. I do know the presenter Vince  
8 Bagoyo. I've worked on different projects with him. I'm  
9 not involved with this project. And then the owners I know  
10 on a personal basis. They're friends. And I was -- I've  
11 been impressed that they're interested in trying to maintain  
12 the character of the building, because it is a very -- the  
13 store has been around an awfully long time. And it's neat  
14 that it can be brought back to life, so to speak.

15 Anyway, that was just a comment. So, I do -- I do  
16 know the owners of the project, and then I do know the  
17 presenter. Any other comments or questions? Rhiannon.

18 COMMISSIONER CHANDLER: Thank you. Stan had  
19 referenced wanting to know the long-term plans for the area.  
20 I'm curious to find out what the warehouse would be used for  
21 or if the owners had any specific plans that you're aware  
22 of?

23 MR. BAGOYO: Maybe Dominique or Patricia could  
24 respond. I think one of the things that I really like the  
25 terms of the plan is they will start selling hot dogs again.

1 And the main general store will be a retail. And, of  
2 course, I think the existing warehouse, which is on that  
3 small building on the right side which is detached from the  
4 main building, is also probably going to be used for retail  
5 space in the future as well.

6 COMMISSIONER SARICH: Is that retail like a  
7 general store still or retail like a clothing --

8 MRS. MARINO: In the general store, what we would  
9 like to do --

10 CHAIR FREDERICKSEN: Trish, could you state your  
11 name?

12 MRS. MARINO: I'm sorry, Trisha Marino. And we  
13 would like to bring back a general store, also have a small  
14 cafe with coffee and basic like deli food and hot dogs. And  
15 then the general store, the coffee shop, and then  
16 eventually, we would like to redo that portion on the side  
17 of the front in the right to also include that. But it will  
18 kind of depend on how much it takes to do the store,  
19 because, of course, we have to do some parking lot and  
20 septic and everything else that's involved.

21 So, eventually, that would be included as part of  
22 the store. For now, we'll probably just use it as storage.

23 CHAIR FREDERICKSEN: But your folks' plan is to  
24 maintain the character of the place and similar use?

25 MRS. MARINO: Yes, we've tried to keep that. The

1 only thing we had been thinking of doing was changing  
2 windows a little bit just to get more air through it.  
3 Because those windows in the front are fixed. But Stan said  
4 to qualify -- we had no idea.

5 CHAIR FREDERICKSEN: The tax credits?

6 MRS. MARINO: No. And he said if we keep those  
7 windows and make something open above them, then it would  
8 qualify for the historic, so we're looking into that, if at  
9 all feasibly possibly.

10 CHAIR FREDERICKSEN: So, you folks are willing to  
11 work with the County on, as you go through the process, get  
12 ideas and see what --

13 MRS. MARINO: Yeah. Up to this point, we weren't  
14 even aware that was a possibility.

15 CHAIR FREDERICKSEN: As Stanley said, it's good  
16 the project has come forward.

17 MRS. MARINO: We've always been planning on  
18 keeping the basic footprint of the store, because it's set  
19 up nicely. It has the big lanai in the front, and it just  
20 has so much character. You walk in, and you can feel it.

21 CHAIR FREDERICKSEN: Yeah, that's the last bit of  
22 character in Maalaea, I'm afraid.

23 MRS. MARINO: Yeah. Everything else has gone to  
24 the Whale Foundation. Any other questions?

25 COMMISSIONER HUTAFF: So what you're really going

1 to demolish is --

2 MRS. MARINO: Is the old house.

3 COMMISSIONER HUTAFF: -- the old building or house  
4 behind it?

5 MRS. MARINO: It's actually connected to the part  
6 on the right. I mean it looks like it has a wall in common,  
7 but actually there's two walls because we looked at it. And  
8 then there's an old like two-bedroom house back there that I  
9 guess towards the end, they were just using it for storage,  
10 but someone did live in there at some point.

11 COMMISSIONER HUTAFF: For an additional retail  
12 space, in the back, I don't see how it would really work  
13 from a business standpoint. But that seems like a pretty  
14 big area.

15 MRS. MARINO: It's two bedrooms and a kitchen and  
16 two other small rooms, but it's in such a bad state. I mean  
17 the store, you walk in, and it's not bad. But when we first  
18 walked into the house, it was like the floor was covered  
19 with termites and wood. So, it's like you can -- it's just  
20 they didn't do anything to that to keep it. It looks like  
21 they may have termites the store part, but they worked on  
22 keeping the house up. So, it's -- you know, the floor is  
23 unstable. There's several places you can't even walk.

24 So, and it's -- it blocks the store from the road  
25 from the side. They had it all blocked in by carports and

1 overhangs and everything that they kind of built on  
2 piecemeal.

3 CHAIR FREDERICKSEN: It's a hodgepodge of stuff.  
4 I've got -- could I ask Stanley a question? And then if the  
5 Commission Members have questions of the owners, they can  
6 come back.

7 Stanley, have you been inside the warehouse/house,  
8 that structure?

9 MR. SOLAMILLO: No, I've just been to the enclosed  
10 area on the side of it, and I've been around it. I didn't  
11 actually walk into the house.

12 CHAIR FREDERICKSEN: The little walkway that also  
13 I think functions as a drainage area when that area really  
14 rains.

15 MR. SOLAMILLO: I've been down the walkway. I've  
16 been up into the store. I've been behind the store.

17 CHAIR FREDERICKSEN: Yeah, I was in it at one  
18 point, and in the back when you walk into it, it's -- I  
19 don't know. It's not -- the ceilings are very, very low.  
20 It looks like that was added on who knows when, but it seems  
21 like it's a hodgepodge of different just tacked on things.  
22 Interesting though, but so you haven't been inside?

23 MR. SOLAMILLO: No, I have not.

24 CHAIR FREDERICKSEN: But you did walk through the  
25 exterior?

1 MR. SOLAMILLO: I walked over the side. In fact,  
2 all the photographs are of the exterior that I took for this  
3 presentation.

4 CHAIR FREDERICKSEN: And you've been inside the  
5 store?

6 MR. SOLAMILLO: I've been inside the store. And  
7 that's where I was able to make a preliminary determination  
8 that the property was eligible for the nomination as well as  
9 for the tax credits.

10 CHAIR FREDERICKSEN: Any questions of Stanley or  
11 of the property owner?

12 COMMISSIONER SARICH: No, I just wanted to comment  
13 on the hodgepodge thing.

14 CHAIR FREDERICKSEN: Go ahead.

15 COMMISSIONER SARICH: The hodgepodge actually is  
16 tremendous, and it's an important part of how buildings  
17 evolve. And we shouldn't discount a building because it's a  
18 hodgepodge, because it actually talks about how people  
19 lived, and you get to see physical evidence of how a  
20 storekeeper would live in that kind of thing.

21 CHAIR FREDERICKSEN: Yeah, it was an old-school  
22 whatever you want to call it style.

23 COMMISSIONER HUTAFF: Yeah, my house is like that.  
24 Started off as a kuleana 20 by 10. And then they added --  
25 the bathroom was outside, and they kind of connected it and



1 made a deck. Then they covered the deck. It's real -- I  
2 mean it doesn't make any sense when you walk in there, but  
3 when you go underneath the house, it makes a whole lot of  
4 sense. You start to figure it all out, and it's really  
5 cool.

6 MR. SOLAMILLO: Actually, there's a section of the  
7 store that has corrugated metal as a wall material. And I  
8 remember when I was documenting Pioneer Mill, that's what  
9 they did. It was corrugated metal sometimes with pipe. A  
10 lot of pipe construction. And it comes from the 1930's when  
11 people were poor, and we didn't have access to a lot of  
12 material. So, it's make due with what you have.

13 CHAIR FREDERICKSEN: Bruce, did you have a  
14 question?

15 COMMISSIONER U'U: None.

16 CHAIR FREDERICKSEN: Any other comments?

17 COMMISSIONER CHANDLER: No. Just, again, thank  
18 you to the owners for wanting to bring this store back. I  
19 think you will find a lot of interest from the community as  
20 soon as you're open. A lot of people will be excited.

21 COMMISSIONER HUTAFF: You know, from the point of  
22 the visitor who comes, you know, they've got all the whale  
23 watch, historical cruises come out of there. And even  
24 though they're across the harbor, looking to that just gives  
25 them a sense of what Maui really is rather than a dirty old

1 harbor with some stores in it in the background.

2 CHAIR FREDERICKSEN: Especially one with  
3 character.

4 COMMISSIONER HUTAFF: Yeah. And trust me, when  
5 you get the hot dogs ready, I'll be going across the street  
6 to the 57-passenger buses and going, man, you got to try  
7 this.

8 COMMISSIONER SARICH: I just have a question about  
9 what is the owner's intention to do with that area that's  
10 vacated if the house is demolished or the dwelling,  
11 warehouse?

12 MR. MARINO: So, I am Dominique Marino. What's  
13 the question again? Could you repeat it?

14 COMMISSIONER SARICH: I just wonder if that when  
15 you take the warehouse down, what is the intention there?  
16 Is it just because it's in disrepair that you want to take  
17 it down? Do you want to put a parking lot in there?

18 MR. MARINO: Eventually we may need more parking  
19 in there. We really have to see just what kind of a demand  
20 we have for business. Right now the house, we'll call it a  
21 house, is in such a state of disrepair that I can put my  
22 hand -- just lean into it anywhere and put my hand through  
23 it. And the floor is the same way. If I have my boots on  
24 and I stomp on the floor, I can put my foot through the  
25 floor.

1           Everything else is salvageable. And it's like you  
2 said, if can, can. And I can. I can put that old store  
3 back together and make it look good. And that's what I want  
4 to do. And but the house is -- it's a mess. It's in the  
5 way. It's a mess. I'm hoping with it gone, it will improve  
6 the air flow through the project. The aquarium sets at a  
7 higher elevation and blocks most of the air. So, with the  
8 house gone, we may get more air and I would really like to  
9 get this thing up and not have to air-condition it, too.

10           I really want to keep it looking the way it should  
11 look. I'm not sure it ever had paint on some parts of it,  
12 you know. But I want to make it look good. And, you know,  
13 if you go down to Maalaea right now, we have the old  
14 aquarium structure. And it's, you know, it's just like a  
15 shopping center you see anywhere else in the country. It  
16 has no Maui character to it. And with the old mission  
17 beside this one and the old store and some paint, a little  
18 TLC, I think it will look awesome, be just what we all want  
19 to see down there.

20           COMMISSIONER HUTAFF: I like what you're saying.

21           MR. MARINO: Watch me. Give me a chance.

22           COMMISSIONER SARICH: I commend you for doing what  
23 you're doing. I just hope that you'll talk to Stanley or an  
24 architect who understands historic preservation and adaptive  
25 reuse to make sure it's done well.

1 MR. MARINO: Thank you. And I am grateful to  
2 Stanley because he let me know early on that these tax  
3 credits are available. The only thing I was going to change  
4 was the windows just so we could get some air through there.  
5 And, you know, if we have to seal it up, we will. And, you  
6 know, whatever we can do for the tax credits, that will help  
7 us preserve the project, too. But working with Stanley and  
8 getting this input, we'll do what we can to keep it  
9 original.

10 COMMISSIONER SARICH: Great. And doors are  
11 important, too.

12 MR. MARINO: Indeed. Thank you.

13 CHAIR FREDERICKSEN: Thanks, Dominique. Okay.  
14 Stanley, recommendations.

15 MR. SOLAMILLO: All right. Recommendations on  
16 this project. The building proposed for demolition, it is  
17 eligible for listing in the National Register under Criteria  
18 A and C. If no alternatives to demolition can be found,  
19 then mitigation of the adverse effect of demolition shall be  
20 Historic American Building Survey Level 3 documentation,  
21 which shall include a floor plan, which the applicant has  
22 already supplied us with, large format four by five  
23 photographs and a HABS level narrative.

24 We're expecting that the HABS level narrative, the  
25 content of that would come out from a nomination, so that

1 actually can be deferred to the production of the  
2 nomination. That narrative shall include a statement of  
3 significance, architectural description, end notes and  
4 footnotes and a bibliography. The remaining three  
5 buildings, not four, my error, also appear to be eligible  
6 for listing in the National Register of historic places  
7 under Criteria A and C.

8           And for historic preservation or HP tax credits as  
9 part of a certified rehabilitation, an HPCA should be filed  
10 with SHPD and the National Park Service for certification  
11 and the capture of the available historic preserving tax  
12 credits.

13           A nomination to the NRHP and HRHP should be filed  
14 concurrently, and the building should be rehabilitated and  
15 the exteriors restored as outlined by the Secretary of the  
16 Interior Standards for Rehabilitation.

17           CHAIR FREDERICKSEN: Stanley, on the -- for the  
18 HABS Level III documentation for the warehouse/house, there  
19 are still members of the Uno family alive, so that's a great  
20 opportunity to get some of that history about the place and  
21 have it be down in writing. The owners could actually maybe  
22 even incorporate, have some sort of a display inside for  
23 historic interest. Because talk about adding character, or,  
24 you know, adding to the character of the place. Let people  
25 know, oh, this goes back to -- what did you think it was,

1 '28 or so was when the store was built?

2 MR. SOLAMILLO: Until I get a firm date, I think  
3 it's the '20s.

4 CHAIR FREDERICKSEN: '20s most likely.

5 MR. SOLAMILLO: I'll concur with that, but I think  
6 because of the changes that occurred within the Ocean Center  
7 and the development of the shopping mall, the place lost its  
8 heart. And when this store closed, that was it.

9 CHAIR FREDERICKSEN: Yeah.

10 MR. SOLAMILLO: And this provides an opportunity,  
11 and it's the only opportunity really to memorialize the  
12 history of the place. Because you go there even in the  
13 early morning when the boats are going out, and it's not --

14 CHAIR FREDERICKSEN: There's no place to get  
15 coffee and hot dogs or anything.

16 MR. SOLAMILLO: There is. There's a place in the  
17 shopping center. But it's just that it's like anywhere USA,  
18 and that's my biggest fear for all of Maui County. So  
19 again, I commend the owners have been incredible. And  
20 Mr. Bagoyo has been excellent as well.

21 CHAIR FREDERICKSEN: Any comments? Anybody want  
22 to make a -- are we doing a motion on this? Anyone want to  
23 make a motion based on recommendations?

24 COMMISSIONER U'U: I can make a motion. Motion to  
25 approve recommendations that was given us.

1 CHAIR FREDERICKSEN: As stated.

2 COMMISSIONER U'U: Stated by staff.

3 COMMISSIONER HUTAFF: I second.

4 CHAIR FREDERICKSEN: Second, okay. All those in  
5 favor of the motion as it has been set, say aye.

6 COMMISSIONERS: Aye.

7 CHAIR FREDERICKSEN: Those opposed.

8 (Silence.)

9 CHAIR FREDERICKSEN: Okay. Motion carries. Best  
10 of luck, folks. It's a really neat project, and thank you.  
11 Really looking forward to seeing it developed.

12 MR. MARINO: Come by for some hot dogs.

13 COMMISSIONER HUTAFF: We will. Bring your  
14 friends.

15 CHAIR FREDERICKSEN: Okay. Stanley, Item G or  
16 excuse me, Item F.

17 MR. SOLAMILLO: Item F, Director's Report. April  
18 7, 2011 is the next CRC meeting. And at this point, we ask  
19 commissioners if you have specific topics that you would  
20 like placed on that agenda.

21 COMMISSIONER HUTAFF: We're not going to get you  
22 in trouble again, are we?

23 MR. SOLAMILLO: No comment.

24 CHAIR FREDERICKSEN: Rhiannon.

25 COMMISSIONER CHANDLER: I have one. I hear that

1 the County of Maui church steeple is in danger. And before  
2 something happens first and we have to do something after, I  
3 wonder if there's any way that -- I mean we don't -- do we  
4 invite people to come?

5 MR. SOLAMILLO: We can.

6 COMMISSIONER CHANDLER: We can, okay. In this  
7 case, I would like to invite the church to come so they can  
8 tell us what's happening. And because I think that is  
9 perhaps the single most important corner of Wailuku. And  
10 Wailuku being very important to Maui, I think it would be a  
11 disservice to our community if something tragic happened and  
12 potentially if the steeple in its condition could collapse.

13 And we're in a tremendous storm series that's  
14 nowhere near over. It's going to be one of the worst  
15 winters, or not worst, but strongest winters we've seen in a  
16 long time. So, I would like them to come, and perhaps we  
17 can discuss -- I don't know what our, what our jurisdiction  
18 or purview is, but helping with ideas that the community  
19 would participate in fundraising or something to save the  
20 structure.

21 MR. SOLAMILLO: Yeah, the church is actually a  
22 contributing building to the Wailuku Historic District.  
23 It's on the Hawaii Register, and I think it's on the  
24 National Register as well. It is the anchor building for  
25 this district. And I received a telephone call I think six



1 months ago from a frantic contractor who said that, you  
2 know, we had to fast-track a permit through to save the  
3 steeple, and I didn't hear back from him. And I've been  
4 looking, actually looking at the tower for some time. And  
5 it would be good to, if nothing else, to do some factfinding  
6 and find out where they are. Because it's a major landmark.  
7 It's the landmark for Wailuku.

8 CHAIR FREDERICKSEN: Yeah.

9 MR. SOLAMILLO: You can go back to 1850's, and  
10 there's wonderful paintings of Wailuku. They all have that  
11 church.

12 CHAIR FREDERICKSEN: Yeah. Thank you, Rhiannon,  
13 for bringing that up.

14 MR. SOLAMILLO: Do we need to have a vote? Do we  
15 need to have a motion --

16 CHAIR FREDERICKSEN: No.

17 MR. SOLAMILLO: -- to put it on the agenda? This  
18 is for corporation counsel.

19 MR. HOPPER: No, I mean you don't always have  
20 motions to say your agendas, right?

21 MR. SOLAMILLO: No, but I think this past year, we  
22 were asked to actually vote to put an item on the agenda.

23 CHAIR FREDERICKSEN: Can we just do the whole  
24 discussion and then vote on --

25 MR. HOPPER: Unless it's a special meeting, I

1 don't know -- I mean I don't know of any other commission  
2 that would vote to put stuff on their agenda. I guess you  
3 could. But I mean I'm not familiar with that practice. I  
4 mean as long as it's clear what the member is talking about  
5 and the Chair is okay with it being put on, I wouldn't see a  
6 need for a vote.

7 MR. SOLAMILLO: Okay. Thank you.

8 COMMISSIONER HUTAFF: Maybe we should do a straw  
9 pull and see if all of us agree to have that. Adds a little  
10 more credence to it.

11 CHAIR FREDERICKSEN: A show of hands. Everybody  
12 who thinks it should be on the agenda, yeah. So, it's  
13 wanted on the agenda.

14 COMMISSIONER MARQUEZ: I have a question.

15 COMMISSIONER HUTAFF: See, we got him in trouble  
16 again.

17 COMMISSIONER MARQUEZ: It's called challenge.

18 MR. HOPPER: I'm sorry, you would maybe need to --  
19 if it's coming before you as a demolition permit, you  
20 probably wouldn't want to have that as a discussion if you  
21 know that's coming as a permit where you're the final  
22 authority over --

23 MR. SOLAMILLO: It was actually for a repair. It  
24 was not a demo.

25 MR. HOPPER: I mean in the future though if

1 something that's going to happen, if it's in a historic  
2 district that you happen to have purview over. I just want  
3 to check on that and see what context you would look at it.

4 MR. SOLAMILLO: Okay.

5 COMMISSIONER MARQUEZ: Stanley, Kahoolawe is part  
6 of the County, of course. So, is it in this whole realm,  
7 too? I mean do we even think of Kahoolawe? I only say that  
8 because I talk story a lot at the airport. And this  
9 individual who shall remain nameless asked or said, in  
10 essence, that he wished the Commission, you know, years ago  
11 would consider -- but then I said let me ask. He said don't  
12 ask. But I'm asking anyway. So, is Kahoolawe in this  
13 realm?

14 MR. SOLAMILLO: Actually, it's part of Maui  
15 County, but it is administered by a separate authority, and  
16 we have essentially no jurisdiction.

17 COMMISSIONER HUTAFF: It's by the State. Because  
18 it was turned over to the State, and then they created the  
19 KIRC, is it?

20 MR. SOLAMILLO: KIRC.

21 COMMISSIONER MARQUEZ: So, they do their own  
22 thing; they don't come here for any mana'o?

23 COMMISSIONER HUTAFF: That I can't answer. I  
24 don't know about that, but I know as far as legislation and  
25 rules and stuff like that, that's all done at the

1 legislation, the State level. Whether they want to come to  
2 us or involve us I think is up to the legislators and the  
3 Reserve Commission.

4 COMMISSIONER MARQUEZ: Interesting, because the  
5 person I was talking to is the essence of Kahoolawe,  
6 however.

7 COMMISSIONER HUTAFF: Kanaloa has significance.  
8 Kanaloa is its original name.

9 MR. SOLAMILLO: Actually, the Deputy Director is  
10 the one to fill everyone in on the details.

11 COMMISSIONER MARQUEZ: Interesting.

12 CHAIR FREDERICKSEN: Any other items Commission  
13 Members want to have on the agenda? No, okay. What else do  
14 we -- what else have we got there, Stanley?

15 MR. SOLAMILLO: Gee, Commissioners' announcements.

16 CHAIR FREDERICKSEN: Any announcements? Other  
17 than certainly we'll miss Ms. Molokai commission member.

18 COMMISSIONER HUTAFF: I need to get your e-mail  
19 address.

20 COMMISSIONER MARQUEZ: Keep in touch.

21 COMMISSIONER HUTAFF: Now we can talk about  
22 nonstuffs.

23 COMMISSIONER MARQUEZ: Yes, please.

24 CHAIR FREDERICKSEN: Anything?

25 COMMISSIONER CHANDLER: No.

1           COMMISSIONER MARQUEZ: Well, maybe I'm going  
2 backwards. So, this Molokai mana'o bringing commission  
3 over, is that like ongoing, or somebody has to put it on the  
4 agenda before we forget it? How does it work?

5           MR. SOLAMILLO: I will have to check with the  
6 Deputy Director and the Director.

7           COMMISSIONER HUTAFF: I think we should take the  
8 letter at face value and their words that they said today  
9 that they realize that there's a charter part of it and the  
10 case that we need to go every year and let those things  
11 happen. And in place, we can -- I don't know if we can do  
12 anything else. Can we?

13          COMMISSIONER MARQUEZ: Does it help to follow up  
14 and look at current status as to how close we are or they  
15 are?

16          COMMISSIONER HUTAFF: Well --

17          COMMISSIONER MARQUEZ: I just feel like out of  
18 mind, you know, out of sight, out of mind.

19          CHAIR FREDERICKSEN: Maybe we can have an agenda  
20 item for the April meeting that just says, hey, Planning  
21 Department is targeting going there in October. Can that  
22 happen, something like that?

23          COMMISSIONER HUTAFF: Why don't we ask that  
24 question at the next meeting.

25          CHAIR FREDERICKSEN: Will the Deputy Director be

1 here at the next meeting?

2 MR. SOLAMILLO: I don't know. I can ask if you  
3 would like.

4 CHAIR FREDERICKSEN: Just so we have an idea of  
5 about kind of conceptually when something may happen.

6 COMMISSIONER HUTAFF: I think from what I heard --  
7 I'm certainly not opposed to that. But from what I heard is  
8 that they're getting up to speed, trying to understand  
9 what's going on, and they definitely made this a commitment.  
10 And to tag them next month and go, so when. I think maybe  
11 wait until May.

12 CHAIR FREDERICKSEN: I think after last month's --

13 COMMISSIONER HUTAFF: Yeah. I think maybe --  
14 yeah, please don't go there.

15 CHAIR FREDERICKSEN: Ray said to do it.

16 COMMISSIONER HUTAFF: Maybe somebody remember to  
17 bring it up in May, maybe June.

18 CHAIR FREDERICKSEN: Rhiannon.

19 COMMISSIONER CHANDLER: I have a question about  
20 Lanai and the wind project that is proposed to go up there.  
21 Did that ever come through here previously before I was on  
22 the Commission?

23 MR. SOLAMILLO: Huh-uh. Or did it?

24 CHAIR FREDERICKSEN: No.

25 COMMISSIONER CHANDLER: Because my question

1 there's so many people on the island that are upset about  
2 the cultural resources in that area specifically. And it's  
3 just strange to me that we didn't have any input in that  
4 project, and I don't know. I mean it's a privately owned  
5 project, but we give input to private owners all the time  
6 about cultural resources. So, that was my question.

7 COMMISSIONER HUTAFF: My understanding is there is  
8 somebody on the island -- as a matter of fact, what's his  
9 name? He's not here today.

10 CHAIR FREDERICKSEN: Warren.

11 COMMISSIONER HUTAFF: Warren, where he's actually  
12 helping doing surveys and looking at what's potentially out  
13 there. So, I'm assuming that's the first stage of, you  
14 know, looking at something in its potential reasons to come  
15 to the Commission. I don't think he's working on coming to  
16 the Commission, but they are not just going, okay, we're  
17 going to build it. They're like what's up there. They did  
18 aerial photographs.

19 They've done some groundwork, and they're seeing  
20 some things. And that's where I know he's at with it. I  
21 don't know. Is it a question we need to ask?

22 MR. SOLAMILLO: I'll look into it.

23 CHAIR FREDERICKSEN: The other one to look into,  
24 Stanley, is the -- I can't remember the name of it. I think  
25 it's the Awahi Wind Farm that's planned for Ulupalakua.

1 COMMISSIONER SARICH: What?

2 CHAIR FREDERICKSEN: There's a wind farm planned  
3 for out there that hasn't been -- I mean it's private.

4 COMMISSIONER CHANDLER: Is it just wind, or is it  
5 solar, too?

6 CHAIR FREDERICKSEN: There's another one out there  
7 that's solar. I don't know. I'm not sure. But those are  
8 both on large land owner properties.

9 COMMISSIONER HUTAFF: Yeah, I think the ranch has  
10 entered into an agreement with some Shell Electrical, I  
11 think it is.

12 CHAIR FREDERICKSEN: Yeah, that's I think the wind  
13 farm.

14 COMMISSIONER HUTAFF: The wind farm at Ulupalakua.

15 CHAIR FREDERICKSEN: And there's a solar  
16 component, which I've heard of. And I don't know if that's  
17 the same project or a different project or what.

18 COMMISSIONER HUTAFF: They're in the process of  
19 looking into developing it. That's their agreement. So, my  
20 understanding they're doing the business end before they do  
21 the actual development and permit and things like that. And  
22 also, because there are problems with this one here. You  
23 know, the type of wind generators it has doesn't work well  
24 all the time. So, I think they're trying to source those  
25 things out.



1           COMMISSIONER CHANDLER: We had testimony one time  
2 from a woman named Dawn Chang from Kuiwalu, and she came to  
3 talk to us about rodents and rodenticide. And she is  
4 representing, I believe, the mediation between the company  
5 on Lanai that's developing the wind farm and the residents I  
6 guess, and so if there's any questions about the project.

7           CHAIR FREDERICKSEN: Yeah, we should probably --  
8 we're probably doing too much discussion on all this for  
9 something that's not on the agenda. But let's have this be  
10 on the agenda next time. And then we can --

11           COMMISSIONER CHANDLER: I was just wondering if we  
12 were going to put it on the agenda, would we invite somebody  
13 like that to speak about it?

14           CHAIR FREDERICKSEN: Yeah, I guess we could,  
15 except she's off island. At least get it on the agenda.

16           MR. SOLAMILLO: I'll ask corporation counsel.  
17 Talking about a potential project without the applicant  
18 being present, I don't think that's -- but that's  
19 corporation counsel's --

20           MR. HOPPER: Now it's not on the agenda. And if  
21 you've got potential applications, I know you want to  
22 discuss things. But the last thing you need is to have, you  
23 know, the Board have a discussion without the application  
24 before you and then have someone say you -- by default,  
25 things approved without your comments because, you know,

1 you've had the meeting earlier. And just that's the only  
2 concern. I don't know if there's an application coming up.

3 COMMISSIONER CHANDLER: I don't think there is.

4 MR. HOPPER: I mean it's the same thing I would  
5 advise the Planning Commission. If there was a project that  
6 may need an SMA permit in the future or something, I  
7 wouldn't recommend talking extensively about that project  
8 until it came before them, if that's the situation.

9 I mean that's, you know, it's just a word of  
10 caution. And again, this item is not on the agenda and  
11 maybe Stan can look and see or someone can look and see if  
12 there's any pending applications or if it looks like there  
13 is a permit or some kind of approval that would be needed.  
14 I'm not familiar with all the details.

15 CHAIR FREDERICKSEN: Maybe it could just be sort  
16 of a fact check, or not a fact check, but just to see if you  
17 can find anything out about it at all. And it doesn't need  
18 to be anything lengthy, discussion. It could just be a  
19 report back and say, hey, their project may be occurring. I  
20 know you don't anything --

21 MR. SOLAMILLO: I think what I'm going to end up  
22 doing, because of the -- and this actually goes back to the  
23 church issue as well. I'm going to have the clear it with  
24 the Director and the Deputy Director.

25 CHAIR FREDERICKSEN: Okay. Very good. Brandis.

1           COMMISSIONER SARICH: I wondered since we have a  
2 new Planning Director, I felt like I wanted to go speak with  
3 him because he sounds very prodevelopment, which I  
4 understand that because of being on the other side and how  
5 long it takes to get permits here. But at the same time, I  
6 think that Maui is very special and kind of warrants the  
7 extra steps that people have to go through.

8           And I didn't know if as a -- as a body, we would  
9 want to kind of give recommendations like we actually want  
10 to look at these things even if you don't think there's  
11 something that we would want to look at.

12          CHAIR FREDERICKSEN: Is this something we can  
13 discuss now, or would we need to put this on the agenda?

14          MR. HOPPER: You aren't supposed to have any --  
15 any item you discuss is supposed to be on the agenda. I  
16 know there's some discussions here about what you want on  
17 your agenda and stuff like that. Now is the time to have  
18 that discussion as to what you want to have on. So, you  
19 have some discussion of here is a good thing to put on the  
20 agenda.

21          CHAIR FREDERICKSEN: Maybe that could be a  
22 discussion item.

23          MR. HOPPER: I mean you're talking about it seems  
24 like your whole commenting authority, which you could look  
25 at code amendments, or you could look at in the existing

1 code kind of types of things -- letting Stan know what types  
2 of things you would like the department to bring to you if  
3 it has discretion to bring them to you.

4 So, yeah, again, something on another agenda I  
5 think would be good. I mean the public might want to come  
6 in and say, hey, we really want you to look at Y, X and Z or  
7 something like that.

8 COMMISSIONER SARICH: But I'm thinking the wind  
9 farms and everything could go kind of under that heading.

10 CHAIR FREDERICKSEN: How would that be placed into  
11 an agenda item? Any ideas?

12 MR. SOLAMILLO: You could place it like we placed  
13 (inaudible) and hybrid houses and all those things. Because  
14 essentially, how did these types of developments impact the  
15 environment as well as what are the cultural impacts of --  
16 because it was the same range as the cultural impact of  
17 dismantling the shrine. There are unanticipated  
18 consequences sometimes.

19 So, maybe it's looking at things like that. But  
20 again, as I said, and will continue to say everything must  
21 be run past the Director and the Deputy Director.

22 CHAIR FREDERICKSEN: Well, talk with them, and  
23 maybe if you could just have a report back next time about  
24 that, those sorts of -- that conversation about those  
25 topics.

1 MR. SOLAMILLO: Okay.

2 CHAIR FREDERICKSEN: Does that sound like a plan,  
3 everybody?

4 COMMISSIONER SARICH: I kind of get it.

5 CHAIR FREDERICKSEN: Okay.

6 COMMISSIONER CHANDLER: I'm really frustrated. I  
7 feel like corporation counsel is saying we can't even  
8 discuss things that could potentially be on the agenda. So,  
9 how do you justify it being on the agenda without saying why  
10 you think it's important or who should even come that day?  
11 I feel like we're so delayed all the time because we say,  
12 oh, maybe we'll talk about it, and maybe we'll put it on the  
13 agenda.

14 And when it gets on the agenda, maybe the right  
15 person isn't there because we couldn't say who is a good  
16 person. I appreciate your clarity, but --

17 COMMISSIONER HUTAFF: I would like to have a word  
18 about discussion. Because to discuss takes more than one  
19 person. What I see him trying to say, and you can  
20 definitely correct me if I'm wrong, I'm extremely dangerous,  
21 is that you can say I would like to discuss the wind farm on  
22 Lanai and our next agenda item, and my reason is. As long  
23 as nobody comes back and says, well, I disagree or I think  
24 this, or there's a law that states that, we're not having a  
25 discussion, just making a statement. Am I correct?

1 MR. HOPPER: In those discussions if you make any  
2 statements that if that project comes before you later on,  
3 you're not going to be able to vote on that project if the  
4 statement is something like -- that could have you recused  
5 for that. I'm trying to have the Board be able to maintain  
6 its ability to vote on projects, and I've seen that happen  
7 before.

8 It's happened in Maui County before. There's been  
9 court cases on it. That's why I'm advising you. It's legal  
10 advice. You can take it. I can't control, you know, what  
11 you have on your agendas, but I can give you advice on  
12 what -- what I -- and I don't even know if it is an issue.  
13 And I could see really no reason why that would be a  
14 discretionary permit that you would have authority over in  
15 the future anyway.

16 Does it need a demolition permit? It's nowhere  
17 near on the County historic districts, which there's three  
18 of them, and they're all on Maui island, so I don't know why  
19 it would come before you as actually a formal project where  
20 you would have final authority over. You know, we would  
21 want to see why it's something that is within, you know,  
22 your purview in the first place as well, with the code and  
23 seeing is it the type of project you would normally review.

24 If you want to have a discussion and you think  
25 that there are no permits or anything that could possibly

1 come before you, you could do that. It's just that I don't  
2 know if there's a risk of that happening in the future.

3 COMMISSIONER HUTAFF: So, what would you suggest  
4 if we wanted to discuss the cockroach population on the  
5 Kaahumanu Avenue in the fourth corner on the sixth brick?  
6 How would we -- I'm not trying to be rude or anything. I'm  
7 just trying to -- now I'm on your side. I'm like I don't  
8 get it. How do we bring it up without violating any rules?

9 Do we say, okay, I think we should kind of look  
10 into this? Is that where we just end it as far as a  
11 suggestion for it being on the agenda?

12 MR. HOPPER: You can have it on your agenda. I'm  
13 just saying there are risks in doing that.

14 COMMISSIONER HUTAFF: I see, okay. Even if we put  
15 it on the agenda.

16 MR. HOPPER: Cockroach population would be  
17 something that's not board business. You could have a  
18 discussion on that without the Sunshine rule. All of you  
19 could go outside the room and discuss that now since that's  
20 not board business, and it's not pursuant to the Sunshine  
21 rule.

22 COMMISSIONER HUTAFF: But with the potential of  
23 other things that may require a permit, we probably just say  
24 can we look into it and leave it alone?

25 MR. HOPPER: I don't know if the project is ever

1 going to come before you. Stan, you know, brought that  
2 issue up.

3 COMMISSIONER HUTAFF: Actually, I think she  
4 brought it up.

5 MR. HOPPER: Well, I think Stan brought up the  
6 issue of it somehow maybe in the future being something you  
7 would review formally. That was the concern that I have.  
8 It's not of you never discussing the issue. It's that if  
9 you want to have an informal discussion, go ahead. I think  
10 I've been, you know, pretty thorough in my, you know,  
11 description of the issue. You can decide if you want to  
12 have it on your agenda or not. It's up to you.

13 COMMISSIONER U'U: I just need to respond. I've  
14 been in cases where people would side prior to giving the  
15 correct information and not a cited information. So, what  
16 we need to do is look at the correct information that's  
17 given to us and look at it in a fair manner and not be  
18 pre-sided prior to any discussion, or you're going to be  
19 open to one lawsuit or subject yourself to being recused and  
20 not being part of the topic.

21 And I think that's what he's saying is you're  
22 requesting for someone to speak, and I'm talking about  
23 someone on behalf of something that may be sided and not  
24 fair. And that would sway or potentially step in the wrong  
25 direction of someone commenting something that's not in our



1 purview at the time, but it would be looking at unfair or  
2 sided. And we all should be fair.

3 And we ran into that, and it's not a good place to  
4 be. And he has to protect us, so he's giving comment of,  
5 hey, you don't want to go there. It's been done before. It  
6 has a past and a history, and you've got to be careful. Or  
7 when you step out of bounds, you could be on your own.

8 CHAIR FREDERICKSEN: Verna.

9 COMMISSIONER MARQUEZ: So, going beyond you being  
10 facetious, by the way, Stan's possible next step is he keeps  
11 saying he can check into it, check into it. So, as a  
12 Commission, why don't we follow the we can check into it,  
13 because that would be within the realm of what we do and not  
14 questioning the law or anything. You know, caution on the  
15 safe side. I mean that's what Stan recommended is he can  
16 take it to somebody and check on it.

17 That's a beginning. Because, yeah, I agree with  
18 all of you watch what you folks do here.

19 COMMISSIONER HUTAFF: And thank you, sir, for your  
20 patience with us. We should thank him again though.

21 CHAIR FREDERICKSEN: Rhiannon.

22 COMMISSIONER CHANDLER: So, perhaps I'm  
23 misunderstanding what is within our scope. Because you just  
24 said because there's nothing to demolish and it's nowhere  
25 near a historic area, it wouldn't have anything to do with

1 this Commission. But we've had presentations from you,  
2 Stan, about traditional cultural properties and intellectual  
3 properties.

4 And so then how -- can I just personally  
5 understand is the corporation counsel correct if it doesn't  
6 come for anything, anything at all, not just --

7 MR. HOPPER: I'm referring to things where you  
8 would have final approval authority over. That's different  
9 than what's actually in your part of your mission. Your  
10 mission can be a lot broader than you what you actually have  
11 final approval authority over, which is demolitions and  
12 other permitting within the County historic district.

13 And then you have -- I think obviously  
14 substantially you've spent time in giving recommendations to  
15 people that might not be in that particular historic  
16 district. But that could be, you know, involuntarily come  
17 before you, or Stan basically seeks comments from you as a  
18 planner. I brought up the issue of some kind of  
19 discretionary authority, or it's something like that because  
20 Stan mentioned it could be a potential project that an  
21 applicant can come with before.

22 And I would defer to his expertise as far as the  
23 number of different things that you could see. So, that's  
24 the only reason I gave you that word of caution. I'm not --  
25 you know, I'm not certainly making things up. I've seen the

1 problems happen before, not saying that's happened with this  
2 Commission or that it's going to happen. That was the  
3 issue. It's not true that only the historic districts is  
4 where you have your, you know, your mission.

5 But that's I think primarily where you have your  
6 final approval authority. I think there's, you know,  
7 nomination powers that the Commission has, which could  
8 extend beyond that as well. But I'm just not sure if this  
9 is a particular area of where you would have final approval  
10 authority. If you don't have that final approval authority  
11 and it's just as a discussion and there's absolutely no  
12 chance this could come before you for any other permit,  
13 then, you know, there's less of a chance of having that  
14 problem.

15 COMMISSIONER CHANDLER: Thank you.

16 MR. SOLAMILLO: I just want to offer one comment.  
17 The issue of Kaahumanu Church is probably a how can we help  
18 scenario.

19 MR. HOPPER: Yeah.

20 MR. SOLAMILLO: And our concern because it is the  
21 anchor for Wailuku Historic District, and there has been  
22 indications that structurally it's challenged with the bell  
23 tower now. And that was probably something I will look into  
24 and see, you know, if the administration wishes to pursue it  
25 at least on a factfinding mission or some sort of

1 factfinding exercise.

2 We have nominations that have been approved both  
3 at the state level and at the federal level. One in  
4 particular is the Hana bridges. But we haven't taken it to  
5 where our Wailuku and Lahaina districts are, so there's kind  
6 of like a whole series of things that this Commission can  
7 actually act on, because control from the National Register  
8 and Hawaii Register, our ability to protect resources is not  
9 as great perhaps as if they were a local historic district.

10 So, you can consider that as being additional  
11 things which may be placed on the agenda as well. But I  
12 mean it's trying to -- that works towards your broader  
13 concerns about how do we protect cultural resources. Those  
14 are things that probably I was going to discuss with the  
15 administration about bringing to this Commission.

16 CHAIR FREDERICKSEN: Okay. So, you will get back  
17 to us?

18 MR. SOLAMILLO: I will get back to you.

19 CHAIR FREDERICKSEN: And we can decide if we want  
20 to have something be more concrete and placed on the agenda.  
21 Is that okay, Rhiannon?

22 COMMISSIONER CHANDLER: Yes.

23 CHAIR FREDERICKSEN: At this juncture?

24 COMMISSIONER CHANDLER: Yes.

25 CHAIR FREDERICKSEN: Any other comments?

1           COMMISSIONER SARICH: Just so I'm understanding,  
2 it sounds like it's not a good idea for us to bring up a lot  
3 of agenda items just ourselves; it would be much better for  
4 us to react to what comes to us?

5           CHAIR FREDERICKSEN: Or qualitative things like  
6 discussing the historic nature of Lahaina Town or whatever  
7 it may be; whereas, it's not dealing with say a particular  
8 project that may or may not come before us.

9           COMMISSIONER SARICH: But we would still be  
10 prebiased at that point, right, if we decided that we want  
11 to save every historic house in Lahaina?

12           COMMISSIONER HUTAFF: I think we've already  
13 determined that by being here.

14           COMMISSIONER SARICH: Okay.

15           COMMISSIONER HUTAFF: The problem is we can't, so  
16 we have to determine through input.

17           MR. HOPPER: If Stan or staff has discretion of  
18 which to bring forward to you, I think you could certainly  
19 give guidance as to what types of things you would want to  
20 see. I don't want to speak for Stan, but I think the  
21 Department would appreciate that.

22           COMMISSIONER HUTAFF: I think, too, it also avoids  
23 no agenda items as a reason to not have -- because we do  
24 have a lot that we would -- yeah, so I think putting this  
25 forward as far as questions go, if it's on the list, even if

1 we don't have time for it, then it can be deferred, which  
2 means we will always have an agenda item in place.

3 Because we've had a few meetings cancel because  
4 nothing on the agenda.

5 COMMISSIONER SARICH: I have no idea even how to  
6 say this at this point. But can we have an agenda item of  
7 understanding all of these things like Hana bridges that  
8 maybe we should be working on?

9 CHAIR FREDERICKSEN: In terms Hana bridges,  
10 because that is --

11 MR. SOLAMILLO: You means priorities?

12 COMMISSIONER HUTAFF: That's one that's come and  
13 passed already, right?

14 CHAIR FREDERICKSEN: Yeah, that went before the  
15 CRC before, yeah.

16 COMMISSIONER SARICH: Okay, I didn't know that.

17 MR. SOLAMILLO: But we don't have a local  
18 district. We still have to go to the next step, which would  
19 be to create a local district.

20 CHAIR FREDERICKSEN: Okay. So, are you suggesting  
21 or not suggesting, but what it's sounding like to me is  
22 there might be a need to have local districts, and maybe  
23 that is a very good discussion item I think for an agenda  
24 item.

25 COMMISSIONER SARICH: So, in the next meeting we

1 would like to discuss potential other local districts.

2 CHAIR FREDERICKSEN: Local historic districts in  
3 the County.

4 COMMISSIONER SARICH: Besides Lahaina and Wailuku.

5 CHAIR FREDERICKSEN: And the third one?

6 MR. SOLAMILLO: I don't remember. Was it a  
7 district that I just brought up?

8 CHAIR FREDERICKSEN: What, Stanley?

9 MR. SOLAMILLO: Was it a district I just brought  
10 up? I brought up Hana bridges. I don't recall another  
11 district that I brought up.

12 CHAIR FREDERICKSEN: No, but there are three.

13 MR. SOLAMILLO: Three?

14 CHAIR FREDERICKSEN: Three historic districts in  
15 Maui County.

16 MR. SOLAMILLO: Lahaina, Historic District Number  
17 one; two; and then Wailuku, which is three.

18 CHAIR FREDERICKSEN: Creating another historic  
19 district beyond any of those, a discussion item.

20 COMMISSIONER SARICH: Discussing other potential  
21 historic districts. Is that my agenda item?

22 CHAIR FREDERICKSEN: Okay. I think that's a great  
23 agenda item. Anything else? That will be very -- that's a  
24 very good topic. Okay. Well, let's see. Stanley, what's  
25 the next agenda item?

1 MR. SOLAMILLO: Well, I'm only going to make that  
2 caveat one more time. I will have to clear it with the  
3 Director and the Deputy Director, and so, yeah, so with that  
4 last topic that you suggested, all agendas go to the  
5 administration for a review and comment.

6 COMMISSIONER HUTAFF: Tell them Ray sent you.

7 MR. SOLAMILLO: Okay. That concludes everything,  
8 except the announcement of our next meeting date, which is  
9 April 7, 2011. Mahalo to everyone here.

10 CHAIR FREDERICKSEN: All right. All those in  
11 favor of having the meeting come to a close, say aye.

12 COMMISSIONERS: Aye.

13 (The meeting ended at 1:00 p.m.)  
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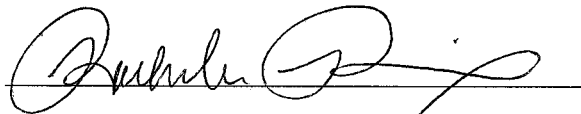
## C E R T I F I C A T I O N

1  
2  
3 I, RACHELLE PRIMEAUX, Notary Public for the State of  
4 Hawaii, certify:

5 That the proceedings contained herein were taken by me  
6 in machine shorthand and were thereafter reduced to print  
7 under my supervision by means of computer-aided  
8 transcription; that the foregoing represents, to the best of  
9 my ability, a true and accurate transcript of the  
10 proceedings had in the foregoing matter.

11 I further certify that I am neither attorney for any  
12 of the parties hereto nor in any way concerned with the  
13 cause.

14 Dated this 10th day of March, 2011.

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19 NOTARY PUBLIC, State of Hawaii

20 My commission expires 6/14/2012  
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