

**CULTURAL RESOURCES COMMISSION
REGULAR MEETING
April 5, 2012**

** All documents, including written testimony, that was submitted for or at this meeting are filed in the minutes file and are available for public viewing at the Maui County Department of Planning, 250 S. High St., Wailuku, Maui, Hawai'i. ***

A. CALL TO ORDER

The regular meeting of the Cultural Resources Commission (Commission) was called to order by Commission Member, Ray Hutaff, at approximately 10:05 a.m., Thursday, April 5, 2012, in the Planning Department Conference Room, first floor, Kalana Pakui Building, 250 South High Street, Wailuku, Island of Maui.

A quorum of the Commission was present (see Record of Attendance).

Mr. Ray Hutaff: Okay, this is a call to order for the April meeting of the Maui County Cultural Resources Commission. First order of business is I would like to introduce Gaylord Kubota, one of our newest members. Maybe we'll start though by -- why don't we introduce ourselves first, and then we'll have him give a little synopsis of who he is. We'll start with Bruce.

Mr. Bruce U`u: Good morning. My name is Bruce U`u. I think this is my second year on the CRC. Life is so good I forgot - close.

Ms. Brandis Sarich: My name is Brandis Sarich, and I'm the architect on the CRC.

Mr. Irene Ka`ahanui: My name is Irene Ka`ahanui, and I'm from Moloka`i.

Ms. Michele McLean: Aloha. Good morning. My name is Michele McLean, the Deputy Planning Director.

Mr. James Giroux: James Giroux, Deputy Corporation Counsel.

Mr. Warren Osako: Warren Osako from Lana`i.

Mr. Ray Hutaff: Ray Hutaff, aka the pest.

Mr. Gaylord Kubota: I'm Gaylord Kubota, the newest member, or I should say a rejoining member. I was in the original Cultural Resources Commission when it was changed from the Historic Preservation Commission, or something like that. That was back in 1991. I was a member, and then the chair of the committee, and among the members were Kalani English and Tom - I forgot his last name right now, but it's sort of like Rip Van Winkle when I get a three-inch binder for this meeting, and it's been quite an experience, but I have over

30 years of experience in museum work, beginning with Bishop Museum and heading a multi-ethnic center there, and then came to Maui to start the Sugar Museum from scratch. I've actually done adaptive use with an old building and one ...(inaudible)... so I have a fair amount of experience.

Mr. Hutaff: Perfect, Rhiannon. You're just in time. We just had Gaylord introduce himself, we've all introduced each other, he doesn't know you yet so you get to introduce you.

Ms. Rhiannon Chandler: Aloha. My name is Rhiannon Chandler, and I actually work for an environmental nonprofit called "Community Work Day Program," but I've been on the council for about three-and-a-half years now. Welcome.

Mr. Hutaff: Okay. Any questions for Gaylord?

B. ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON FOR THE 2012-2013 BOARD YEAR

Okay, I guess the next order of business, we get to elect a chairperson and vice-chair for the 2012-2013 board year. Any nominations?

Mr. Osako: I nominate Ray for the chairman.

Mr. U`u: Second.

Mr. Hutaff: Are you guys sure? Okay, let's put it to a vote. Anybody opposed?

Ms. Chandler: Yes. I nominate Ray, you, not Rae, me, right?

Mr. Hutaff: Right.

Ms. Chandler: Oh, thank God. Okay, because every calls me "Rae." Thank you.

Mr. Hutaff: Okay. Any other further objections? Okay. None. I guess so much carried then.

It was nominated by Commissioner Osako, seconded by Commissioner U`u, and there being no objections:

Commissioner Ray Hutaff was elected to serve as Chairperson for the 2012-2013 board year.

Chair Hutaff: Okay, while I'm moving over there, nominations for vice-chair, 2012-2013? Any nominations? Thank you for your support, by the way. I wish you luck. Yes?

Mr. U`u: I nominate Warren.

Chair Hutaff: Any seconds?

Ms. Sarich: I'll second.

Chair Hutaff: Any discussion? Any opposed?

There being no discussion, the nomination was put to a vote.

It was nominated by Commissioner U`u, seconded by Commission Sarich, then unanimously

VOTED: that Commissioner Osako serve as Vice-Chair for the 2012-2013 board year.

Chair Hutaff: Carried. Mr. Vice-Chair, welcome aboard.

Mr. Osako: Oh, so you're going to be here for all the meetings though.

Chair Hutaff: If I understand the rules correctly, the vice-chair is to make sure that the chair behaves. Okay, let's move on. Approval for the minutes for February 2, 2012 meeting.

C. APPROVAL OF MINUTES OF THE FEBRUARY 2, 2012 MEETING

Mr. U`u: Motion to approve or accept.

Mr. Osako: I just have one small thing here, page 56, I believe in -- sort of in the middle of the page it says "presidents," it should "precedents."

Chair Hutaff: "Precedents?" I read that as -- page what - 52?

Mr. Osako: 56

Chair Hutaff: 56. Anybody else?

Ms. Sarich: I'm looking for my -- on page 7, in the 4th paragraph, I hope that I actually say "because" and "want to" instead of "cause" and "wanna."

Chair Hutaff: No. It stay written that way. Sorry. Okay, so with that adjustment, does anybody have anything else? Would somebody would like to second with the changes?

Mr. Osako: I second.

There being no further discussion, the motion was put to a vote.

It has been moved by Commissioner U`u, seconded by Commission Osako, then unanimously

VOTED: to approve the February 2, 2012 minutes with changes.

Chair Hutaff: Motion is carried. They have been approved. Stan, we're ready for item D?

Mr. Stanley Solamillo read the following item description into the record:

D. DEMOLITIONS

- 1. MS. CRYSTAL MOMI TUPOU requesting advisory review and recommendations on the demolition of a plantation dwelling located at 181 Hale Street, TMK (2) 4-6-008:032, in the Lahaina National Historic Landmark District, Lahaina, Maui. The CRC may provide comments and recommendations. (S. Solamillo)**

Mr. Stanley Solamillo: This building is located at 181 Hale Street. It's situated in the Lahaina National Historic Landmark. It was built in 1952 on a 0.127-acre parcel that was purchased from Mary Bright by Harry and Annie Kaililau Yap. The Yaps were issued Building Permit No. 2967 on May 20, 1952, and construction was completed on or about November 15, 1952. The dwelling measured 28 feet in width and 40 feet in dept and was 1120 square feet in area. A small 220 square-foot addition, containing a toilet and a wash basin, was built in the following year. A free-standing 280 square-foot garage was added to the northwest corner of the property by September 28, 1958, and the front porch was later enclosed at an indeterminate date.

The dwelling is an example of a late plantation period dwelling that reflects changes, which began to occur in vernacular housing after the introduction of former HSPA architect Theodore A. Vierra's modern house designs for Dream City in 1950. Consequently, although the building is modern in plan and massing, its detailing still retains its 1930s plantation design vocabulary, which suggests that it was erected by a local builder with possible Wailuku ties.

These are aerials through time. The first one is 1946, and the aerial shows a close to, approximate, location for the property. This is an enlargement. This is an aerial from 1960. And as we go through these aerial photographs, you can see the changes that occur in Lahaina proper as cane fields or agricultural land convert to residential and commercial uses. This was taken in 1975. This was taken in 1987. And because of where this house is located on a street which has been already subject to some development, it's got a very narrow parcel now, and on one side there's a wall and it's got heavy vegetation so photographs of this property are kind of nil. This is the front, and it shows that we've got a gable-on-hip roof, and we've got an enclosed lanai. Some shots provided by the applicant around the side and the rear of the house show that we've got intact plantation period windows, and the suggestion can be made that possibly a Wailuku builder built this particular house because Wailuku builders always have their windows projecting out, whereas, Lahaina builders always have the windows flush with the exterior finish of the building.

So I apologize for not being able to get back far enough because of the confines of the property, or the vegetation, to give you anymore.

The only thing I think that we have to be mindful of whenever we take down buildings in Lahaina, specifically dwellings because dwellings don't get so much attention, is that every dwelling has a story because it's related to a family that was there and, in this case, as in most cases, we don't have enough beyond what I was able to glean from real property tax records about the history of this particular family. And when families transition, or are displaced, or move away, or pass away, we're left with this kind of a gap on losing some of our -- our oral history, and that is the case in -- for this building as well.

At this point, we can pause for public comment. Any questions that you might have for the applicant can be asked; then we'll followup with recommendations.

Chair Hutaff: Is Crystal going to speak about -- you wanna talk about your place, why, how come, all that good kine stuff? If you could identify yourself, please.

Ms. Crystal Momi Tupou: Oh, hi. My name is Crystal Momi Tupou, and we live in Lahaina, and this property is actually owned by Kirk's parent's. This is my boyfriend Kirk. His parents live there and they inherited it from their family. We don't know too much history to trace back but, ideally, the dwelling is really old and the structure, when you walk in the house, you can feel like some parts are more sturdy than others, and then the roof is really, really old. Ideally, what we wanna do is demo the house and rebuild something, not monstrosity, but something small; just enough for us 'cause, eventually, it's going to become ours. I mean I don't know. Do you guys have any other questions?

Chair Hutaff: Sure. Have you considered trying to fix that house up?

Ms. Tupou: My brother is a contractor, and we just got feedbacks and comments from him on what he thinks, and I don't know how much of the structure we can actually save because it's -- I mean I wish I had more detailed pictures, but the bottom of the house is like there's some cement and some rocks, and then there's other parts where it's wood and wood is like all termite eaten. The top of the house, like where the roof meets like this, it's really bad. And it's, termite-wise, it's -- I mean I, personally, think it's bad but I'm not a contractor. But that's the only feedback that I've gotten is from my brother, who's a contractor. It's just feedback that he gave me. I haven't had anybody professionally come in besides him.

Chair Hutaff: Cool. Anybody have any questions? Comments?

Ms. Sarich: Hi, Crystal.

Ms. Tupou: Hi.

Ms. Sarich: Are you aware that if you were to restore your house, there are significant tax credits for you?

Ms. Tupou: I don't know all the details but I've heard comments about it because it's -- I mean we know where it's located. We know the history of Lahaina. It's like, literally, for me, right in the middle of town 'cause there's the wharf here, there's the parking lot to the wharf, and then there's us. And I guess from what we hear from other people, there used to be more dwellings, and then I guess when they wanted to build the wharf parking lot, they offered to buy out the people that physically owned the land there and so they bought out a few people but then we're the last one that -- so it's almost like we're right next to the parking lot - we are. I don't know -- I know if -- I mean I've heard that if you keep historic, certain lumber, certain structures, that you may get a tax credit, but I don't know all the details and how do I go about that?

Ms. Sarich: I think that Stanley would be able to help you tremendously with that, but since you have your original windows, and doors it looks like, you would have a property that is eligible for those credits.

Ms. Tupou: Okay.

Ms. Sarich: And, as an architect, it is more work to restore your home, but you'll end-up with something really significant and, in the long run, hopefully, the state will be able to make that up to you with the tax credits.

Ms. Tupou: So that would be like keeping the original structure and just re-modifying it?

Ms. Sarich: Yes. And you would re-support it, and put new foundation, and fix the beams that are bad. You can also, possibly, add on to the house if you need to if it's done in the right way.

Ms. Tupou: How much of it do you have to actually keep to restore?

Ms. Sarich: I would have to ask Stanley.

Mr. Solamillo: ...(inaudible)...

Chair Hutaff: How much?

Mr. Solamillo: ...(inaudible)... and 75 percent.

Chair Hutaff: And that's outside? That's your outside visual - it needs to maintain 60 to 75 percent of its look and materials for --

Ms. Tupou: Yeah, 'cause we like that look. Like we, personally, like our whole family, we like the old plantation style homes, like if I could have it new look like that, I'd be happy, like we'd all be happy because we don't want like a European style, Spanish style, we definitely wanna keep it historic 'cause I mean Kirk's family is generations after generations, like Kirk's dad was pretty much like born in this house, we don't wanna lose the family values and the history of that too. So I mean that's something we would definitely keep open-minded about.

Chair Hutaff: Okay, Rhiannon, you had a question?

Ms. Chandler: Thank you. You know, I know that this process is kind of like intimidating and it's hard to come up here, no, and, actually, what we're here for is to make sure you understand that you have a choice before you do demolish your house, that there are tax credits, and Stan can explain those things to you, and mostly it's the outside of your house that you would need to maintain, and it sounds like it's the outside of your house that you like, the structure of, but the inside of it you can make it however you wanna make it, I mean if you're going to redesign it. And as Brandis was saying, it is expensive, you know, to go through that process of replacing things instead of just like, you know, flattening the house and building up because you can use whatever materials you want to, essentially, I'm sure you still have to abide by the historic code because you're in the historic district, so even if you wanted to rebuild your house, you are still having to rebuild it by some, you know, standards.

Ms. Tupou: Like certain materials, things like that?

Ms. Chandler: Exactly. So it's one way or another you're already having to follow it. So I think we're all here kind of to encourage you to want to replace things in your house instead of demolish houses because there's only, like you said, very few of them left, and it's not even your family's history alone, it's really the history of Lahaina that you're helping to make sure stays intact if you choose to keep your house. So that's what we're all going to say to a certain extent, but I think it's a financial choice too, and you have to talk it over with Stan, and everybody makes different decisions based on the quality of what's left, you know. And one of the things that's really, really hard is termites, and we wish that everybody knew that just termiteing your house is like a major step to keeping these buildings standing, so if you can, you know, please do, continue to do that, and tell people to do that too.

Chair Hutaff: Go ahead.

Mr. U'u: And, of course, it's for Stan, even though it says here it's not eligible for listing in the National Register of Historic Places, they still can qualify for that tax credits, tax incentives?

Mr. Solamillo: My name is Stanley Solamillo. The way that I looked at this house is that it's kind of a borderline property, and it was how many points, you know, on one side, can be used to determine its eligibility as opposed to how many points detract from it. This is like there's only, because the roof had been changed and there had been alterations that had been made to the building with additions, and the enclosure of the lanai, that I would consider it being non-eligible, okay? If you look at this property, and the reason why it's kind of difficult and it's not as cut and dry as if we had a 1918 L-plan is because this is a transitional building when we've got modern houses being built on -- on this island as, you know, the construction of Dream City progresses, and then that influence, you know, being taken up or adopted by builders who wanna build those houses or something similar but still are using the familiar plantation style and materials, so this is kind of a hybrid house, which doesn't fall into either -- either class - it's not a modern house and it's not a plantations house because it's right at the crossover. So it's difficult to give it, you know, anything - based on architecture, this is a really important place, or this falls within that classification. The setting was another important issue. If you walk down the street, moving from the wharf cinema, back end of that shopping complex, you've got a parking lot on the lefthand side, then you have a concrete block wall, then you have this house; on the right side of the street, you have nothing but new houses; ergo, the whole integrity of this street is gone. There's only one intact plantation house on that street and it's underneath a really big mango tree. But that's it. So the street, as far as integrity, is gone. It's been in-filled with modern buildings. So that's has to be taken into account. So my recommendation, at this point, which I'll repeat in a few minutes, was to say it was non-eligible based upon the lack of integrity as well as the lack of integrity of the street proper. Now they could go either way.

Tax credits are not available for this, but a tax break is, and that requires nomination to the National Register of Historic Places, and filing with RPT; once that has been listed or once the property has been listed, that reduces your property taxes down to \$100 per year for residential property.

Ms. Sarich: I have one more question for Stanley. Is this a contributing building to the neighborhood?

Mr. Solamillo: I wouldn't, based on just the fact that integrity issues are so huge.

Chair Hutaff: You had a question, Bruce?

Mr. U'u: I think Stan answered the question. I like the look, you know. I think it's important to save houses. And if they -- the person who built that house up Baldwin Avenue spent over three times more than what he thought he was going to spend, and he's a multi-millionaire. Multi, multi. And I wouldn't want to -- I wanna encourage them to keep it, but we need to educate them on the potential cost, the actual hard numbers of what's going to hit this family. I don't wanna see them next year coming here, you know, we emptied out pockets and we stopped in the middle of construction, what you see now, and with the advice from us, it's not in my arena to say -- I wanna encourage them to a certain degree, and I wanna assume more responsibility if it fails, but I'm not in the business of saying you have to. I think we gotta give them the proper information and the potential cost or potential breaks, and the decision should fall on them. And I know they like the look. You know my aunty built a house up Hawaiian Homes, that's the only way we can get the Hawaiians now days, the Hawaiian Homes is the Hawaiian Homes up Kula, but she built this beautiful plantation home, it's insulated, you know, no more lead paint, right? No more redwood but look like from the outside. You get your battens. It's an upgraded version, I guess, of a plantation built and it works incredibly well, and it's insulated, it's lead paint free, you have no asbestos, you know, and that's the beauty with the now, you know, and that's the beauty of the old but it comes with a lot of problems, including cost, but maybe the Gaylord can comment on cost, yeah, maybe he knows some stuff because I know it's expensive, even if your brother one contractor. I did couple homes like that and tough. Tough job.

Ms. Tupou: When you brought up the point about lead in the paint, when my son was -- when he was born, he tested for high lead levels, and he spent most of his day there with his grandparents 'cause that's who watches him, so like we had the Department of Health, our doctor recommended the Department of Health to come in and assess the house because he was tested for high lead levels for so long. So like the house is really old and the paint, like I don't know how that has any affect, but he did test high lead levels for a while. I mean we definitely got it down, which was good, but the paint is -- yeah, like it's

an old dwelling and I guess the way they made paint before was like high in lead level as opposed to now.

Chair Hutaff: Also the pipes too. What's your time frame from demolishing the place to rebuilding another place? Is there one that's --

Ms. Tupou: Like soon. Like --

Chair Hutaff: So, in other words, you wanna demolish today and build tomorrow?

Ms. Tupou: If we could, yeah, we would.

Chair Hutaff: Okay. So you've already got that planned out and ...(inaudible)...

Ms. Tupou: Like we're trying to -- yeah. I mean I'm still learning the steps on how to do all of this and, ideally, this is what we want. We want to knock it down, get all the permits that meet, you know, meet the historic landmark rules or regulations, and rebuild 'cause we'd like to -- I mean his parents are old, they're getting older, eventually, we're going to have to help so we'd like to have a space for all of us and --

Chair Hutaff: And there's somebody living in the house now?

Ms. Tupou: Kirk, yeah, Kirk's parents do.

Chair Hutaff: Cool. Any questions, comments? Okay, thanks, Crystal. Stan, maybe open up for public. Anybody else in the public have any comments about this place? Okay, we'll close the public comment section and, Stan?

Mr. Solamillo: Okay, I'll repeat what I alluded to earlier. Although the building retains most of the original six-over-six side wood windows, the foundations and gable-on-hip roof had been rebuilt, a garage that was in front of the building has been demolished as well. In addition, the dwelling is located in the 100 Block of Hale Street, which retains only one other intact historic building, a circa 1925 plantation era dwelling, and is adjacent to a paved parking lot that is screened by a concrete masonry unit perimeter. Consequently, the building has lost its integrity of setting and combined with the alterations and additions that it has incurred, is not eligible for listing in the National Register of Historic Places.

So based on that, a determination of eligibility would be not eligible, both from the standpoint of architectural integrity and integrity of setting. The determination of effect, which is the proposed demolition is a no effect on cultural resources. And the recommendation would be to approve.

Chair Hutaff: Okay, any comments?

Ms. Sarich: Stanley, if they were to restore the front porch, is there anything they could do to become eligible?

Mr. Solamillo: I mean we could restore the building, right, the exterior, so reopen the front porch, but we still have the integrity of setting issue.

Ms. Sarich: Okay.

Mr. Solamillo: Which compromises it.

Ms. Sarich: And we can't get around that?

Mr. Solamillo: No.

M. Sarich: Okay. Thank you.

Chair Hutaff: Okay. I'd like to make a comment on that. I would like to see, naturally, the building stay, but realizing that's probably not possible. I would ask that the owner of the building make a small -- another small attempt to see if the building can be restored. If not, saving the windows and doors to maybe be put on the new building, since you're going to have some design guidelines, might be, you know, something to consider, or saving the windows and the doors for some other projects that are in Lahaina where they could take those windows and doors and put them on there to restore those buildings, sort of like a donation. So that would be what I would consider a recommendation; approve, but if you could look again, see if it's possible to save it, and then if not, maybe reuse the windows in either the new place or give it away. Crystal? Yeah, it's kinda like where I'm making it sort of a recommendation that they have to discuss, but we also kinda want you to go --

Ms. Tupou: Well, we definitely -- I mean I definitely -- our family feels we definitely wanna demo it. I mean I've looked at other things, like the windows, I, personally, found projects, like crafts and things, that we could use the windows for, like I've seen things like on Pinterest and online where you could use the windows for projects. But I mean we don't mind, you can have the whole house if you want it, but I don't mind donating what I need to. I mean that's fine too.

Chair Hutaff: Based upon that last statement --

Mr. Solamillo: Can I make an interjection?

Chair Hutaff: A what?

Mr. Solamillo: Can I make an interjection?

Chair Hutaff: Yes.

Mr. Solamillo: Lahaina Restoration Foundation is restoring that one house that we brought in last year ...(inaudible)... six light sliders and six-over-six wood windows would be applicable there.

Chair Hutaff: Would you be opposed, Crystal, if someone from the Planning Department called Lahaina Restoration and asked to get in touch with you about salvaging those windows when you get to that point?

Ms. Tupou: Yeah. I don't mind.

Chair Hutaff: You'd be okay with that? Okay. Next step is, Stan, would you do that? Yes?

Mr. U`u: Not only the windows, whatever they need. I don't know if that's redwood or whether it be the door knobs. I don't know if you could actually take the windows, the existing, and use it to modern time because it would have to be custom built windows with the sliders and the, you know, how they get the pulleys and whatnot, but I don't know if -- is it redwood?

Ms. Tupou: I would assume. I do not ...(inaudible)...

Mr. U`u: I mean even those could be use 'cause that's very expensive stuff. The knobs, the doors. I mean if they could take what they could and possibly store some of the items. I mean yeah --

Chair Hutaff: Well, that would be something that we could ask them to do.

Mr. U`u: Yeah. Them. Yeah. Right. Ask them and have them contact you.

Chair Hutaff: You know, we can make that part of the recommendation that we ask.

Mr. U`u: It would be cheaper to demolish.

Chair Hutaff: Cool. Any other comments, recommendations? Go ahead.

Mr. Kubota: Salvaging parts of buildings is really a good idea because I don't know how many plantation camp houses that were abandoned that I went and used my screwdriver

and took off door knobs, and had them take out the windows or doors. I mean you can recycle these things.

Mr. U`u: The pantry.

Mr. Kubota: Yeah.

M. U`u: The old pantries.

Mr. Kubota: Well, the old pantry in our -- in the museum building, I took some of the cabinets and put it in my office as bookcases instead. There are ways of recycling things.

Chair Hutaff: Anybody wanna make a official recommendation, motion to recommend?

Mr. U`u: Motion to recommend what our Chairperson said.

Chair Hutaff: Okay. I guess I can't make the -- I can't do that, right? Yeah, I'm not supposed to make recommendations.

Mr. U`u: Recommendation to Stan to contact Lahaina Restoration Foundation to contact the owners of this home to use whatever necessary for their upcoming projects.

Chair Hutaff: Anybody wanna second that?

Ms. Chandler: Second.

Chair Hutaff: Anybody -- motion. Seconded.

There being no further discussion, the motion was put to a vote.

It has been moved by Commissioner U`u, seconded by Commissioner Chandler, then

VOTED: to recommend that Stan contact Lahaina Restoration Foundation to contact the owners of this home to use whatever's necessary for their upcoming projects.

(Assenting: R. Chandler; I. Ka`ahanui; G. Kubota; K. Maluo; W. Osako; B. U`u)

(Dissenting: B. Sarich)

(Excused: M. Kanuha)

Chair Hutaff: So the motion has been carried. Thank you, Crystal.

Ms. Tupou: Thank you.

Chair Hutaff: Okay, before we go one to Advisory Review, we got --

Mr. Giroux: I just wanna clarify, did that motion include the recommendation of allowing the demolition?

Ms. Sarich: Yeah, we didn't actually have that.

Chair Hutaff: Modify it?

Mr. U`u: Good question. I'll make a recommendation -- motion to approve agency's request, which was demolition.

Chair Hutaff: Second?

Mr. Osako: Second.

It has been moved by Commissioner U`u, seconded by Commissioner Osako, then

VOTED: to approve the demolition.

*(Assenting: R. Chandler; I. Ka`ahanui; G. Kubota; K. Maluo; W. Osako;
B. U`u)*

(Dissenting: B. Sarich)

(Excused: M. Kanuha)

Chair Hutaff: That motion's carried also. So, Kahulu came in and she doesn't know Gaylord so why don't you introduce yourself to Gaylord. We've all introduced ourselves.

Ms. Kahulu Maluo: Aloha, Gaylord. I'm Kahulu Maluo. I'm Kumu Hula of Halau Na Lei Kaumaka O Uka and also a member of the staff at the Maui Arts & Cultural Center.

Mr. Kubota: Thank you. And I'm Gaylord Kubota and I'm Director Emeritus of the A&B Sugar Museum in Pu`unene. I'm also a former board member of the MACC.

Ms. Maluo: I recognized you.

Chair Hutaff: Okay. Stan, we're ready for item E?

Mr. Solamillo read the following item description into the record:

E. ADVISORY REVIEW

- 1. MR. KANOHEAPONOALI'I CRABBE of SOLAR CITY requesting review and recommendations on the installation of a 78.96 KW DC SOLAR PV System on the former Kahului Railroad Company Warehouse, located at Pier 1, TMK (2) 3-7-001:022, Kahului Harbor, Kahului, Maui. The CRC may provide comments and recommendations. (S. Solamillo)**

Mr. Solamillo: Mr. Crabbe could not be here this morning, so there is another member of his company here named Tyrone Takahashi, who will speak on his behalf.

Kahului is a really important place for Maui and, in the presence of Commission Kubota, I don't know very much at all, and actually it would be better if he would make this speech, but for brevity's sake, I'm just going to roll through some high points in the history of this particular facility.

Kahului Railroad Company, I believe, starts up in the 1880s. It's the first railroad company in the islands. And within a few decades, there has been built quite an infrastructure in concert with Wilder's Steamship Company for the shipment of goods and product in and out of Central Maui. The red arrow's going to denote the location in the future of Pier 1. This all came to a head in 1900 when there was discovery of plague in Honolulu and the great Chinatown fire, which was ordered by the Board of Health. One month after they burned Honolulu's Chinatown, they also came to Kahului and instead of just setting the quarter of Asian merchants ablaze, what they did was dynamite the buildings, and then set them ablaze after they had quarantined the entire population.

It was kind of interesting because plague news went all around the world, and it was covered in medical journals and newspaper articles, and it's really kind of amazing just a plot out of the reportage of this incident got carried in various publications.

After the burning of Kahului, Doctor Wood, who was in charge of the operation for the Board of Health, he goes on to Hilo, and I haven't heard of the outcome of that particular thing. But that's what the port looked like at the time of fire. This is quarter in 1899, before the fire of 1900, and the big block of buildings surrounded by the railroad tracks is that whole Asian business district. It was later charged that Kahului Railroad did it purposely to rid residential and small merchant uses from the area so it could build up its shipping facilities, but that was never tested. So this is the history you won't hear about too often, and I think a recent tourist publication said there was no history in Kahului, but there is quite a history in Kahului.

This is some of the parcels involved in 1910, which were recorded on a map. It was filed with the Territorial Government in Honolulu. The location of our building is denoted by the red arrow. There is lots of money and lots of efforts that went into the building at Kahului Harbor and breakwaters, which protected, and this is plans for the breakwaters, that was ...(inaudible)... or that was produced in 1911, and there was a large town that grew around the harbor, and it was, as we have discussed in earlier meetings, it was a typical plantation town except they weren't growing sugar, they were transporting it, as well as goods, supplies, and equipment for the plantations.

There aren't many pictures of Kahului around. I'm trying to locate as many as I can because, as you know, in 1950, we had the construction of Dream City, which totally eradicated the Kahului of the last -- or the previous 50 years. And the constructions of the breakwaters, this was carried out by Kahului Railroad Company, and the warehouse facilities, the railroads, and the infrastructure related for the conveying of sugar was owned and operated by Kahului Railroad, and HC&S actually ended-up owning Kahului Railroad.

The other history that you won't hear about too often is that, between 19 -- or between 1897 and 1939, Kahului was a place where the Japanese Imperial Navy often visited in annual trips from the Japanese Archipelago. The map in the upper lefthand corner shows all the plantations that were known to have Japanese workers and when imperial naval vessels showed up, in this case, this is the Asahi, they were met by crowds of well-wishers from the plantations.

Paia Mantokuji Mission was a recipient of a bell that was brought on a training vessel in 1910, and another gift in 1912, and that was brought on the Taisei Maru. There was no photograph taken of the vessel at Kahului, but it was shot here in San Diego in 1912.

What we do remember are the beginnings of tourism on Maui and how Kahului Harbor functions with boats first operated by the Inter-Island Steamship Company, then picked up by Matson, so this is a shot of a passenger ship in 1920. In the lower lefthand side, we've got Japanese fishing vessels, which were once very plentiful on this island.

In 1930, we had the new wharf shed that we're dealing with today, which was constructed on Pier 1, and it was completed two months before it was scheduled to be finished. There's some expansion that appears on this building so, over time, it grows. By 1941, it actually has a function of conveying sugar in bulk, so this was a change from bag to bulk sugar, and this was revolutionary at the time. It worked in tandem with a very large warehouse, probably the largest wood warehouse in the Hawaiian Archipelago; if not, on the whole western coast, and it still stands today, and that's the bulk sugar warehouse. It was completed in 1941. So that worked in tandem with an unloading station and the scale house. So if you follow the green arrows where they would drop off sugar; it's conveyed to the bulk sugar warehouse; dropped into trenches that come out on conveying systems;

weighed; taken to another scale house; and then take along the side of the warehouse we're looking at today and dropped into freighters. And this was the first bulk sugar facility built in the islands; everything else was built after the war, so it was followed by Lihue and bulk sugar facilities, I think, in Hilo. And that's the only photograph, a really fuzzy one, that shows bulk sugar -- actually, no. This is bagged because the railroad is still there and there's no overhead conveyance system. That's the bulk sugar warehouse as it stands today. A smaller version was built in Lahaina for Pioneer Mill, and they were designed by an engineer named J.H. Foss. That's the bulk loading conveying system, as it appears today. So it can transfer 1,000 tons of raw sugar per hour to the ship, so it's pretty incredible.

Over time, 1960, that's the building that we're looking at today. The warehouse was 1.5 times the size that it is today; 1975, it was still intact; 1987, it starts to be reduced in size. And this is what it looks today. It's probably the best maintained sugar facility I've seen in a while, and I've been through a lot of them. We began our last item with the issue of integrity, and this is another one, and it's going to be a little bit different than it was on the last one.

Alright, this is a building that has been used since its construction in 1930. So you have changes that occurs through time and they have to be -- they have to occur within a 50-year -- or before the 50-year threshold. So we count back, typically, 50 years from today here, which takes us to the 1960s, and anything else that occurs after that begins to compromise your integrity. Most of these additions on the front do in some way. But because of the sheer size of this building, they're really somewhat insignificant. So we got additions on the back side as well. The other thing is that they're clearly constructed in a different method from the original, and there's a clear indication of, you know, this is probably in the '80s building. But size-wise, they're diminutive enough where they're not going to compromise this building because of its sheer volume. This is the seaside of the approach; bulk sugar loading equipment is still intact and still operates; and those other buildings that I was talking about earlier to the right. When you walk inside it, the steel is all painted. It's cleaned up. And if you deal with bulk sugar, there's a lot of dust, and you couldn't tell that this was a bulk loading facility; it's really well maintained. But your entire structure, your wood windows, your steel trusses, everything's in great shape. The roof is actually wood purlins with a wood deck on top of steel trusses, and there's a sprinkler system that's been added as well. But it was really quite incredible. Board form concrete, so when they have in-filled openings, they've done it in CMU and you can tell.

So the proposal today is to add two lines of PV panels on the eastside of this building, which is the seaside. You will not see it if you're driving down Kaahumanu Boulevard. It's on the seaside of the warehouse. This is a section through the building. These are the PV panel installations with their supporting structures. And that's a detail or a shot of the steel trusses, wood purlins, and wood deck.

Probably, at this point, I'll ask the applicant to come up and probably provide you much more technical information than I can.

Mr. Tyrone Takahashi: Aloha and good morning. My name is Tyrone Takahashi. I'm the Senior Project Manager for Solar City, and I come in here, you know, to seek your consideration in getting, you know, obtaining approval from each and every one of you in regards to constructing this PV system for the -- the Department of Transportation, Harbors Division, and, you know, I do it with deep respect for the `aina. You know, I was born and raised in the islands and, you know, historic preservation is, you know, it's an important aspect, you know, in the islands, and I know how, you know, important it is to, you know, take that seriously into consideration, and that is something that, you know, I've really looked at the project and, you know, looking at all the different elements that would, you know, change the aesthetics of the building, as well as, you know, the looks of the building. And being that the way that our designer put the array together for the building, what they call -- what you see there, they put it at a reverse tilt because of the building facing -- facing towards north, they did a reverse tilt to pickup the sun from the south, and that's what that's showing there. From the roof -- from the roof grade, up to the highest point of the array, is about 7 feet-6 inches, and, you know, when you're down in the parking area, you know, it's not going to be even visible to see from all the way down there because the building stands about 35 feet high, and from grade to the top, the highest point of the array, is at 39 feet-10 inches. And so as far as, you know, looking from it from the parking standpoint, you know, it would not be visible because there's a stem wall that comes up at about, I would say, about 48 inches that comes straight up on that right side that comes up, and it just looks, right now, when you're looking at it, it looks much bigger, but when you look at it from when you're in the area, you know, it's -- the visibility of it is going to be very minimal. I know, you know, they were talking about the visibility of, you know, when the cruise ships come in, but, you know, when this system here is put together, it's done in a very professional manner, and everything is done to spec, everything is plumb and leveled, and done with, you know, precision and, you know, I really -- when I go out to the jobs, you know, I really, you know, I kinda nit-pick my installations, you know, and I really look at aesthetics and how well, you know, it's put together. And so the only thing that, you know, it will be visible from the cruise ship because the cruise ship is, you know, much higher than the building, so but the visibility of it, you know, when you're looking at it, I mean it's going to blend right into -- it'll blend right into the building because of, you know, when you're looking at it from on the top, you're looking down; it just blends right into the roof. So as far as aesthetic-wise, you know, the only thing that we would have coming up on the building would be the feeder to feed from the array, down to the inverter; we would have one pipe coming down the side of the building and which will be painted to match the color of the building. So it will come down one of those columns, and then we'll come in and then we'll, at ten feet, we're penetrate into the building and into a junction box, which, in turn, would go into the inverter and that way we could get power up to the building, but that would be just, as far as aesthetic-wise, that's all you would see, you know, one set of pipes

coming down the building on the side and which will be painted to match the color of the building.

Ms. Sarich: Hi. I just have a question. Why are the supports so tall?

Mr. Takahashi: Excuse me?

Ms. Sarich: Why are the supports that are holding the PV panels so high off the roof? Why aren't they like a foot off the roof?

Mr. Takahashi: They wanted to get -- they wanted to bring it up because of the stem wall. They didn't want no shading to come over the panel, you know. When the sun is going down the other way, they didn't want no shading coming over the panels, so the reason why it's up like that a bit so we don't have that shading that will reduce the, you know, the power that it can generate.

Chair Hutaff: So, actually, then the roof leans itself towards the ocean and you're P-cells are going to go the opposite way.

Mr. Takahashi: Yes

Chair Hutaff: And be slightly -- and they're -- you said they're 7.6 feet above the roof line --

Mr. Takahashi: Yes.

Chair Hutaff: Is where they're going to be?

Mr. Takahashi: The highest point of --

Chair Hutaff: That's highest point of highest point?

Mr. Takahashi: Yes.

Ms. Sarich: I still am not clear. Since this parapet wall is four feet, I can't see how it would even come close.

Mr. Takahashi: Excuse me?

Ms. Sarich: I still am not understanding why these are so far in the air compared to the parapet wall, or is it compared to the peak of the roof over here?

Mr. Takahashi: Well, the thing about it is that, you know, when we're trying to get the true south, and the angle of the panels really makes a difference on how you collect the sun, and that would really affect, you know, the effects of the thing generating, you know, power and having that angle, that true angle that, you know, we need to get the sun's attention.

Ms. Sarich: So if this were moved down a few feet, what would be the difference?

Mr. Takahashi: Excuse me?

Ms. Sarich: If this whole panel moved down six feet, what would be the difference?

Mr. Takahashi: Six feet?

Ms. Sarich: Yeah. I'm not understanding what changes.

Mr. Takahashi: That I would, you know, refer that to my engineering department. They would have a better -- probably a better answer for you there. But, yeah, you know, I would rather have them answer that for you.

Ms. Sarich: Okay. Thank you.

Chair Hutaff: I'm going to assume, and you can -- that the sun comes up behind the mountain, yeah, Haleakala, okay, and so there's a shadow, and that these are at the minimum height; in other words, you're not going to angle them up and then Haleakala still creates a shadow. I think what Brandis is trying to say, and probably some of us are thinking about, if it could be lower, then that would be greater, but I'm assuming someone's calculated the sun, the shadow coming off of Haleakala, the south side, and said we have to go with minimum this height.

Mr. Takahashi: Well, I would have to refer that to our engineering department because they set the parameters on the angles of the panels and stuff, and because this is a reverse tilt, you know, they have their reasoning behind it, and they probably can explain that better than me.

Mr. U'u: Just a -- I agree with Brandis. I'm totally for the project, first of all. I think it's a good project. I paddle canoe in the area, and I never seen the top of the roof. How's that? It's way up there. And visibly, the only people it might be intrusive is the people on the ferry or the boat, and which is no concern to me, really. Having said that, but if you could drop it down, you know. I see why the panels gotta be facing the south side. Your slope angle is back, you know, so it's like this, and your panels gotta be facing the south side. I still don't get the height, and I'm not engineer and I'm pretty much clueless about how it works, but I understand the way the sun rises and sets, and, you know, if you can accommodate

by dropping it and have the same effect as it would be as it is existing, I'm okay. I'm fine. I mean if you can drop it, great. If it's not as effective as if you leave it in its state now -- put it this way, if you can get the same amount of use as it drop, I would appreciate it. And if not, I still going appreciate it. If you can drop them, I'm okay with them. I'm not the expert in this. Is it going to be intrusive to anyone? No. Nobody. You know, it's not going -- I've been there a lot. We kicked out of there now because we can't go after the 9-11. We used to paddle in that area and now we can't.

Mr. Takahashi: Absolutely, I would, you know, address that and really bring it, you know, forward to my engineering team. And if it could be dropped, you know, I have no, you know, objections to that. And if that could be done, then, you know, I would do it.

Mr. U`u: If I could recommend in our comments that you drop them the lowest to where it doesn't take away or hinder what's stated for this area, I would really like that.

Chair Hutaff: As a comment, I'm going to see it. The people in Kahakuloa are going to see it. From the heiau in Waiehu, they're going to see it. Which actually might end-up being good. I know when we go to the heiau and we look over Kahului Harbor, the one thing we see is a bunch of rusty, gray, unkept roofs, and it's really heartbreaking to know what was seen before from the heiau and what is seen today. I'm going to count -- I hope I can count on you guys to do exactly what he suggested, which is to kinda like go as low as possible because it's now at a reverse angle because there are people who can see it, lots of people who can see it, okay. Maui Meadows -- not Maui Meadows, but Waiehu Heights, they can see it. From the top of the hospital, you can see it. So, actually, if you enhance the looks of that roof, it might end-up being a two-fold good thing; one to have some electricity generated from our unused sun, and tidying up the roof a little bit and make it look kinda pretty.

Mr. Takahashi: Absolutely.

Mr. U`u: It is a beautiful building though, and that bell in that slide, still goes off at 6:00. That's our warning, when we used to surf, to go home. It's amazing that it's still in use till today.

Mr. Takahashi: And I just wanted to add one more thing that, you know, in moving forward with the EA assessment, you know, I've written letters to every neighboring business and got their approvals that they would have no objections to us, you know, constructing this PV system.

Chair Hutaff: Okay, Stan, we have recommendations or public comment first. Anybody in the public wish to comment on these items? Okay, Stan?

Mr. Solamillo: Okay, on this building, despite slight alterations and multiple additions, the building retains most of its original massing, concrete and steel structure ...(inaudible)... windows, and primarily because of its sheer size, it's building integrity, to your parapets, everything, but it's the mass. It is recognizable from a 1930 photograph as well as today. The site still retains integrity of setting despite a reduction in length of the facility and changes in use through time. It's still recognizable as Pier 1. So the determination of eligibility would be despite operations and additions, the building retains its architectural integrity and Pier 1 retains the integrity of setting. The determination of effect would be no effect on cultural resources for the proposed PV installation, and the recommendation would be approval. In the case of, once your motion goes through, then it would be approval with conditions.

Chair Hutaff: Approval with conditions.

Mr. Solamillo: Conditions.

Chair Hutaff: Okay. Discussion?

Ms. Sarich: I just wanted to thank the building owner for maintaining the building so well and for being sensitive in their additions to this building, and that they're modernizing it so that the history stays alive.

Chair Hutaff: And they've been doing that for a hundred years. Okay. Any other discussions? Any recommendations? Any motion for --

Mr. Osako: I'd like to move that the Commission recommend approval with the condition that they investigate lowering the array, if it's possible.

Mr. U`u: Second.

Chair Hutaff: Any discussion? Before we take a vote, Stan, do you have any other suggestions on recommendations?

Mr. Solamillo: No. I do not.

There being no further discussion, the motion was put to a vote.

It has been moved by Commission Osako, seconded by Commissioner U`u, then unanimously

VOTED: to recommend approval with the condition that they investigate lowering the array, if it's possible.

Chair Hutaff: Motion is carried.

Mr. Solamillo: Do you want to go into the next one or would you like a break?

Chair Hutaff: First, I think the next one's probably going to take a little bit while, I'd like to make a suggestion, and then put it to a vote, that we take a short break and since there's not a lot of people in the audience, when lunch comes, we just eat and continue, that way we have time to think and talk. So say ten minutes exactly? Is that fair? Everybody okay with that? Let's take a ten-minute break and eat lunch here.

Mr. U`u: We're taking a ten-minute break now?

Chair Hutaff: Right now. Take a break. Meeting's adjourned temporarily.

(A recess was called at 11:08 a.m, and the meeting was reconvened at 11:20 a.m.)

Mr. Solamillo read the following item description into the record:

- 2. MR. WILLIAM SPENCE, Planning Director, transmitting Council Resolution 11-137 to the Cultural Resources Commission regarding the Lāna`i City Business Country Town District Design Guidelines and Standards 2011. The CRC may provide comments and recommendations. Public testimony will be accepted. (E. Wade)**

Mr. Solamillo: The presenter is Erin Wade, Small Town Planner.

Ms. Erin Wade: Good morning, Members. My name's Erin Wade. I work in the Planning Department, in the Current Division. I transmitted in the packets for you folks a copy of the draft -- of the resolution that came from council and the draft proposed Lana`i City Design Guidelines and Standards for 2011. Also, there was a memo that just summarized the process to date, as well as a packet of agency and individual comments that had been received to date.

Essentially, the process, thus far, has been we received the council's resolution in early January and we took it to the Urban Design Review Board, both in February and March. They meet the first week of the month also -- the first Tuesday, I'm sorry. Then we took it to the people of Lana`i on March 12. We had a community meeting in Lana`i City where I did a brief presentation, actually it's a relatively technical presentation, and I have it today, but it basically goes through, line by line, the difference between the draft that's proposed and the 2007 draft, that's the current draft. I'm sorry, the 1997 draft. Then after the planning meeting -- the community meeting on March 12, we did take it to the Lana`i

Planning Commission and, at that time, the commission voted to just incorporate two sections of the proposed document into the existing design guidelines; those two sections included a modified section on roadway standards, which would allow the existing roadways in Lana`i City to basically remain as they are today. Right now, there's a conflict, so it just sort of says, generally, in the standards, "Lana`i City roads should be maintained as they exist today, however, when anyone comes in and proposes to make an improvement, you're actually held to the County's Public Works standards for roads so -- because the design guidelines only operate as guidelines, but the county standards take priority at this time, which is part of the reason for changing the title of this document to include "Standards," so -- so the suggestion from the planning commission was include the section on standards, which has specific roadway widths, and to increase flexibility for parking facilities in Lana`i City. Right now, one of the biggest challenges to opening a new business in Lana`i City is you're forced to meet current parking requirements, however, there's no parking problem in Lana`i City. So we're sort of suggesting you need to create these 15 onsite paved parking stalls if you're going to open a restaurant, however, no one really wants a proliferation of parking facilities in Lana`i City and the -- for the businesses, it's a high threshold. They have a whole lot of permitting to go through, it's a big expense, and it's already challenging to open a business there. So those were the two things that the planning commission supported changing at this time.

But on the table for discussion is the entire proposed version, so when we take the document back to the county council, they will be determining what exactly gets changed in the design guidelines document. The planning commission, as I said, recommended just some minor changes, but we wanted to bring it to you folks and offer you an opportunity to give us comments about what you feel would be appropriate to be changed or left the same.

And as I said, just briefly, the presentation I have is a line-by-line comparison of the two documents, of the current proposed and -- the current document and the proposed document. I'm happy to take you through that if you would like, but if you have some thoughts, because you've had it for a week or so to review, I'm happy to just launch right into comments also.

Ms. Sarich: I have a question.

Chair Hutaff: Yes?

Ms. Sarich: Where does this fit into the scheme of things?

Ms. Wade: That document was contracted by the Department of Planning during the time that the historic district was being developed. And because the National Register Nomination was put on hold, so was the document. So that document is not part of what

got compared between these two. We're just looking at the current and then the one that came from Council Member Hokama's office, which is the suggested.

Chair Hutaff: Could you identify that document, please?

Ms. Sarich: This is the Lana`i City Design Guidelines prepared in July 2009.

Chair Hutaff: Okay.

Ms. Wade: So, essentially, the conversation with the community regarding both the historic district nomination and the guidelines that are a great deal more comprehensive, the guidelines that the Planning Department had commissioned, was that the community wanted to be involved in that discussion. They didn't want that document or any document to be imposed upon the without having a bigger conversation about how -- what that would mean to the historic preservation and the community.

Ms. Chandler: Chair?

Chair Hutaff: Yes?

Ms. Chandler: Erin, the design guidelines that were prepared in 2009 by the Planning Department, you said were more comprehensive than the ones that came down from the council, the ones that we're going to be looking at today?

Ms. Wade: Yes.

Ms. Chandler: Do you feel like the community's interest were more represented in one document or the other?

Ms. Wade: The reality is, what we just kept hearing in the meeting was we wanna be involved in this process. Do not shove a document down our throat, basically. And so it's very difficult for me to judge. There is a strong attachment to a lot of the buildings in Lana`i City, but the way that that goes about being preserved is something that they want to be able to participate in as a conversation. So I, personally, can't say that I feel like one is a better representation of their views than the other; mostly because they're on the cusp of starting their community plan process also. So the next step for Lana`i City is their CPAC members are going to be nominated, and then they're going to be off on their community plan process, which will likely launch into the very next step being design guidelines update.

Ms. Chandler: Yeah. Chair? Erin, the -- my question is so we're looking at this right now, and we're going to make recommendations, but then the community itself is actually going to go through this planning process and then, ultimately, probably create something else?

Ms. Wade: Right. So the only reason that this is happening now is because there have been several businesses in the last two years that have tried to open and have had a lot of trouble because of either the parking or the road widening requirements. There's also an interest from the company, in all reality, and the document suggest -- the proposed document suggest this of dealing with their existing dilapidated structures. So in the document that Councilman Hokama's office proposed, there's suggestion about demolition of structures, and when that would be appropriate. So when we went to Lana'i City, the people said, you know, we like the stuff that's going to help the business right away, we're not sure about the stuff on demolition, and we wanna have a bigger discussion about that, which is -- but it was brought up in this revised version, the demolition.

Chair Hutaff: To kind of followup on what -- the question about whether the people had a preference over one or the other, I noticed that some of the comments that you gave us mention that people are a little afraid it's moving a little too fast.

Ms. Wade: Yeah.

Chair Hutaff: How are you addressing that?

Ms. Wade: The council -- the resolution process, the way that it works is the charter requires us, the department, to respond within 120 days of receiving the resolution, so we got it in early January, and our job was to get back to the county council a recommendation for what should be changed within 120 days, and that clock is done ticking at the end of April.

Chair Hutaff: Okay.

Mr. Kubota: Chair?

Chair Hutaff: Yes?

Mr. Kubota: Can the resolution be amended to give you more time because it seems people -- everybody is saying you need more time, more time, more time?

Ms. Wade: Yeah, so --

Mr. Kubota: They're reluctant to do something that, you know, have to go through the exercise all over again. It doesn't make a lot of sense.

Ms. Wade: You know, the planning commission could have asked for an extension from the county council. They instead chose to take a vote. I think any of the other boards or commissions could do the same, but because the feeling of the community was there are some things that certainly need to be changed, and we do wanna have -- talk about this as part of the community plan, they felt okay making some minor changes, and that was Lana`i Planning Commission. So -- but we wanted to ask the Cultural Resources Commission as well.

Mr. Kubota: Who actually worked -- did you work on the document?

Ms. Wade: I did not work on the document. No.

Mr. Kubota: Who actually did the document?

Ms. Wade: Councilman Hokama delivered the document to the Planning Department with the draft resolution.

Mr. Kubota: So who wrote it then?

Ms. Wade: I do not know the specific author of the document.

Mr. Kubota: It's interesting because one of the comments in the emails from Archie Nahigian, it says that Councilman Hokama stated that the proposed changes had been submitted to his office by business owner on Lana`i. So you actually had business owners writing all these changes and giving it to him?

Ms. Wade: I can't attest to that. I don't know the answer to that.

Mr. Kubota: I would surely think we should find that out. And the other interesting thing is in the correspondence with him, emails, he pointed out who was not -- who were owners of -- business owners, and then he pointed out that some of these people weren't the owners. So is it fair to say probably all but a handful of properties are owned by Castle & Cooke.

Ms. Wade: Certainly. A lot of the properties have dual ownership, and I know you folks have talked about this with the historic nomination for the district, but most of the properties are an entire block, so one parcel will encompass an entire block, and the ownership, sometimes the buildings themselves are owned by a particular entity. A good example is the block that the senior center is on, Lana`i Senior Center, is owned by Castle & Cooke, however, the building is owned by the County of Maui, and that happens in various places throughout the city. So when we pull up the real property tax record, it will show the entire

block where sometimes there'll be 30 or 40 owners within one block, but it isn't identified specifically which building is owned by which entity.

Mr. Kubota: I really am curious as to who actually wrote all those changes.

Ms. Wade: I don't if there's a member of the public that would be able to answer that, but I can't answer that question. I don't know the answer.

Chair Hutaff: Kinda the way I read in between the lines is because this has been going on for so long, that people didn't necessarily write it, but they called and complained, or made suggestions that if it was written this way, it's evolved with no real writer, per se, but all the inputs of everybody from past, the business owners calling, you know, council, and stuff like that, and getting with Castle & Cooke on what to do. That's what I read in some of the comments and in some of the things from 2009 in trying to find out who actually wrote it because there was a question on whose -- whose paper is this really, and that's kinda what I gathered. Would you say that's probably --

Ms. Wade: That is certainly what Councilman Hokama suggested. He said that he and the folks in his office worked on the draft of the document. I can say that at least 85% of the document's identical to the previous document, and then there are section that have either been amended or inserts have been made.

Ms. Sarich: So is it appropriate to make comments on the document as a whole right now?

Ms. Wade: I'm sort of offering you folks the opportunity to make that decision. Yes. We can comment on it as a whole if you'd like. It is likely that the department is going to support the position of the Lana'i Planning Commission, which was, you know, to just incorporate a couple of the sections at this time. But if there are other specific sections of the document that you think would be timely that we would wanna include and recommend to county council, we would certainly be happy to address those as well.

Chair Hutaff: Excuse me. If I had a say in it, I would suggest we go down the list so we don't miss anything. Go ahead.

Mr. U`u: Just I agree with that. Who's allowed to make changes? Is it in our purview, as CRC, to go over this? In reading it, I thought it was the Urban Design Review. I'm curious because I thought it was the Urban Design Review, planning commission, and then the council.

Ms. Wade: That's correct. Yes.

Mr. U`u: So this is just --

Ms. Wade: Advisory.

Mr. U`u: Okay.

Ms. Wade: Yeah.

Mr. U`u: Thank you.

Ms. Wade: You're welcome. So, Mr. Chair, did you say that you wanted me to go through the line-by-line comparison?

Chair Hutaff: If the Commission's okay with that, I think that's really a good idea so we don't miss anything, and also, on the introduction part, the purpose and intent, first paragraph, I really like that. It kinda tells us what we're here for and what our rationale is is document existing conditions and establish a reasonable identity. Now, we certainly can't establish a reasonable identity, but we can give credence to what already exist and not forget what the past is and have a unified urban design theme if we could carry that culturally, which is within our purview of Lana`i City. I think that that's where we should focus, if I could make a suggestion to that. Go ahead.

Ms. Wade: The first, basically, overarching concept that's important to point out is the business country town district, the B-CT district, is a zoning district in several of the small towns, so it is a commercial zoning district that allows for a mixture of uses. The issue with the Lana`i City version, as it exist today, of the design guidelines is it blends in a whole lot of uses that aren't actually zoned business country town, and I imagine that was done at the time to do what you folks have talked about in terms of the historic preservation, however, it's not enforceable if it's not in the business country town district. So the properties that are shown to be shaded here are the ones that are actually zoned business country town, and a good example of one that I think most people assumed was would be Hotel Lana`i, which is actually zoned hotel, for obvious reasons. Hotel isn't a permitted use in the business country town district. And so, technically, the design guidelines don't apply to that building. However, there's lots of interest to keep it exactly as it is and to even enhance its historic character, but for the purposes of legal review, there's no authority in the guidelines for that particular building. We use it a lot of times for guidelines with applicants. But for that reason, the references to structures that are outside of this commercially zoned district and residential structures has been removed from the document for that purpose, okay.

This, basically, outlines what the table of contents is and that it's extremely similar to the existing document. In the purpose and intent section, which the Chair mentioned, the section on the Lana`i Community Plan has been updated since the previous version because there has been an update since that time. There's a new bulleted list regarding

new structures, so that section is new and sort of suggest new priorities there. The study area, as I said, removes residential properties. The physical characteristics section looks to be new except it was just pulled from an appendix of the earlier version. And then there's the summary of recommendations. The paragraph, and this is, again, one of the sections where the intent has changed somewhat, the summary or the paragraph on repair rather than replace was removed. There was a sentence removed stating, "New development should be compatible with existing structures," but then it's shown later in the paragraph. And then there was sentence stated inserting, "Above all, health and safety are of utmost importance." So these were relatively minor changes in this section with the exception of sort of last statement.

Chair Hutaff: Quick question.

Ms. Wade: Yep?

Chair Hutaff: One of the people who provided information mentioned that utmost health and safety should be removed, if I read that correctly. I think her reason was is because it could ultimately be used to change everything that you're trying to do.

Ms. Wade: Well, the reality is there are several buildings that are boarded up in Lana`i City that are not occupied and that are not maintained, and it -- there would be a number of folks who would say that those are a health and safety risk.

Chair Hutaff: And so tear it down.

Ms. Wade: Yep.

Chair Hutaff: Okay.

Mr. Osako: Can I make a comment about that, Ray?

Chair Hutaff: Yes.

Mr. Osako: There are actually -- that little handout I gave out, that is a painting of a building residential that's in the business district that is still occupied today, and I believe it is still owned by Castle & Cooke. Those were some of the original houses built when the plantation started in the early 1920s. Castle & Cooke has boarded up five of them now, and their thing is health and safety and unsafe, but it's like you go to a store and buy a beer and there's an expiration date - it's good today and it's no good tomorrow. People lived in those houses up until the time they moved out and then, all of a sudden, it's no good so they board it up. So why is it good yesterday and not good today? And where do you draw the line? So if they demolish those five structures, there are -- I believe that one

of them there is -- might be privately owned, one that's right behind the theater is privately owned and has been greatly modified so doesn't even look, you know, like the old. The ones that are on the other side of Dole Park, on Lana'i Avenue, there's three of them that are still occupied, but at some point, is Castle & Cooke going to say, okay, these are unsafe? Will you move out? So, like I said, is it okay today but no good tomorrow? And it seems to me that, you know, a lot of the changes are pushed by Castle & Cooke, I mean they're the landowner, basically, for a lot of it, and, you know, I mean these were the original structures or part of the original structures built in Lana'i City, and we're in danger of losing them all, and using that statement "Above all, health and safety and welfare."

Chair Hutaff: Yeah, I would be very concerned about that statement because of the way it's "Above all," is absolute. "Utmost" is another, you know, word that says, you know, someone's going to say that building's unsafe because it's got stairs and no railing, and so tear it down. So I see the writer's point, and I see your point that maybe that should be addressed maybe right now since we're right there. Do you want to, Warren, make a recommendation, so we don't gotta go back and forget, on that statement?

Mr. Osako: Yeah, but, you know, it's like you would have to think it out because, yeah, it would be hard to, on the spot, make a change; well, because those concerns are actual concerns but, you know, the way it's worded, I think somewhere in the document it talks about demolitions and it brings that up, so that becomes the criterion for allowing demolition, and who is to determine that. And once they move the tenants out and board it up, after so many years, yeah, no maintenance and, you know, and they haven't done any maintenance anyway over the years, so, yeah, they will become unsafe and, you know, structurally unsound.

Ms. Sarich: There's some other kind of tricky wording in this summary, and I don't know if we want to go through it all right now or if we want to come back to it.

Chair Hutaff: It was really just to see where everybody was at. It was more of a question than a recommendation. Go ahead.

Mr. Kubota: Yeah, I think Warren's wife put it very well in here comments. We have a copy of it here. It says, "On page 5, the health and safety statement needs to be deleted....it allows the present landowner to neglect buildings to the point where they pose a risk so that he can then tear them down, along with the history of the town. The three buildings on Lanai Avenue are a case in point. Offers to buy and restore these buildings have been turned down by the landowner. . ."

Chair Hutaff: Okay. So -- yes?

Mr. U`u: Just a comment. I understand. What's interesting in it becomes a liability issue and, granted, when people don't maintain the houses, but what we're doing right now is we're not being fair, and I'll say it because if you one private homeowner, like the ones we had earlier, as an individual that own a home, so are we to hold Castle & Cooke in a different level as we are to a homeowner? And is it fair? You know, I hear you guys throwing them around, they own the house, and dilapidated. People are still living in the houses right now in Lahaina is dilapidated. And I think, at some point in time, as a Commission, we need to be fair for all and not pinpoint a developer against a homeowner and maybe we give allowances to the homeowner in Lahaina that even though they still living in it and it's dilapidated, which it is, and we gave the okay to demolish today, but we hold the owner of an island -- I'm just saying is it -- and if we going start doing that, if we're going to start by saying you cannot board it up, you must do this, we gotta hold everyone moving forward on that.

Chair Hutaff: I don't think we're really making that comment.

Mr. U`u: Is it?

Chair Hutaff: We're just removing a comment that could be construed as the opposite of what you're trying to suggest where a developer could come in and say get rid of the house because it's unsafe rather than have it go through it's process and say, well, wait a minute now, let's take a look at it. Maybe we don't want to board it up, you know. Because when you board up a house, you're not keeping anybody in; you're keeping somebody out. So that indicates itself that it's already unsafe.

Mr. U`u: To some degree. Yeah.

Ms. Maluo: Well, I think there are -- excuse me. But I think there are other considerations too when you look at it from the developer and the family that stood before us earlier in a sense that this is their family home. Like Commissioner Kubota mentioned, there have been attempts to have the homes fixed that were turned down by the owners, you know, whereas the homeowner, in the earlier incident, you know, had the option to do that themselves. I think if the community is saying we want to improve these buildings and they're not being given the opportunity, that's something different when the boards are put up.

Ms. Sarich: I would also like to add that Lana`i City has the opportunity to become a historic register, whereas the street that that home was on, it's not eligible, and that -- I mean that's why we have this Commission is to save houses so --

Chair Hutaff: Okay. So I got no motion or recommendation, so we can move on for now.

Ms. Sarich: Do we want the other comments or are we going to come back to this?

Chair Hutaff: I think as we go along, and it'll be up to you if you wanna come back to it. I just wanted to do something, give the opportunity to something now before we forgot.

Ms. Sarich: Okay.

Chair Hutaff: But we should, you know, if we don't have anybody putting a motion down there to delete that, then we should go ahead and continue on. We can always come back to it.

Ms. Sarich: Okay.

Chair Hutaff: Just don't forget.

Ms. Sarich: I'll hold my comments till the end.

Ms. Wade: Okay, the next section's on design characteristics. This section, as it was in the existing version, is by and large about what is there today, and this section is, for the most part, unchanged with the exception of this first intro paragraph. The sentence -- a sentence was removed stating, "Business signs are not prominent and there's a noticeable lack of false fronts from commercial buildings." But that was it.

The street design, the reference to wheel-stop material was changed, and I observed this myself; it used to say, "log and stone," was what was used for wheel-stops. It's not log and stone there anymore. It's the concrete sort of wheel-stop blocks.

The map. There's a boundary error on the map on page 9, but it's actually accurate on the map on page 19, so that would have to change.

This -- all the sections on streets, parking, utilities, drainage, landscape, views and landmarks are the same as the 1997 version of the text.

The architectural character and styles, the intro paragraph's the same; streetscapes is the same. Roofs, they added "standing seam metal" as an appropriate material to be used. Or, I'm sorry, this is on existing conditions that currently exist within Lana'i City. For the facade, the portion of a -- there's a portion of the sentence missing, which I think was unintentional, 'cause the sentence doesn't make sense without this prepositional phrase, "with a central entry and shop windows," so I'm pretty sure that was unintentional. And then the section on covered entry is the same.

The architectural character and style, all of these things, doors, windows, siding/finish material, ornamentation, colors, and signs is all the same as the 1997 version.

Then we get to the section on the inventory of characteristic buildings. This section was basically updated with new photographs throughout, and then the buildings that were technically not in the business country town district were dropped, like Hotel Lana'i. So I just have identified here where there's new information and sometimes the business name has changed, so where it used to be where Café 565 is, was formally Akamai Trading; those notes have been changed.

Okay, then where the rubber really meets the road is page 30. This is the design guidelines and standards that suggest what to do if you're going to have any type of construction on your building. The intro paragraph here, the word changes make the design guidelines less restrictive, so there were -- there was a change from "should" to "could" in the first section. And then there were just some other minor changes there, but they made it less restrictive. There's a new paragraph on buildings that are structurally unsafe and about demolition that was inserted here. There's a sentence about redevelopment that was in the previous document that was removed. And then there's a statement, "The design guidelines and standards shall prevail." And that statement's actually in the zoning district as well. So in Chapter 19.15, which is the country town business district, it also has the same statement saying that the design guidelines shall prevail where there's an inconsistency in the code. So that makes it more consistent.

Ms. Sarich: Excuse me, Erin. What was the sentence about redevelopment that was removed?

Chair Hutaff: Well, you know what? While you're looking that up, why don't we just take a little slight delay here so we can get the lunches on the table. Okay? And then we'll give her a chance to look that up.

(A recess was called at 11:55 p.m., and the meeting was reconvened at 12:00 p.m.)

Ms. Sarich: I would like to know what the sentence about redevelopment that was removed actually said.

Ms. Wade: The sentence said, "Redevelopment in the historic areas should closely emulate the scale, design, materials, and ornamentation of the structure it is replacing." It's the sentence that was removed.

Chair Hutaff: Okay.

Ms. Chandler: Chair?

Chair Hutaff: Any other questions, or should we go on?

Ms. Chandler: Yes. The issue of structurally unsafe and demolition, are we, Erin, going to encounter this in the document again or is now a good time to talk about it because it occurs on page 30?

Ms. Wade: Right. So this was the other substantive location, the third paragraph on page, was the substantive location where it talks about demolition.

Ms. Chandler: Yes. It says, "Any and all buildings that are structurally unsafe and determined by a structural engineer or an architect or County building inspector to be a hazard to safety, health, or public welfare by reason of inadequate maintenance," which is allowing inadequate maintenance, in my opinion, "dilapidation, obsolescence, fire hazard, disaster, damage or abandonment," which abandonment, that's amazing, "shall be allowed to be demolished." It just says, "shall be." So I think this is so strong and it opens up, you know, everything, so my opinion would be that we would be remiss if we did not even comment on this part of the document. So I would like craft a motion that's similar to actually the email that was read earlier by the Commissioner about maintenance of buildings, but I don't quite know how to put that together, and, Warren, maybe if you have any comments here?

Mr. Osako: My comment about, first of all, it's about the mix of residential and business area because, originally, I don't think -- I don't know when the zoning changed the whole blocks there into business, but if you look at, you know, the plan, most of the blocks were mainly residential. In fact, a lot of the businesses originally had housing in the back of the business, which were part of the same building. I have family photos of one of our family friends and the families are in the residential area of the business building. So part of the reason is the landowner enhanced the value of the property by having it zoned business, you know, the value of the property goes up, and if they were so concerned about health and welfare, right across the street from where I lived was a whole block that was originally a park; then, eventually, when they started bringing in more seasonal workers for the pineapple fields, then they built dormitories and stuff there, and, eventually, part of it became the senior housing, and now the other part on Lana'i Avenue is two-story apartments. So, you know, now we've lost like the whole block of green space and park and stuff, so when we're talking about health and welfare -- and I understand your reasoning, Bruce, about, well, it's a developer, but David Murdock still flies back and forth in a private gulfstream. I mean he's not hurting for money. And he claims he's losing a lot of money on Lana'i, which I can see, but it's because of the business practices, and the big businesses shuffle the money around. At one time, he had a mortgage on Lana'i for 600 million dollars. So where did the money go? It didn't come back into Lana'i. So I mean it's not like he can't afford to maintain the buildings. It's not just his plan.

Chair Hutaff: Reading that, if we got down to “damage and abandonment shall be,” the next sentence says, “allowed to be demolished.” What if we were to suggest something along the lines of it shall be brought to the Planning Department’s attention for proper mitigation? Does it make ... (inaudible)...

Ms. Chandler: I think that’s a good -- I think that statement should be in there, and also instead of “shall be,” I think if we could say, “may be considered for demolition,” and then perhaps another sentence that references preventative maintenance, or the interest in preventative maintenance to maintain the cultural history, you know, or heritage of Lana`i, and that kind of is in that original email, which I don’t have in front of me.

Chair Hutaff: Yeah, I think that probably is a good idea, but maybe it can appear as a summary rather than as a line item; a summary that, you know, should be encouraged, or whatever, as we get towards the bottom. Do you wanna make a motion on that or shall we move on?

Mr. Osako: Yeah, I would make a motion, I really wouldn’t know what the legal terminology would be, but this statement would give them a blanket okay, you know, to let things go and then they can demolish it, but I think, you know, there should be some effort on their part to at least maintain, which even the businesses that -- business buildings that they lease out, you know, some of them, structurally, are getting pretty bad and it’s going to be the same as the residential where, eventually, they’re going to say they’re unsafe, move the tenant out, and apply for demolition, whereas, they’ve never maintained them.

Ms. Chandler: Okay, I have a motion. I move that we remove “shall be allowed to be demolished,” and replace it with, “may be considered for demolition.” And then the following sentence could be something like, “In order to maintain the history and cultural heritage of Lana`i City, preventative maintenance of buildings is encouraged.” And we can only encourage, I believe, in our capacity, but I just feel like it’s a good place for a statement.

Ms. Sarich: I’ll second.

Chair Hutaff: Discussion? Comment. I think in this particular place we should just -- instead of saying, “shall be allowed to be demolished,” it should be, “shall be brought to the attention of the Planning Department for proper mitigation.” And then, later on, have a summary of all of it that we’re going to come across as far as preventative maintenance and we can even list it. That’s a suggestion. Anymore discussion?

Ms. Wade: Did you wanna amend your motion, Rhiannon?

Ms. Chandler: So I would amend the motion to say instead of “may be considered for demolition,” I’ll replace that with “should be brought to the attention of the County Planning Department for possible mitigation.”

Chair Hutaff: Is there a second? Anybody want to second that modification?

Ms. Sarich: I’ll second.

Chair Hutaff: Anybody, discussion? Anything more along the lines?

There being no further discussion, the motion was put to a vote.

It has been moved by Commissioner Chandler, seconded by Commission, Sarich, then unanimously

VOTED: remove “shall be allowed to be demolished,” and replace it with, “should be brought to the attention of the County Planning Department for possible mitigation.”

Chair Hutaff: So we’re going to make that a recommendation?

Ms. Wade: Okay, so for clarification purposes, this section wasn’t included by the Lana`i Planning Commission but you would like for the department to include this in our suggestions to the county council.

Chair Hutaff: That’s exactly what we meant to say.

Ms. Wade: Alright. Thank you very much. Alright.

Chair Hutaff: Yes, Bruce?

Mr. U`u: If we get any suggestions to change, I think Erin will be a good person to go to give our comments and put them in actual because I suck with that.

Chair Hutaff: I was surfing too.

Ms. Wade: Okay, so on page 30, the section on streets, this was one of the sections I mentioned that the planning commission supported incorporating and, in fact, the department -- oh no, this section was just fine as is. So the text changed from generic in character saying we should preserve what the streets are today in Lana`i, to saying exactly

what the road widths should be and in what locations. So these will actually function as then the Public Works standards for county roads now.

And then the next section was on setbacks. So let's see -- so, actually, this section was just relocated from a different section, but it replicates the zoning ordinance. The only comment that we had about this is and the zoning division said it would be very difficult to enforce approximately 20 feet, so they suggested with stating a definitive number or, probably, into the future, what I suggested in Lana'i is what we would wanna accomplish is a build-to line because throughout the blocks, all the buildings are built to a certain setback, which gives the setting, essentially, but it's not consistent. It actually isn't exactly the same distance from the sidewalk on every building, it kind of ...(inaudible)... away, so that might be the appropriate thing to do in the revised community plan, but we don't actually have the background information right now to know exactly what that build-to line would be. So the commission suggested just keeping it the same at the moment.

Chair Hutaff: So that's what the Planning Department's going to recommend so we have -- that was just for information?

Ms. Wade: I think, as part of the community plan process, that's something that will be introduced would be a build-to line, at least surrounding Dole Park.

The additional section that the commission supported was this parking section, and the Planning Department would actually encourage this to be even more flexible than it is written, and the planning commission supported that as well. So today, the document says, "All existing commercial uses within the Lanai B-CT shall be exempt from off-street parking . . ." We suggested that all commercial uses within existing buildings so that even if a building is today retail, and then the use changes to perhaps restaurant into the future, which has a much higher parking requirement, there still would be no additional parking necessary for that use; they could open their restaurant actually not have to provide additional parking so long as they didn't increase the size of the building.

Chair Hutaff: Make sense.

Ms. Wade: Let's see. The other thing I think that this allows for is the thing that the Planning Department suggested is including unpaved parking because there isn't a big interest in having a lot of paved parking lots with official, you know, drainage and things like that; that all existing parking stalls would actually include unpaved parking areas, so that we would just write in parens. on no. 2, "All existing parking stalls (including unpaved parking areas) fronting Dole Park and within Lana'i City B-CT shall not be required to meet chapter 19.36 Off Street Parking and Loading . . ." And then the rest of it I think remains the same.

Mr. Osako: I have a comment. Where does it mention multi-family housing in business country town district?

Ms. Wade: Under parking, it talks about it in no. 6, "Tandem parking for residences and multi-family housing shall be allowed to satisfy parking requirements."

Mr. Osako: So multi-family housing is an approved business country town business?

Ms. Wade: It is, actually, it does allow for residences and that's because this district, you have to remember, applies to Paia and Makawao where there are residences above shops in a lot of those situations, so it does allow for ...(inaudible)...

Mr. Osako: Yeah, but this mentions "multi-family," not just residence.

Ms. Wade: Right. Right.

Mr. Osako: Which means like apartments and stuff like that.

Ms. Wade: Generally, it can. Yeah. Yeah, that -- the issue did get raised at the planning commission meeting about multi-family and there was concern expressed that multi-family would be allowed in the B-CT district. This, in and of itself, doesn't allow it. It's the actually zoning district that allows it. So it is a permitted use by right at the moment in the business country town district. This just provides what parking might look like if that use was actually created.

The next section is on sidewalks. The previous version of the document had a sidewalk master plan, actually, that didn't get pulled into this new version. It just states that sidewalks are not required and it states that curbs and gutters are not required.

And then the scale section, this was another section that the commission had a great deal of concern about. The section on scale, it replicates the zoning ordinance's lot size, but then it creates a maximum building area, which says it shall be 50% of the lot, and then the maximum floor area to lot ratio of .10, which if you kinda do the math, what that means is it sort of allows for two-story buildings in some locations, and that the commission had concern about.

Mr. Osako: That was raised at the Lana`i Planning Commission meeting. In one place they said no two-story buildings, but the scale of 1-to-1 means there's no yard, so where would the -- the building would cover the whole lot or have to be two-story.

Chair Huttuff: So how would you suggest that be written in there?

Ms. Wade: The planning commission suggested --

Mr. Osako: So it's a conflict in a sense because at one place, it says no two-story, but then how you're going to be 1-to-1?

Ms. Wade: The planning commission suggested that the existing section on scale just remain as is and that it not be changed at this time. I think that's one of the conversations they would like to have as a larger group.

Chair Hutaff: The planning commission itself?

Ms. Wade: Well, it would end-up happening probably as part of the community plan process, but you know on Lana'i, all the people come to the meetings so --

Chair Hutaff: That makes sense.

Ms. Wade: Yeah. Okay. The next is one views. There was a -- there's a narrative and a graphic that was in there about views that showed two sections looking from Dole Park where there are some view planes, that section, and the graphic got removed in this new version.

A section on utilities states that overhead lines shall be allowed and requires new or additional transformers to be located underground or screened.

The section on drainage requires drainage capacity for a ten-year rain event and provides flexibility for storm water management.

And then the landscape section, the text got changed from a generic statement to more specific standards. The one section in that landscape component that people had problems with was it said, "invasive species shall be discouraged," and people wanted that to say, "prohibited;" although the planning commission did not end-up incorporating that section but, just so you know, there was comment on the invasive species section.

Finally, on the architectural design guidelines, the introduction, a statement was added saying, "The use of wood may be substituted by materials that are similar in appearance to wood." The roof section is the same. The window section is the same. Entry and door is still the same. The siding and finish materials, there was a sentence removed that said, "hallow tile, metal, vinyl, plastic siding, or imitation finishes, including textured and grooved plywood should be avoided." The ornamentation is the same. The colors is actually the same but the Urban Design Review Board stated that they'd like to see more restriction; that the color scheme that Lana'i City is sort of taking on is more Carribean in nature than its history would suggest. So they recommended in, whether it be now or in a future

update, that that get addressed. The outdoor signs for businesses, there's some new text there, the most notable was that it prohibits ground signs today. There are ground signs that exist in Lana'i City, these have sort of come about in the last five to ten years, however, they aren't in keeping with the history. There never were ground signs, I guess, in the past. It looked very residential before the -- before the ground signs started coming. However, in Lana'i City, people seem to really like the ground signs so they wanted this to kinda make accommodation for those.

Ms. Chandler: I'm sorry. Chair? Erin, you mentioned invasive species; there was a comment about that; what was that comment?

Ms. Wade: What it says now is that invasive species should be discouraged, but the Urban Design Review Board, and a couple of people who commented in letters, said they wanted that to say they should be prohibited. Yes.

Ms. Chandler: I would second that because a lot of them are wind-dispersed, so even if you plant them, you know, as landscaping you're unintentionally planting them in other places, and so I don't know if we can make a comment on that or where that would be. And then my other question is under drainage, on page 35, no. 4, "Allow flexibility for storm water capture offsite." I was just wondering what "flexibility" means and if there's any other language in this document about trying to prevent runoff for -- from getting to coral reefs, you know, potentially damaging coral reefs, and that's usually like land-based, you know, storm drain management.

Ms. Wade: Yeah. I think the flexibility for the storm water capture, while not specific, I know that there was a drainage -- a master drainage plan done recently for Lana'i City and it incorporated things like bio-swells and the opportunity to use more - I don't know if that's called "passive drainage," but, you know, natural drainage facilities. So I would see that as being alternative drainage mechanisms. I don't know if Public Works sees that the same as I see that, but we could ask about that. And then the -- as far as the invasive species go, for me, the person like reviewing the country town business application, I would use some guidance, so even moving forward with what should be considered an invasive species. If I get the landscape planting plan and someone's a -- you know, if everything that's in there is already in the county planting plan, I don't think of it as an invasive species but -- and I'll just say, okay, that's great. You can go ahead with that. But what we might wanna do is make a recommendation to the arborist committee or someone to go through and ensure that that's appropriate.

Chair Hutaff: As a comment real quick, for FYI, okay, kukui nut's considered an invasive species, so is mango.

Ms. Chandler: Understood. Kukui actually populates a forest a lot faster than `ohia does and it was a Polynesian introduction, so even though we love kukui, we don't want it to take our `ohia trees, so it's important to know that, I guess. But one of the things about invasive species and native species is that Maui Invasive Species Committee is a very good guide on, you know, and we can just reference, you know, running proposed landscaping past Maui Invasive Species Committee, and our Maui County Arborist Committee Planting Plan does include invasive species on it, and so it's not always the best guideline. There is an updated plan that's actually headed up to council right now that has some pretty substantial changes to it, but I think still there are some that are included and Ernie Rezens is, you know, the county arborist kind of advisory, and I think he would be also a really good person to consult with, so I don't know if we can add comments to that.

Chair Hutaff: Well, that's where that word, you know, if we make it illegal period, we actually take away some of the stuff we're used to so --

Ms. Chandler: I'm sorry. Maybe through consultation with the Maui Invasive Species rather than saying invasive species are completely not permitted; just say that a landscape plan maybe should be -- have an advisory review by Maui Invasive Species Committee because they would never say that kukui is unacceptable, you know, they just wouldn't. So there are a number of plants though that we should not plant and Lana`i has several Australia tree ferns, which actually resemble hapu`u, but are a huge, huge invasive species around the world and in the Pacific, and they're wind-dispersed up to seven miles and so it's, you know -- it may look nice to you in the moment, you know, and -- but they're really not a good thing so --

Mr. Osako: Yeah, I think there should be a distinction between invasive species and other introduced species. Some plants are not native, they're introduced, but they don't spread and take over like some others do. So I think that should be, you know, a consideration and on Lana`i, you know, we're currently having a big problem, I mean there's the older stuff, but big problem with strawberry guava and formosan koa, and there's areas where they're just taking over, and Castle & Cooke still uses formosan koa for landscaping.

Chair Hutaff: So what's suggested? What would be the compromise?

Mr. Osako: Well, she had -- Rhiannon had a good suggestion about consultation with people that are more experts in the plants and, you know, what happens when you introduce them into an environment where there's no control.

Chair Hutaff: So, in other words, we could -- you could look at it and say, "Invasive species are prohibitive with the exception" and have the arborist give the exceptions because, remember, some still qualify as invasive, even some of our grasses are considered invasive.

Mr. Osako: Correct.

Chair Hutaff: So you wanna make sure that we don't eliminate the good stuff too, yeah?

Ms. Chandler: It's possible that the, you know, just to prevent the back and forth, you don't want every property owner to have to go to MISC and Ernie Rezens and things, but if MISC could produce a list, which they do have, of highly invasive species, you know, which they would discourage, I think maybe just incorporating that list into this plan would eliminate a lot of the back and forth, and as long as that does not appear on the list, you could eliminate that step perhaps. But if there could be some mention of a preference for native landscaping, that probably should be standard in any kind of document like this.

Ms. Sarich: I just have a side question of my complete non-knowledge of plants: where do cook pines fall into the native?

Chair Hutaff: They not invasive.

Ms. Chandler: Yeah. They're not invasive, and they're, to my knowledge, they're intentionally planted. I don't know that they're a wind-dispersed type of tree. So I think because of their rainfall, you know, nature, we acknowledge them to be really beneficial to the surrounding plants to wherever they're planted.

Ms. Sarich: But they are introduced?

Ms. Chandler: They are very much introduced. Yes.

Chair Hutaff: ...(inaudible)... the way that they propagate is through burning, or age.

Ms. Wade: Okay, we're on the homestretch. The last section on ornamentation was -- oops, I already did this section. The streetscape design guidelines, there has been a section on street furniture, Urban Design suggested that, ultimately, something about bike racks be added to that. There's a section on fences that is by and large the same with the exception that it allows now for low rock walls. A statement was added that chainlink fences could be allowed in combination with hedges or landscaping, but that fences shall not be permitted unless for health and safety purposes. And then, finally, for street lighting, there was a section on residential areas that was in the existing document that was removed in the proposed, and a statement about the intensity of lighting was removed. And that's it.

Chair Hutaff: You happen to know what the definition of "low" for rock walls is; how high that is?

Ms. Wade: It didn't say specifically.

Chair Hutaff: Does anybody? Just curious. No. Okay, does anybody have -- this is where maybe you still wanna bring up the point about, you know, asking that the area be or the houses be maintained and businesses be maintained, and all that kinda stuff, or any other questions for Wade or each other or --

Ms. Sarich: Are we going to have other people presenting in public testimony?

Chair Hutaff: I don't know. We probably should, yeah? Why don't we do that then. Okay, why don't we open this up for public comments or testimony before we move on to ours.

Mr. Chris Baptist: Good afternoon. I'm Chris Baptist. I'm a senior project coordinator with Castle & Cooke. I'm here to testify today in support of the plan. I have some written testimony, on behalf of the company, to submit for you folks. You know, our support for this document is -- was mainly because of my personal experiences with the small business owners around town, such as No Ka Oi Grindz, when they went through what they went through to get open, it's a small - I would have to guess - maybe a 700 square-foot restaurant, they were hit with all kind of Maui County Code restrictions, like parking and street widening, putting in sewer manholes, and things like this, which pretty much set them up to fail before they even could open their doors. So in order for them to get open, they had to go through the variance process, which in itself is very expensive. So the main goal of this document, and why we support it so much, was to help these people, you know, and the small business owners. And as Erin had mentioned earlier, the majority of this document hasn't really changed. We very much are in support of the -- those sections, let's see, page 31 -- 30 and 31, that has to do with the streets, 33 for the parking and sidewalks and drainage. We also do like that paragraph on page 30, the third paragraph, that says, "Any and all buildings that are structurally unsafe and determined by a structural engineer or an architect or county building inspector to be a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage, or abandonment shall be allowed to be demolished provided that the new structure shall follow the Lana'i City Country Town Business District Design Guidelines and Standards as much as possible." That's what I have to say. Any questions?

Mr. Osako: Did Castle & Cooke have any input into the drafting of this document?

Mr. Baptist: We have submitted input to Council Member Hokama's office.

Mr. Oskao: I guess that answers who drafted this document.

Ms. Chandler: Definitely. Okay. Hi.

Mr. Baptist: Hi.

Ms. Chandler: So the paragraph that you just read, paragraph 3 on page 30, can you tell me why you feel so strongly about that paragraph?

Mr. Baptist: Well, specifically, three of those houses on Lana'i Avenue, the ones that are boarded up, they are not, in any way, structurally sound or safe for the public. They have -- the footings of the buildings some of them don't even touch the ground anymore, they're so termite eaten. And we've had them boarded up and posted that they're unsafe and kids still break into the buildings, and we're concerned about liability issues, and if that house were to come down on them while they broken into a house that we clearly marked as unsafe, we don't want to be liable for that.

Ms. Chandler: Understood. I think that the challenge for a lot of people around the county, I think the difference is that - and we're here to save buildings, and that's what makes this a very difficult interaction, you know - so if we allow that paragraph to not have any edits, you might as well not be at the Cultural Resources Commission.

Mr. Baptist: Sure.

Ms. Chandler: You know, so my concern about that paragraph is the statement about demolish due to lack of maintenance, like you're allowing for that in the future, and I think that's the major difference between safety and health and liability in the moment and putting a statement in this document that allows it to occur in the future.

Mr. Baptist: Sure.

Ms. Chandler: And we're not -- I mean we really are here to make sure that that does not happen. And there was that statement that there have been buildings that have been offered to be purchased but the company has declined to sell them, and the people who would have purchased them may have done some renovation to save the building. Can you comment on that?

Mr. Baptist: As far as I know, that's untrue. I mean I never heard of any offer on those buildings.

Ms. Chandler: Okay.

Mr. Baptist: I have a question.

Chair Hutaff: Go ahead.

Mr. Osako: Were you present at the Lana`i Planning Commission meeting?

Mr. Baptist: Yes.

Mr. Osako: Did you hear the testimony from the employee of Richard's Market that said the warehouse is one of those old buildings and it's unsafe?

Mr. Baptist: Yes.

Mr. Osako: If Castle & Cooke is so concerned about liability and health and safety, why haven't they done anything about the warehouse building in the back of Richard's Market?

Mr. Baptist: Honestly, probably because of cost and the restrictions that the Cultural Resources Commission would put on the buildings, and, as Bruce said, it's like three times as expensive to do something if you're restoring something to its original esteem.

Mr. Osako: I understand about cost. Those buildings have been moved, altered greatly so they would not qualify for historic listing, so I think that's a pretty lame excuse. I can see cost. But like I said, David Murdock flies in in a brand new gulfstream. His employees -- and he also cited that one of the employees had an accident in the building, so where is the concern for health and safety there - his own employees?

Chair Hutaff: Well, somehow I think we're giving you a tongue-lashing, and you don't deserve it, but we're going to continue. Okay? For just open information as far as the Cultural Resources Commission goes, you mentioned the Cultural Resources Commission as having a hand in its lack of ability to maintain the building properly and to move forward in order to make it structurally sound. I'm sorry, but I -- you know, because the weed grows and I don't water it, it still makes it a weed. If the building was maintained correctly from the beginning, okay, there wouldn't be the expense of rehabilitation put forth by the Cultural Resources Commission as a recommendation. So I don't think blaming or suggesting, I don't think -- know you're personally not blaming us the Resources Commission, but to say that part of the reason we can't restore it is because of the guidelines that were set forth by the Cultural Resources Commission, I'm going to say part of the recommendation we made to restore it is because it wasn't maintained, which is, ultimately, the landowner's responsibility. With that being said, I kinda made a comment to what Rhiannon is trying to say is that if we leave that in there as far as not taking care of the building, we're allowing for demolition because of health and safety, because we're not recognizing the fact that someone needs to be responsible for that building because of its age and because of the community that it's in, and because of the historic value of that -- that the landowner of this particular -- or the building owner, whichever be, or the renter, whatever you guys do to sign the rents out, as far as the covenants goes, needs to be aware that there are laws already on the books that mandate that a building be taken cared of and not

allowed to go into an unsafe condition. The problem is is with that law, okay, if you board up the building, okay, you basically said it's unsafe before I got here so I'm now doing this after-the-fact. I do agree with Rhiannon that I think that that health and safety thing needs to be put in a whole different term, probably a whole 472 pages worth to define what that means, okay, because what we're really doing is saying: Don't take care of it. Tear it down. Period. End of sentence. And I think that that's not a good thing for us to do. Comments? Sorry. I had to pick on you.

Ms. Chandler: Yeah. I think -- thank you, Chair. Because we're not here to shoot messenger; unfortunately, you're the messenger and you're in a very difficult position because of the nature of our organization here today. I think that if we -- we're probably -- because we made a motion, and it seconded, and it already got approved, it is going to be a part of the, you know, the transmission of this meeting going forward and all of this, ultimately, is going to be, hopefully, reviewed by the Lana`i community and their advisory committee meetings that's going to be pulled together in the next couple months, but if you could, you know, take that message back to Castle & Cooke, we are here for a reason, and our reasoning for being here is to maintain culture and identity for the future, not in the moment, not for the profits, and not for any other motivation. There's nothing that can replace a building once its been demolished, and so that's why it's such a strong word and we cannot allow for a blanket statement like that because you can't bring history back. So I know it's, you know, it's hard but that's kinda where we're at.

Mr. Baptist: And I understand where you folks are coming from, and it's not Castle & Cooke's intention to demolish by neglect, I believe that's the term that you used at the planning commission. I also heard you say that you were okay with demolition as long as the building's built back the same way. You said that at the planning commission.

Mr. Osako: Yeah. When I see it in paper, I'll believe it.

Chair Hutaff: Okay. Personally, I'm probably going beyond this as the Chair, but, personally, I actually support this document that you placed here before us because I do understand that if there is a reason for a building to be there, and a use for the building, okay, it's going to be up-kept and kept up. So someone living in a home means, most likely, it means they're going to take care of it. If you, having this business section here, could maintain the character of Lana`i, you're making a commitment in a small way, in some ways, to the community of Lana`i to have a business that still maintains the character of the buildings through adaptive reuse. That, I think, is a good thing that some people are not really understanding that can happen, and the benefit of Castle & Cooke having the ability to, you know, help these businesses and the fact that we're trying to make it easier, like you state, for the businesses to survive. Because a business within a building, if the building has to be maintained a certain way, is a building that will survive, okay. So I kind of agree with that, you know, concept, and the problem is if that's all that was in this piece

of paper, in these documents here, we wouldn't have much to do today except go home and surf. But because there are more things that actually can be done as a result of this thing here, for example, neglect or tearing it down because ...(inaudible)... who determines unsafe in that, then that's where we have a problem as our role as Commissioners to preserve the history and culture of Lana`i. And if you look at a lot of these pictures that are in here, you know, there's a picture in here that we received a picture of these people standing waiting for the governor? They're all standing there. The whole community. All dressed up in suits. God, I don't got a suit like that. Never did. Still don't. The Army gave me two. But what we're really looking at is not the buildings; at that picture, we're looking at the people, okay, and that's the true history and culture of the place. People have a tendency to have an expiration date. A home doesn't have to have one. And so we can still keep the essence of those people and their value and their hard work alive by keeping these buildings. That's our Commission's idea. Go ahead.

Ms. Chandler: I think, as far as paragraph 3 on page 30 is concerned, there are some very valuable points to it where it talks about health, and public welfare, dilapidation, and fire hazard, disaster, but there's also words like "inadequate maintenance," "obsolescence," which could you define "obsolescence" for me?

Mr. Baptist: Not really.

Ms. Chandler: Because I mean it looks like if you feel like the building is obsolete or, you know, that is an anecdotal thing, you know, that's not black or white. I think that leaves some gray in there that's dangerous. And then also "abandonment." It -- you could board it up and then it's abandoned, and then by this paragraph, it would be eligible for demolition. So I think that there are some good points in there and we all have approved demolition of buildings that are health, safety hazards, you know. We are not here to put the public in jeopardy, but it is these words that I cannot help but think are intentional, that leave an opening for demolitions that are maybe not necessary in order to do something else in the future that, I think, are dangerous about this document and that was one of things I wanted to say.

Mr. Osako: And then I'll just give you this. That's a painting of one of the old house, not one of the ones that's boarded up, but one with that same design, it's built the same time or within one or two years of the same time. It's still occupied. I believe it's still owned by Castle & Cooke.

Mr. Baptist: That's the one the corner ...(inaudible)...

Mr. Osako: So -- it's Lana`i and --

Mr. Baptist: Ninth Street.

Mr. Osako: Ninth Street. Yeah. And read the caption underneath, and the value, and if you were at the meeting, you heard what I said about when people come to visit Lana`i, what is the value? Or why do they come to Lana`i besides Four Seasons Resort? You know, and the artists, when they come Lana`i, they don't paint Murdock's house or one of those new fancy houses, they paint all the old plantation houses, and that's the appeal that what it says right there, the artist. That's what makes Lana`i Lana`i. So is the idea to change it into California or something?

Mr. Baptist: I don't think that's out intention at all.

Chair Hutaff: Is there any other questions or comments for him before we move on to see if there's anybody else? Thanks for being a good sport, dude. Go ahead. He's got one more.

Mr. U`u: Just a question. I'm looking, and maybe Warren would know this, you know the aerial photo in 1929 of all the houses?

Mr. Osako: What page is that?

Mr. U`u: Good question.

Ms. Sarich: No. It's right here.

Chair Hutaff: I think it's in the old one.

Mr. U`u: Page -- section 8, page 61, of the town. I know -- how much of the actual --

Mr. Osako: Which document is that?

Ms. Sarich: In the Nomination for National Historic --

Mr. Osako: Oh, the nomination.

Mr. U`u: How much homes -- I know the population in 1930 was 3,000, and in the year 2000, it's 3,193, which is kinda incredible, how much of these homes, the original homes, is still intact? Would you know? Would anyone know?

Mr. Baptist: I think, currently, we own 209 plantation -- or 209 homes for rentals, and I would guess that about 130 of them or so are plantation homes.

Mr. U`u: So say that again? I'm sorry.

Mr. Baptist: So we have 209 residential homes for rentals, and I believe about 130 or so are plantation homes.

Mr. U`u: So total would be?

Mr. Baptist: 209 of the city homes.

Mr. U`u: 209?

Mr. Baptist: Yes.

Mr. Osako: These three are the ones ...(inaudible)... and then couple --

Chair Hutaff: Warren? Yeah, if you could do that at the mike and show everybody so we can have it on record?

Mr. U`u: No, just -- you guys got 209?

Mr. Osako: ...(inaudible)... won't be able to see ...(inaudible)...

Chair Hutaff: Yeah ...(inaudible)... okay.

Mr. U`u: So you got 209 plantation homes still intact?

Mr. Baptist: I would say, out of the 209, probably about 130 or so are plantation homes as like this one.

Mr. U`u: Okay.

Mr. Osako: No, there aren't ...(inaudible)...

Mr. Baptist: They're not on Lana`i Avenue but they're like this one.

Mr. Osako: Very few of those left.

Chair Hutaff: I wonder how many places in the world can make that claim that there's 109 buildings.

Ms. Sarich: Stanley has a comment.

Chair Hutaff: Go ahead, Stanley. Not yet. Let see what -- Stanley have a question.

Mr. Solamillo: It's only a clarification of the total, which was just provided for you. The larger amount, probably 80% of that or maybe even more than that, is in a redevelopment area, 'cause the B-CT is a very small area, so the larger percentage of the homes are going to be within a redevelopment area, and they're slighted for, you know, redevelopment over time.

Chair Hutaff: Okay. Anymore questions for the testifier or can he sit down now? Thanks, guy.

Mr. Baptist: Thank you.

Chair Hutaff: Anybody else from the audience would like to offer public testimony about the -- this, raise your hand, shout, run up to the front? Okay. Okay, so next? I think for Wade, any questions for Wade, any comments? Erin Wade. I keep calling her "Wade."

Ms. Wade: That's okay. I get that a lot, actually.

Chair Hutaff: Go ahead.

Ms. Sarich: I have a few comments.

Chair Hutaff: Okay.

Ms. Sarich: If we start on page 3, kind of the goal outlined a little bit about what Lana`i is, and we have this nomination that outlines it beautifully, and I'm just curious why we haven't incorporated the information that's in this document into this one.

Ms. Wade: Like I said, we didn't produce the document that's in front of you, so I don't know why that information wasn't incorporated, but I think the majority of the history and everything that's in the current proposed document is identical to the previous version so --

Ms. Sarich: Okay.

Ms. Wade: They just kept it the same.

Ms. Sarich: But just a small thing. It's called "Dole Park," and is that how it's referred in Lana`i? Is it Dole Square or Dole Park?

Mr. Osako: Dole Park.

Ms. Sarich: Dole Park. So that would be a comment for that first paragraph.

Ms. Wade: Well, just for clarification. Everything on page 3 is word-for-word out of the community plan document so --

Ms. Sarich: And we're not allowed to comment on it?

Ms. Wade: Actually, well, you can't change the text of the community plan without a community plan amendment, so this text would probably have to remain the same.

Chair Hutaff: Well, I'm sure you could mention our comments.

Ms. Wade: Yes. Certainly.

Chair Hutaff: Thank you. Anything else? Anybody else?

Mr. Osako: Yes. Erin?

Ms. Wade: Yeah?

Mr. Osako: You said on page 9 some mistakes on the, I guess, the district boundaries?

Ms. Wade: Right. Okay. Okay, so, unfortunately, none of these have street names on the blocks, but the puka in the block that's --

Mr. Osako: That's in the wrong place?

Ms. Wade: It's in the wrong place.

Mr. Osako: Right.

Ms. Wade: Yeah.

Mr. Osako: Yeah, and have we found out why the puka is there in the first place because it is a business that's originally zoned business, although it was a residence at one time, why it's omitted from the B-CT?

Ms. Wade: You know, it is in the minutes of one of the Urban Design Review Board meetings. The question got asked and a member of the public explained when the rezoning occurred and why. I'm sorry, I don't remember exactly what that was for, but it was an actual rezoning situation. And that's the Coffee Works building.

Mr. Ralph Masuda: Can I ...(inaudible)... question for you.

Ms. Wade: He was the member of the public.

Chair Hutaff: Identify yourself, please.

Mr. Masuda: My name is Ralph Masuda. I'm with Castle & Cooke. On that property you're talking, that's the old Preza property.

Mr. Osako: Correct.

Mr. Masuda: And it was zoned B-CT in the '80s, the late '80s, at the time that the first B-CT ordinance was passed. So I think when the county went in to zone it, because it's already zoned, they didn't include it into the map. But it's zoned B-CT.

Mr. Osako: It's zoned B-CT but now it's omitted?

Mr. Masuda: No. No. It's still B-CT. But when -- you see, when the county went in to comprehensively rezone Lana'i City, they left that out because it's already zoned.

Chair Hutaff: For that usage. Okay, I got it.

Mr. Osako: And what about the Hawaiian Tel building?

Mr. Masuda: Hawaiian Tel building, it's still B-CT.

Mr. Osako: It's omitted in this plan.

Mr. Masuda: It's omitted?

Mr. Osako: Yeah. The line goes around it.

Mr. Masuda: I don't know. That's the way the maps, the county maps are shown. It's not a company map. It's a county map.

Chair Hutaff: Thank you. Any questions?

Mr. Osako: According to the county then, these are omitted, Erin, or is there mistake, or --

Ms. Wade: So in that case, we would want to illustrate that property as part of the B-CT.

Chair Hutaff: Thank you, sir.

Ms. Wade: I'll double-check on the zoning.

Ms. Sarich: I have more, Ray.

Chair Hutaff: Go ahead.

Ms. Sarich: And I apologize. Without the other document, there's no way that I could have known what I was reviewing. I just reviewed this document as a whole.

Ms. Wade: Yeah.

Ms. Sarich: Under the summary of recommendations, on page 5, it discusses that the most obvious characteristics that are the unique characteristics of Lana`i, the B-CT, are the narrow pavement width, frequent lack of edge defined by a curb, and thick plantings of cook pines. It doesn't say anything about the vernacular plantation architecture, and the buildings really are what define that town, and I really think that needs to be in there.

Chair Hutaff: Would you like to make a motion to that effect?

Ms. Sarich: I have a little more to add.

Chair Hutaff: Make motions.

Ms. Sarich: I just -- I really also wish it were a recommendation that we would talk about not demolishing existing structures; that that's kind of an important part of --

Chair Hutaff: Why don't -- why don't I make suggestion. Why don't we make a -- entertain a motion on that one, then go to the others, so that we don't convolute the whole thing.

Ms. Sarich: Okay.

Chair Hutaff: Does that make sense?

Ms. Sarich: Yes.

Chair Hutaff: Thank goodness. I thought it was just me.

Ms. Sarich: So I would like to make a motion that under the summary of recommendations, that plantation style vernacular buildings are added to a defining characteristic of Lana`i.

Chair Hutaff: Anybody second that?

Mr. Osako: I second.

There being no further discussion, the motion was put to a vote.

It has been moved by Commissioner Sarich, seconded by Commissioner Osako, then unanimously

VOTED: that under the Summary of Recommendations, that plantation style vernacular buildings are added to a defining characteristic of Lana`i.

Chair Hutaff: Okay. Motion is carried without discussion.

Ms. Sarich: My other point, and I hope I'm saying this right, but it's interesting to me that it doesn't discourage demolition of historic buildings and encourage or give some kind of incentive to reuse and adapt the buildings that are there because that seems tremendously important to me, and I don't know if that can go in the document, but I just would like that added. In the second paragraph, they talk about new construction following the unique community character, and yet the new construction that I've seen on Lana`i is completely out of character, the two-story apartments, they're just really out of character, and in my mind, this is inclusive of those and I think that those need to be excluded.

Mr. Osako: Yeah, when I was growing up there, there was one small two-story building on the island, and that was on the way to the airport, we used to call it "The shuttle station" where they transferred the field trucks and loaded the pineapple on the other trucks that would take it to the harbor, and the dispatch building there was the only two-story building on the island.

Ms. Sarich: Thank you.

Chair Hutaff: That two-story apartments that were built there, they're not considered part of the Lana`i City, right? No. I'm serious. I'm looking at this map here, okay, and I'm going to assume that this is Lana`i City, no more; no less. That, on page 4, Lana`i City Site Plan.

Mr. U`u: What page?

Chair Hutaff: Page 9. So that's just the B-CT, yeah? Yeah. See, I didn't catch that ...(inaudible)...

Mr. Osako: Which document is that?

Chair Hutaff: The handout, Lana`i City Site Plan, the country town business district. So all this time, all these years, I assumed that was Lana`i City, you know. Yeah, like Wailuku and Kahului, kinda close.

Mr. Masuda: Can I make another statement about the apartment?

Chair Hutaff: Please. Could you just identify yourself again. Thank you.

Mr. Masuda: The apartment is zoned A-1 Apartment, that's how it get two-story. And, you know, the Hawaiian Tel building, it's public/quasi-public, not B-CT.

Chair Hutaff: Okay. Well, that's kinda like after-the-fact anyway.

Ms. Sarich: Yeah. I think my more pressing thing is in the paragraph, the second paragraph, where it discusses, "Although "imitation-old" buildings are seldom desirable, compatibility can be achieved," and so on, and it talks about new construction, but it does not mention reusing old buildings, and I would like to see us add something about encouraging adaptive reuse of existing buildings.

Chair Hutaff: That sounds like a wonderful motion.

Ms. Sarich: Okay.

Chair Hutaff: Why don't you go ahead and put it in a motion form.

Ms. Sarich: I would like to propose a motion that we add wording about reusing historic buildings that are existing and discouraging demolition in the B-CT district.

Chair Hutaff: Anybody wanna second that?

Ms. Maluo: I'll second.

Chair Hutaff: Okay. Anybody discussion, like using the word "adaptive reuse?" Okay, nobody opposed? Motion carried.

It has been moved by Commissioner Sarich, seconded by Commissioner Maluo, and there being no opposition, the motion was carried.

Ms. Sarich: On page 13, I noted some discrepancies between the nomination research and the dates on the -- that are laid out, and I would just -- I would hope that that could be added in now that we actually know what the dates are, and that we could possibly update the history to get it more accurate since we do have that information.

Chair Hutaff: That can be done administratively, right? We don't have to redo anything about that, right?

Ms. McLean: If I could answer that. Again, we've been asked to give comments back to the council, so we could make just a general statement that this section of the rules that we'd recommend to the council that these section of the rules be or the guidelines be updated using the information that was in the proposed historic district application - something like that. 'Cause we're not making the changes.

Ms. Sarich: Right.

Ms. McLean: So they need to be -- we need to let council know what changes we would like to see.

Chair Hutaff: Do we have to move that you do that?

Ms. McLean: It seems that the Commission is voting on each of these comments as they come along, so just to be consistent with what you've done so far this meeting, it would be good to make a motion.

Chair Hutaff: Charge 'em.

Ms. Sarich: I propose a motion that in the architectural character and styles section, and actually in all of the document, that the research that's been done for the nomination be included in the guidelines and standards with the dates being correct and the history being revised -- not revised, updated from what we know from all this research in the nomination.

Chair Hutaff: Anybody want to second that?

Mr. U`u: Say that again? I think time to digest.

Ms. Sarich: All that I'm trying to say is that in this document is tremendous research about exact dates and exact history, and that I think it should go into this document. That is very generalized, there's a lot of circa dates in it.

Mr. U`u: Not as one attachment, but inlaid into --

Ms. Sarich: Yes. This should be updated and corrected to the dates that we actually know now from all this research.

Mr. U`u: You can't just use that as one attachment, but you wanted it in?

Ms. Sarich: Yeah.

Mr. U`u: Okay.

Ms. Sarich: That's what I would like.

Chair Hutaff: So, we still have a motion.

Mr. Osako: I second.

Chair Hutaff: Second. Discussion?

There being no further discussion, the motion was put to a vote.

It has been moved by Commissioner Sarich, seconded by Commission Osako, then unanimously

VOTED: that in the Architectural Character and Styles section, and actually in all of the document, that the research that's been done for the nomination be included in the guidelines and standards with the dates being correct and the history being updated from what we know from all this research in the nomination.

Chair Hutaff: Motion is carried.

Ms. Wade: Mr. Chair, can I request a five-minute recess. I was supposed to lead walking tour at one for the workforce wellness, I just need to let them know go without me.

Chair Hutaff: Make it ten.

Ms. Wade: Okay. Thank you.

Chair Hutaff: How about take a ten-minute, we come back here at 12 after.

Ms. Wade: Okay. Thank you.

(A recess was called at 1:00 p.m., and the meeting was reconvened at 1:11 p.m.)

Chair Hutaff: Let's go ahead and reconvene, and I forget where we left off. I think Erin Wade had something.

Ms. Wade: Just thank you very much for the break. I appreciate it. I think it was Commissioner Sarich had some additional comments to make.

Chair Hutaff: Go for it, Sarich.

Ms. Sarich: On page 15, in the roofs section, the description seemed kind of not quite correct, just the nomenclature, and then I was curious about standing seam metal, is that really a common roofing material or is that all corrugated?

Ms. Wade: From my observation, the last time I was there, the majority of the buildings around Dole Park are still corrugated. There are a few buildings that have used standing seam, but the majority fronting the park are corrugated, including the new Lana`i Senior Center.

Ms. Sarich: Okay. Good. Also, the nomenclature in the facade paragraph, a lot of times -- well, actually, throughout the whole document, they call that "vents," and it's actually louvers, just as an architectural term. That occurs again on page 17, under ornamentation, they call it "grill vents," but I think that's a louver also. And I had a question for you under siding and finish materials, it says, "A few (seven) of the residences used for managers are built of red brick." Is that in the B-CT?

Ms. Wade: Are you on page 17?

Ms. Sarich: Yes.

Ms. Wade: Those are not. The Lana`i Playhouse is, but the manager's houses are not in the B-CT. I don't know why that statement got left in there.

Ms. Sarich: I guess I would probably omit that.

Chair Hutaff: You want to make a motion for correction? Or is it okay just to -- okay. So, without any objections, we'll just have staff remove that. That sound fair?

Ms. Sarich: Yes. Thank you. I do have a comment on color. When I read this document, I kind of get the impression, like you said, of kind of a Caribbean color scheme, which seems very inappropriate for a plantation vernacular, so I would like to see the color schemes laid out better and more appropriately for plantation era architecture.

Chair Hutaff: Any objections to including that into this document or our recommendations?

Ms. Sarich: Stanley?

Mr. Solamillo: Sorry. And I agree wholeheartedly in theory, but it's green with white trim, or white with green trim. I mean that's literally your color choices if we get real and authentic. So we might wanna rethink how we want to reword the palette, I guess.

Chair Hutaff: So, what you're saying is that --

Mr. Solamillo: The early photographs that I located for Lana'i City showed either dark, which is usually green, with white trim, or the opposite, which is white with green trim. And that's, you know, I mean I'm all for authenticity but --

Mr. Osako: Light gray was --

Mr. Solamillo: Light gray?

Mr. Osako: ...(inaudible)...

Mr. Solamillo: The whole thing? So no trim differentiation. So all monochromatic.

Ms. U'u: Small paint store they had.

Mr. Solamillo: So we ought to visit that at another time.

Ms. Sarich: Okay.

Mr. Solamillo: Yeah.

Chair Hutaff: See, I always thought it was green with red trim.

Ms. Sarich: That would be --

Chair Hutaff: 'Cause that's all -- all the old houses in our area are, but that's Maui side.

Mr. Osako: Bigger the plantation, they owned all the houses, so they only buy so many colors of paint - cheaper.

Chair Hutaff: Just like ...(inaudible)... got it. Okay. Go ahead.

Ms. Sarich: On page 20, we start talking about the inventory of characteristic buildings in Lana'i City, and I did make a motion before, but I just wanted to reiterate that, from the nomination, we know the exact dates of many of these buildings, we actually know the builder, and who did a lot of these building, and that would seem like an important piece of information to add in here. I have a question -- oh.

Chair Hutaff: Well, I guess it's part of that updating the correct information. We're going to pay attention to this one too.

Ms. Sarich: The Sweetest Days Ice Cream and Candy Shop, are those vinyl windows?

Mr. Osako: That building didn't look like that.

Ms. Sarich: Okay.

Mr. Osako: And then -- I mean it would be historic, it's over 50 years old, that's still a newer building in town considering the other buildings around it. But that originally was the Maui Electric Company building.

Ms. Sarich: I'm curious about using this building as a contributing building.

Ms. Wade: Yeah. And, you know, for the nomination, we probably wouldn't because this is just the zoning design guidelines, it's referenced as one of the ones around the park, but for the nomination, I'm sure we wouldn't want to use that.

Ms. Sarich: And then it's just inaccurate because it says it has double-hung windows. Thank you. And then I'm back to page 30, and I think we already have a motion on the third paragraph there. Is that correct?

Ms. Wade: Correct.

Ms. Sarich: Okay. And it does concern me that "should" was changed to "could" in the first paragraph because that significantly changes what can be done there, and I think that word should be changed back. Does everybody else agree with me?

Chair Hutaff: That's on page 30?

Ms. Sarich: Page 30, the first paragraph, it says, "New development and redevelopment could utilize the same design elements and features . . ." Instead of "should."

Chair Hutaff: You know, since that's important, why don't we make a motion to that effect to change it.

Ms. Sarich: Okay.

Chair Hutaff: And "shall" might be better?

Ms. Sarich: Yes.

Chair Hutaff: Go ahead.

Ms. Sarich: I would like to make a motion that in the first paragraph, on page 30, that new development and redevelopment “shall” utilize the same design elements and features, rather than “could” utilize.

Chair Hutaff: Any second?

Mr. Osako: Second.

Chair Hutaff: Any discussion?

There being no further discussion, the motion was put to a vote.

It has been moved by Commissioner Sarich, seconded by Commissioner Osako, then unanimously

VOTED: that in the first paragraph, on page 30, that new development and redevelopment “shall” utilize the same design elements and features, rather than “could” utilize.

Chair Hutaff: Motion carried.

Ms. Sarich: Page 33, back to the setbacks area, I believe that Erin is addressing that, but I also had no idea how they were going to enforce approximately 20 feet, so I am in favor of the build-to line that you were talking about being specific ...(inaudible)...

Chair Hutaff: Actually, what they’re saying is that the setback should be maintained that way, right? The first paragraph. So they’re -- that makes sense to leave it like that.

Ms. Sarich: I mean if I were an architect, I wouldn’t quite know how to take that.

Chair Hutaff: Okay, you are an architect so --

Ms. Sarich: Yeah.

Chair Hutaff: Given permission ...(inaudible)...

Ms. Sarich: Yes. As an architect, I wouldn’t -- I wouldn’t like that.

Mr. U`u: “Approximately.” You wouldn’t like that?

Chair Hutaff: "Of at least," is the word "least" the problem or --

Ms. Sarich: No. I like what Erin is proposing, which is a build-to line for each street since they are all different.

Chair Hutaff: Okay. Nobody opposed to that? Okay.

Mr. U`u: I might be opposed to it.

Chair Hutaff: Okay.

Mr. U`u: And the only reason is that the existing one is 15 to 20 now, and I think approximate gives it flexibility, and, you know, I have no idea. I'm just looking, you know, it's not a definite, and when you define something to go exact, you don't have the flexibility. I not sure how that would hinder existing properties.

Chair Hutaff: Where'd you see "approximate?"

Mr. U`u: That's what we talking about, yeah, no. 1, setbacks?

Chair Hutaff: No. 1. But if we left it alone, it's well defined, 15 to 20 feet.

Mr. U`u: That's why they use the word "approximately" 20 feet. I think it gives us some flexibility. I don't know.

Chair Hutaff: No. Anybody else had a comment about that? It's a good point.

Mr. Osako: Yeah. Well, it says, "15 to 20 feet," I think that gives 5 feet of flexibility; whereas, if you say, "approximately," what's approximately?

Chair Hutaff: Yeah, could be more; could be less. Yeah. So you okay with that?

Mr. U`u: Yeah. I mean so what are we saying, is it 15 to 20, or is it 20?

Chair Hutaff: No, 15 to 20, so --

Mr. U`u: Okay.

Chair Hutaff: No less than; no more than. Is that how I'm reading that?

Mr. U`u: Is that what you meant, Brandis?

Ms. Sarich: Yeah. I mean, as I'm reading this, I would -- I would believe that I should match the setbacks of the building surrounding the property that I would be developing.

Chair Hutaff: Oh, I see what you're saying, so consistency between one building and another. I think that if, you know, if you go walk down that street, 15 to 20 is about right.

Ms. Sarich: Okay.

Chair Hutaff: Because you got some that are, you know, they built the porch after-the-fact, or they built the stairs after-the-fact.

Ms. Sarich: That's a good point. That allows that flexibility. Okay. So we'll leave that one alone.

Chair Hutaff: Okay. Up to you guys.

Ms. Sarich: On page 35, the scale issue also does concern me. I question two-story buildings.

Mr. Osako: Yeah, no. 4, floor area to lot area 1.0, that means, you know, you can't do the setback, and the only way to do the setback is a second story, but if I remember correctly, some place in here says no two-story building. Oh, no two-story buildings in the, I think, in the front row. But we could --

Mr. U`u: Where does it say that?

Chair Hutaff: Not including the Lana`i --

Ms. McLean: In that same section, no. 1, "Commercial structures directly fronting Seventh and Eight Street shall be maintained as one-story."

Mr. Osako: Yeah, but that's not in the --

Ms. Sarich: Okay. Thank you.

Ms. McLean: If I could as Erin, what did the Lana`i Planning Commission recommend for that? Did they make a recommended change on that one?

Ms. Wade: They recommended keeping the original, the 1997 version of the scale section, so I can read that if you'd like.

Ms. McLean: What did it say for the floor to lot area ratio?

Ms. Wade: It actually doesn't talk about that. It just says, "Existing buildings are predominantly one-story in height and are generally separated from each other by 15 to 20 feet. As a result, the central core area maintains a somewhat residential appearance. Future additions or renovations and new buildings should continue to be of approximately the same height and separation as to maintain the pedestrian and residential scale as it currently exists." That's all it says.

Chair Hutaff: Okay, Mr. Attorney, okay, if you were to read this right here, this whole scale thing, okay, would you think that a two-story building could be allowed based upon this scale?

Mr. Giroux: Yeah. If you read that in the totality, I mean it's a possibility that a two-story building would be allowed. It's just that, you know, with the -- I think the suggestion coming out of the planning commission was that you add another scale saying that even with this ratio, it's not allowed, and then that way if it's possible that you do a basement, you know, or, you know, something like that that's an alternative, that way -- otherwise, it does create an inconsistency with the zoning.

Chair Hutaff: So, if they were to suggest a no. 5 to address no two-story above-ground building?

Mr. Giroux: I think that would avoid that possible inconsistency.

Chair Hutaff: Okay. How would we do that?

Mr. Osako: Ray?

Chair Hutaff: Yes?

Mr. Osako: Can I make a motion?

Chair Hutaff: Please.

Mr. Osako: I make a motion that this be changed that no two-story building should be allowed in the B-CT.

Chair Hutaff: On no. 1? Yeah.

Mr. Osako: There should be no two-story building.

Chair Hutaff: Would that work?

Mr. Osako: Well, it says it's allowing two-stories here.

Mr. U`u: Not exceeding 35 feet.

Mr. Osako: But that takes away from the character of the district. There have never been any two-story buildings in the district.

Ms. Wade: Well, the playhouse and Lana`i Gym are both two-story.

Chair Hutaff: The way?

Ms. Wade: The playhouse and Lana`i Gym are both two-story.

Mr. Osako: The building is tall but it's not actually two-stories. If you go inside, it's only one interior; it's not two-stories.

Chair Hutaff: The senior center, though, is actually going to be two-story.

Mr. Osako: It's outside of the B-CT.

Ms. Wade: It is. And it was also -- it's a basement because the majority of three sides is underground.

Chair Hutaff: Okay. To the Commission, does anybody not believe that's important that we do something about two-stories? That we make sure it doesn't happen. Do you all believe, are we in consensus that we should do something about it? Nobody's opposed to that? Okay. So between the people who know the law, and the people who read the law, I would like to open up a suggested way of putting this so that someone here can make a recommendation.

Ms. McLean: Mr. Chair, you don't necessarily have to have the exact language that you wanna see. It could just be included in the Commission's recommendations that two-story structures be prohibited and --

Chair Hutaff: ...(inaudible)...

Ms. McLean: Be prohibited. And that get sent up to the council; if council agrees with that, then they can determine where to put that and how to phrase it.

Mr. Osako: Okay, can I make the motion then?

Chair Hutaff: Please.

Mr. Osako: I move that we recommend to the council that no two-story buildings be allowed in the B-CT.

Chair Hutaff: Second?

Mr. Kubota: Second.

Chair Hutaff: Second. Any discussion? All in favor say "aye." No opposing members.

Mr. U`u: I going oppose.

Chair Hutaff: Go ahead.

Mr. U`u: I'll oppose. And the only reason is I don't think I'm qualified to know Lana`i enough to form my own opinion. I'll probably be swayed by Warren, but which he did, but I, myself, can't vote on something that I not fully aware of, the area, whether it's two-story, one-story, or whether it's recommend by the planning commission. So, it's going to pass, but --

Chair Hutaff: No. Your objection is noted and appreciated. And it's passed.

Mr. U`u: Okay. Thank you.

There being no further discussion, the motion was put to a vote.

It has been moved by Commissioner Osako, seconded by Commission Kubota, then

VOTED: to recommend to the council that no two-story buildings be allowed in the B-CT.

(Assenting: R. Chandler; I. Ka`ahanui; G. Kubota; K. Maluo; W. Osako; B. Sarich)

(Dissenting: B. U`u)

(Excused: M. Kanuha)

Ms. Sarich: A few more comments. On page 38, under the roofs section, again it brings up standing seam, although in bullet point 1, it says that it has to have a corrugated profile.

Ms. Wade: ...(inaudible)...

Ms. Sarich: Yeah. So that's just inconsistency that I saw.

Chair Hutaff: The Planning Department's going to make a recommendation that be consistent, correct? Go ahead before we ...(inaudible)...

Mr. U`u: Yeah, you know, it's good that we look at the design guidelines of Lana`i. What would have been helpful is a tour or a walk through of Lana`i, and I think it would have been beneficial to the entire Commission and we could kinda make decisions based on, you know, visual, instead of pictures, and the pictures does well, but it would really help me if prior to we taking the document, if somehow we could have took a small excursion, one educational -- I mean you can read and you can look at pictures, but you don't get the feeling unless you're there, yeah?

Ms. Chandler: I agree.

Mr. U`u: 'Cause I just run to Blue Ginger and Canoes, and just eat, and, you know, that's it, you know.

Chair Hutaff: So none of the Commission Members here then went to Lana`i --

Mr. U`u: I did but --

Chair Hutaff: As a Commission Member?

Mr. U`u: No.

Chair Hutaff: Okay. 'Cause we did have a walk around but, obviously, we missed that. That was a good point. Good point for the future.

Mr. U`u: You know, prior to taking on a document of the entire, you know, Lana`i City, and I think it would do justice to Lana`i also.

Chair Hutaff: Yeah, I get it too because, you know, Ms. Wade, okay, and Stanley, and they did the walk around so they're going from their views and not realizing that now that so much time has passed, 2009, that the Commission Members that exist now have not, but it might be something good to consider in future for other things. Good point.

Mr. U`u: Just comment.

Ms. Chandler: And I also understand the sense of urgency because of the 120-day window that we're working with, but I would have probably wanted to have the community's opinion before we do this because it coming after just seems like we're making changes that may not even be relevant.

Chair Hutaff: Just to kinda comment on that, again, that kinda goes back to the fact that we actually did visit Lana`i before, and that we got a lot of comments from the residents about what they wanted to do, and I believe that this 2007 and 2009 came as a result of meetings in Lana`i, so it's not all without comments, but you're right about, you know, exiting comments, but I believe that they had their chance to say and they have another chance too, right?

Ms. Wade: No. At this point, we'll -- we did the community meeting and the Lana`i Planning Commission meeting, and after this meeting, we'll be compiling the comments and sending it to County Council, and, of course, anyone can testify at the County Council meeting, but there will be no additional meetings on Lana`i.

Chair Hutaff: There won't be.

Ms. McLean: Unless the council chooses to have its committee meeting there, which they could.

Ms. Chandler: Can we recommend that?

Chair Hutaff: I was going to say.

Ms. Chandler: That doesn't need a motion, right?

Chair Hutaff: Go ahead.

Ms. Chandler: That could be just be on Erin's thing or should it be a motion?

Chair Hutaff: Why don't you make a motion to recommend?

Ms. Chandler: Yeah. I make motion that since there, I think, are many members of this council that don't have direct experience with Lana`i, and we're leaning upon the community's, you know, wishes and understanding of their own town, we would prefer that their comments be taken into consideration and, if possible, that the County Council hold their committee meeting regarding this document on Lana`i in order for that to happen.

Mr. Osako: I second.

Chair Hutaff: Discussion?

There being no further discussion, the motion was put to a vote.

It has been moved by Commissioner Chandler, seconded by Commission Osako, then unanimously

VOTED: that since there are many members of this council that don't have direct experience with Lana`i, and we're leaning upon the community's wishes and understanding of their own town, we would prefer that their comments be taken into consideration and, if possible, that the County Council hold their committee meeting regarding this document on Lana`i in order for that to happen.

Chair Hutaff: Motion carried. Very good. I like you guys.

Ms. Sarich: And I'll just continue on. Page 39, under ornamentation, again, wood grills and vents are actually louvers, and it just seems that there's kind of lack of being specific with things like avoiding gingerbread, and I don't know if that needs to be in there, but it just says to maintain plantation vernacular style and I question if we should reinforce that certain things are not in that style, like Lahaina does say no gingerbread. On page 40, where it talks about street furniture, I'm curious, is that actually regulating like movable furniture that's outside of buildings?

Ms. Wade: I think it's intended to speak to like the benches and things that get put in Dole Park.

Ms. Sarich: Okay. And I actually would address Warren, as far as the fences section goes?

Mr. Osako: Actually, I don't ever remember there being any fences in the B-CT. There is one section of fence at Pele's Other Garden, in the patio area, and that's because they have a liquor license and they have to keep that area blocked off from the general public.

Ms. Sarich: And I guess I just have --

Mr. Osako: And it's a pretty open fence, I mean you can see through and everything, it just delineates an area where they serve alcohol.

Chair Hutaff: Now, remember, too we actually had discussion last year about a fence and a wall, so fence kinda means see-through, so if they want to eliminate a fence, it's even more open, which I think is what, you know, Lana`i City deserves to have that openness.

Ms. Sarich: That's a very good point, Ray, that this is fences and walls in one bullet point, which could bring us back to that how many hours of discussion over what's a fence and what's a wall.

Chair Hutaff: You know, I've had discussion with Home Depot. That's a wall, not a fence.

Ms. Sarich: On page 45, there's a diagram that shows a canopy, and the building example is a sketch of something that would not be appropriate for Lana`i because of that parapet facade.

Chair Hutaff: Which one wouldn't be appropriate?

Ms. Sarich: Well, this is like a store front that you might see in Paia or Makawao with that high wall in front, and Lana`i mostly has hipped roofs and low sloping roofs.

Chair Hutaff: So, what is it saying about this --

Ms. Sarich: It's just giving an example, a visual example about the canopy, so that part is descriptive but it uses a building type that would not be appropriate and, to me, that seems like they could find a better example.

Chair Hutaff: Or improve the artwork.

Ms. Sarich: Yes.

Chair Hutaff: That's -- wow. That makes a lot of sense.

Ms. Sarich: Again, on page 48, a very similar diagram.

Chair Hutaff: You think we need to, oh yeah, be very specific about that or is it, again, that's something that -- Stanley wants to comment on it.

Mr. Solamillo: Really brief. If you read the nomination, what makes Lana`i one of a kind is that they used dwelling types as their commercial buildings so you don't get this connected, you know, group of store fronts with signage put on parapets. It's completely gone. You've got the dwelling type or what looks like a dwelling type, which is actually a store, set a distance from the next one, from the next one, and it's very residential in character. And like I said, it's the only one; that's what makes it entirely unique.

Chair Hutaff: Yeah. I think it is important that we address that picture because we're going to do such a perfect job, council's going to get it right, that we're not going to have to modify this for a hundred years, and somebody from a hundred years is going to go, yeah,

we can do that. So I think we should make that comment that the picture should be redrawn without it not to confuse the issue. I don't think we need a motion for that, do we? Are there no objections to kind of fix that one up a little bit? I don't wanna walk down Lana'i a hundred years from now and see a western style. There is a picture of that kind of building, Lana'i City Gas Station.

Ms. McLean: And also International Food and Clothing.

Chair Hutaff: I think if we just change the picture we -- it's about all we can do.

Ms. McLean: Yeah, I -- it's still a valid point to be included in the comments.

Chair Hutaff: Yeah. Because that way really too we're not really denying that. We're just not making it like an example.

Mr. U`u: You're hired, Michele.

Chair Hutaff: That was pretty good, yeah? Okay. I think we're good. I think the points were made perfect. Anything more?

Ms. McLean: There were two comments that I heard. I didn't know if these had been included already. You had made a comment about what constitutes a low rock wall. Do you wanna put a height limit on that or an approximate? You don't have to. You can leave it as it is, but that was one thing you'd brought up. And also I think, Brandis, there was a statement in the earlier version about redevelopment that was taken out, and you had -- Erin had read that to us, the statement that had been taken out, and you had said previously you wanted that to be left in. So just those two points if you wanna take any action on them.

Chair Hutaff: You had a statement about "low?"

Mr. U`u: No. I just was wondering, is there somewhere that constitutes what a low rock wall is? If we implement something, and it's conflicting to something that is existing somewhere, we're in conflict, so is it? I have no idea.

Chair Hutaff: I don't know. I know when we were doing -- laying bricks, it was considered too high above-ground, it was considered low. Anything above that was considered something different. But that was just --

Mr. U`u: I don't know if it's somewhere document on some document on Lana'i what constitute a low rock wall, before they implement something and it's conflicting.

Chair Hutaff: What would you consider too high? Why don't we start there.

Mr. U`u: It depends how tall you are as one height. Kidding. Rhiannon hasn't a problem, you know, 'cause --

Chair Hutaff: I can't even jump over a low wall.

Mr. U`u: I'm kidding. I'm kidding.

Chair Hutaff: I mean no, seriously, if we were to try to define it right now, okay, what would you consider a low wall?

Mr. U`u: I'll let Gaylord answer that.

Mr. Kubota: It's hard, just off the top of my head, maybe three feet.

Chair Hutaff: Okay. Three feet's actually to your waist so I would --

Mr. U`u: Who's waist?

Chair Hutaff: We're talking height, not width, okay. Building inspector's waist. I would say that, you know, two feet, to me, would be considered the low; anything above that would be considered something different. So I don't know what to do about that, to tell you the truth, other than to try to suggest that the definition of low rock wall not be able two feet. I don't know. We have to discuss it.

Ms. Sarich: I actually think that the low rock wall just seems inappropriate in this setting.

Chair Hutaff: Not really. For our people in like where I grew up, a wall was a defining separation, okay, and not be offensive in the community by putting up a high wall by saying you keep out, it was saying don't let your visitors park on my side so that's why we put a little wall there. It was also a good place to play marbles, run, all that kinda good stuff, good stuff as kids. And in Lana`i, and some of the smaller communities, whenever I see a low wall, it usually has a hedge behind it so it hides all the roots, and all that kinda stuff, so it makes it look like a very neat yard, so I could see people wanting to make a low rock wall.

Mr. Osako: Well, we're talking about the B-CT, right, not residential?

Chair Hutaff: True, but there's rock walls in there, so we take it out? Somebody can build one? We put it in as low, someone needs to define it. Am I right? Or should we just move on?

Ms. Chandler: Chair? Sorry. I do have -- no, I'm not leaving. I actually have to run to the restroom but I have one more comment, so I just wanted to check if you're going to adjourn the meeting in the next like five minutes.

Chair Hutaff: Well, what a suggestion. Ten minutes? Adjourn the meeting for ten minutes. Is that okay?

Ms. Chandler: No, no, no. No, no, no. I just wanted to make sure you're not going to end before I get my last comment in. If we're still going to talk about rock walls.

Chair Hutaff: Why don't we just adjourn for ten minutes. It's not that big of a time - stretch, wake up a little bit. Gives everybody a chance to use the bathroom. No, trust me, I understand bathroom.

(A recess was called at 1:45 p.m., and the meeting was reconvened at 1:52 p.m.)

Chair Hutaff: Since we got everybody here, at least within earshot, why don't we go ahead and reconvene. All good? Okay, as far as the answer to the rock wall, it's probably somewhere in there, we probably should make it an issue, and we can make it an issue probably two ways. One is to define it ourselves and make it a recommendation, or recommend that the Commission -- I mean the council define height for low rock walls. What's your suggestion?

Ms. Sarich: I still have an issue with the fact that a wall isn't a fence. But, other than that --

Chair Hutaff: Well, we could remove it.

Mr. Osako: ...(inaudible)...

Ms. Sarich: Yeah.

Chair Hutaff: You guys wanna do that, make a motion to remove it, or just make a comment?

Mr. Osako: Well, if we leave it up to them, we don't know what they're going to do, right?

Chair Hutaff: Okay.

Mr. Osako: Let's make a recommendation; they either take the recommendation or they don't.

Chair Hutaff: Okay. So, you wanna make a motion?

Mr. Osako: I make a motion that we remove the provision for a low rock wall being that there are no existing low rock walls in the B-CT.

Ms. Sarich: I'll second.

Chair Hutaff: Any discussion? All in favor say "aye." All opposed? Go for it. Give your reason.

Mr. U`u: Again, I don't feel I'm educated enough of that area to form a basis for a decision so --

Chair Hutaff: Perfect. Always be willing to give a reason why 'cause it gets in the record, and then we can have an understanding for it too.

It has been moved by Commissioner Osako, seconded by Commission Sarich, then

VOTED: to remove the provision for a low rock wall being that there are no existing low rock walls in the B-CT.

(Assenting: R. Chandler; I. Ka`ahanui; G. Kubota; K. Maluo; W. Osako; B. Sarich)

(Dissenting: B. U`u)

(Excused: M. Kanuha)

Chair Hutaff: Okay, what's next?

Ms. Sarich: Oh, the redevelopment comment.

Ms. Wade: Oh, yes. Okay, I got that right here. You suggested we insert -- reinsert the sentence, "Redevelopment in the historic areas should closely emulate the scale, design, materials, and ornamentation of the structures it is replacing."

Ms. Sarich: Thank you.

Chair Hutaff: That's what you want? Anybody opposed to having that in there? Modified at all? All good? Okay. I'm not sure if we -- I think we wanted to get back to this, but there was two things that we wanted to comment on: One was the health and safety as a reason to demolish, and the other one was the lack of care of buildings. We, obviously, can't -- I don't know if we can tell the landowners what to do outside of what's already written down in the law, but we certainly realize that businesses would have a value in keeping all

buildings and surrounding buildings in the best of shape through proper maintenance. How to put that into this if we should, I'm not sure if we should make that.

Ms. Wade: Mr. Chair, you did make a motion about it.

Chair Hutaff: We did make the motion? And the motion was?

Ms. Wade: The motion was to remove the statement "shall be allowed to be demolished," and replace with "should be brought to the attention of the County Planning Department for possible mitigation. In order to maintain the historic integrity of Lana`i City, preventative maintenance is encouraged."

Chair Hutaff: Okay.

Mr. U`u: That was before lunch.

Chair Hutaff: Yeah. It was just on my do not forget list, which I forgot. So I just wanted to make sure that we were clear on that then, even with the motion, okay. What about the one that says, you know, neglect. That's probably a sore point with, you know, I think a lot of people is that, you know, they can neglect the place to the point where it's gotta be demolished, and they can do it purposely or they can do it inadvertently, and they should do it without -- is there any way we can address that?

Mr. U`u: Can we have it -- can we have what was changed from the board?

Ms. Wade: Sure.

Chair Hutaff: 'Cause I believe that was a separate component to that, or that was part of that component that we did.

Ms. Wade: You know, I took notes when Rae was talking or Rhiannon was talking to Chris Baptist, and she -- actually, I thought that her comments were really helpful because she said that perhaps we would support demolition in the case of when it was hazardous to safety, health, or public welfare by reason of fire hazard, disaster, or damage, but that the things that discussed lack of maintenance, or neglect, or abandonment wouldn't necessarily be supported. So maybe the things that would, and I can highlight it, this is the sentence and this was the notes that I took while she was talking here could be incorporated into that section --

Chair Hutaff: Okay.

Ms. Wade: Or adjusted from what the current text is.

Chair Hutaff: Yeah, I don't want to seem like that that's an out for somebody. You know, let's just don't take care of it and, all of a sudden, we have permission to get rid of it, you know. Is there a way we can recommend that all buildings within the B-CT be maintained to safety standards or something like that? 'Cause, remember, we're not talking about today or yesterday, we're talking about a hundred years from now, at least.

Ms. Wade: I think what her comments allowed and what components of this allowed for, there could be a hurricane, or there could be a fire, or something, and in that case, you don't want a building that is hazardous. So we could put a statement in here that would allow for demolition in those cases or allow demolition to be considered in those cases at least.

Chair Hutaff: But we can't encourage maintenance, can we?

Ms. Wade: Right.

Chair Hutaff: We can't. You're saying that we can't? That was a question.

Ms Wade: That you can't encourage -- oh yeah, and I think you do: "In order to maintain the historic integrity of Lana'i City, preventative maintenance is encouraged."

Chair Hutaff: Perfect.

Ms. Wade: You said you wanted that.

Chair Hutaff: Wanna use the word "encouraged" or -- yeah, I guess it encourages but that's as far as we can go legally, yeah? Okay. Stan, where do we go from here? Erin, where do we go from here?

Ms. Chandler: I have one more comment, Chair. On the Appendix C of native plan listings, it talks about some recommended native plants, and then the following page is a list of invasive species to avoid, neither one of those documents have a date on them so I was just wondering if you, Erin, know which -- you know, the approximate date because especially with invasive species, those things are added, you know, kind of as they become a threat and that's always happening, so a date on this document, I think, would be helpful or maybe just a referral to MISC, as I said earlier, because this is a report from the U.H. Botany Department, but I think Maui Invasive Species Committee is very specifically looking at invasives in Maui County, which I think they would have a little bit more to add. So they should probably create a supplemental list and I don't know if it would replace this document or, you know, be an addition to this U.H. Botany document. And then the previous page has Appendix C, Landscaping References and Resources, and it lists native plan, and it also doesn't have a date on it, and it references the Kahului Community Center

Volunteer Action Office. Do you know if that office is still in -- okay. So because I think that office is not in existence anymore, I think this list may be fairly old. So Maui Invasive Species Committee may also have a list of preferential natives, and I would guess it'd be much longer than this list that they have in this document because it would be good to offer them more choices - thanks, Warren - than this. This is kind of a short list of natives and there's a lot more that would be happy, I think, to live on Lana'i.

(Commissioner Osako was excused from the meeting at 2:00 p.m.)

Mr. Kubota: Mr. Chair?

Chair Hutaff: Yes?

Mr. Kubota: On page 5, there was the concluding sentence under the summary of recommendations, "above all life, health, and safety are of the utmost importance." I think we need to have that deleted because it ties in with page 30, third paragraph.

Chair Hutaff: Yes. That's the one --

Mr. Kubota: No. I don't think we addressed this.

Chair Hutaff: Yeah. That's actually the one I was concerned about originally when we made the change on a different page. Yeah, that one I like -- that one's gotta be --

Mr. Kubota: Yeah, that's gotta be deleted, right?

Chair Hutaff: Well, why don't you make a recommendation.

Mr. Kubota: Yeah, I make the recommendation that we delete the last sentence under summary of recommendations that says, "Above all, life, health, and safety are of the utmost importance."

Chair Hutaff: Anybody wanna second that?

Ms. Sarich: I'll second.

Chair Hutaff: Any discussion? Motion to approve, say "aye." Opposed?

It has been moved by Commissioner Kubota, seconded by Commission Sarich, then

VOTED: ***to delete the last sentence under summary of recommendations that says, "Above all, life, health, and safety are of the utmost importance."***

(Assenting: R. Chandler; I. Ka`ahanui; G. Kubota; K. Maluo; B. Sarich)

(Dissenting: B. U`u)

(Excused: M. Kanuha; W. Osako)

Mr. U`u: I going oppose that. And my statement is, that alone, I like, you know, I think it's ...(inaudible)... you know, if I just read that, "Above all, life, health, and safety are of the utmost importance," in that statement, on it's own, I believe that.

Chair Hutaff: By itself, yes.

Mr. U`u: By itself, yes.

Chair Hutaff: Good. Excellent. Yeah, that's one I remember ...(inaudible)...

Mr. Kubota: But we never actually, yeah, we didn't formally act on it.

Chair Hutaff: So my memory wasn't as bad as after lunch.

Ms. Chandler: Yeah, it probably looks -- it doesn't look like, just humanity-wise, it doesn't look good to delete a statement like that, but I think we know that that statement can be a scapegoat for other things in the future and potentially dangerous.

Chair Hutaff: Very good.

Ms. Sarich: I just wanna add that it kind of concerns me that small changes that were made to this document that I understand the parking and the street width issues were really hampering business, but the other changes that have made their way in here do concern me because they seem to really be against preserving the cultural resource that is in Lana`i City.

Chair Hutaff: I certainly see that and, hopefully, the little things that we've done and the statements that we've made and the record show that we brought that back to be a concern, you know. And like anything else, it's like, you know, when you set out to do something, you get really blind-sided, and so it's good that we have the different commissions, we do have people like Erin, with our ...(inaudible)... attorney here, and our suggestive planner, where we can -- and all of us can discuss that to bring that back into the focus. So I would say that, as a Commission, that's what we're supposed to do and that's what we are doing because these kind of documents can get hidden and the

Planning Department seems to have an understanding that we need those things, and the people of Lana`i need to have their say too, especially. Okay, anything more?

Mr. Kubota: I just have a question for Erin. You know, you gave us a whole bunch of comments that other people made, will those be passed on too?

Ms. Wade: Yes.

Mr. Kubota: Because a lot of them made the same points we made and they're very good comments, even within your own staff.

Ms. Wade: Yeah, the County Council will get a complete record of all of the boards and commissions comments, all the comments that we received a both written and oral testimony, and the minutes from all the minutes as well.

Mr. Kubota: Yeah, good, because some things are addressed there where we didn't have time to address but they've been covered by other people, that's good.

Ms. Wade: And I'm sorry if I overkilled, like you got my emails back and forth with Archie and things like that, but I felt that there was meaning in some of those things. I know it was a lot to read.

Mr. Kubota: It was very helpful.

Ms. Wade: Okay. I'm glad.

Chair Hutaff: Yeah, please, yeah, continue that because it does show that a response was given to them so we're not asking you so what you'd say; what'd you do.

Ms. Wade: Yeah,

Chair Hutaff: You know, and, yeah, you eliminated about a half-hour worth of questions.

Ms. Wade: Yeah. Good.

Chair Hutaff: With five minutes worth of reading. So perfect. Good job. So, Erin, we're done?

Mr. Solamillo: No.

Ms. Wade: We're done with this.

Chair Hutaff: Done with this. We're done with that. Well, thank you for that. What's next? We're done with Erin, right?

Mr. Solamillo: Done with Erin.

Chair Hutaff: Erin, on behalf of the Commission, I'd like to thank you for your time, your effort, and your absolute best communication skills, and teaching us who went surfing ...(inaudible)... high school, how to put words in proper ...(inaudible)...

Ms. Wade: My pleasure.

F. DIRECTOR'S REPORT

Mr. Solamillo: The next few items will go by very quickly. Under Director's Report, very little, except that Ma`alaea General Store will be opened in May, so we will notify you when there's an official opening because Mrs. Uno was located, she is still living, and we're bringing her back.

Chair Hutaff: Really?

Mr. Solamillo: Yeah, just for the opening. So anyway, please everyone, when you get the notice.

Chair Hutaff: As a comment too, I'm glad there was an editorial about your participating in this project and put the credit where credit was due. Too bad it wasn't front page.

Mr. Solamillo: No. That's okay. You can tell Mr. and Mrs. Marino. Big hot item for everybody who does the kind of work we do, the 1940 census is now online, it was supposed to come online on April 12, it actually beat it, it's there now, so go find your ancestors. So this means no more microfilm, guys. No more sitting in freezing libraries looking at microfilm. So this is a major big time achievement.

Chair Hutaff: It is.

Mr. Solamillo: So --

Mr. U`u: Say that -- what is that?

Mr. Solamillo: Oh, okay, back. It is 1940census.archives.gov takes you right to the Library of Congress. This is like huge. So Camp 6, Pu`unene ...(inaudible)... 1940.

Ms. Sarich: Look at how happy he is.

Mr. Solamillo: I am happy. I was elated. I found it last night.

1. May 3, 2012 CRC Meeting Agenda

Okay, next item, May 3, 2012. Gee, the year is almost half done. The agenda. Commissioner Sarich.

Ms. Sarich: I would like to have an agenda item to address the problem that we kind of touched on last time with some of the school buildings, which is the deterioration and demolition of historic structures in Maui. And I've been brainstorming with different organizations, and I would like to bring everyone into what I'm working on and get everyone's input into possible solutions to watching structures disappear one at a time, all over the place, and feeling like we're just reviewing them one at a time instead of having a comprehensive planning goal that we're really pushing to try to save things.

Chair Hutaff: So what you're proposing is that we learn what cause these things and from that learning process, develop a strategy and a plan for prevention of future -- or what is it exactly?

Ms. Sarich: I don't actually -- I actually just -- I'm trying to better define what the problem is so that we can try to come up with a solution and be more proactive because, right now, we're just presented with demolition permits, and we approve them or don't approve them, whereas we don't have a good scope of kind of different strategies that might work and different solutions that might work to save buildings all over the place.

Chair Hutaff: And you say you have other organizations that are going to get with you or get --

Ms. Sarich: I've been talking -- I don't know if they will get with us. If it's an agenda item, I'll talk to them. But I've been talking with the Community Land Trust, and they're interested in possibly buying historic structures, and then Habitat for Humanity may be able to come in and provide the labor that would be needed to restore things.

Chair Hutaff: Okay.

Ms. Chandler: Chair? Stan, we asked DAGS for an inventory of their buildings as part of an item that they presented to us at the, I think, last meeting or the meeting before that. Did we give them a timeline on that?

Mr. Solamillo: Oh yeah, and we got a list alright.

Ms. Chandler: We did? Okay. And so we could talk about that too. Well, and the other thing is is that I actually worked with a group, Feed my Sheep, and asked them if they wanted to take over that one building that we specifically asked DAGS if they would find somebody to be in, and DAGS replied to them that that building is slated for demolition. And I don't understand how that's possible because we specifically asked them to find somebody to occupy it, and then I found someone to occupy it and they were ready to do whatever they needed to do to be in that building, and they said that. So I wanted to let you guys know that and find out if that's even allowable because it doesn't, you know --

Chair Hutaff: Well, actually, you know, what you're suggesting happened, where somebody said something, somebody said something else, and somebody got somebody to do something else. If I were to make a suggestion, not knowing -- understanding completely what you're suggesting, is that there probably are a lot of organizations out there that have eyes and ears, and watch things and do things, and that maybe a part of your little project in your thing in getting with them is how can we all communicate so that we don't get these demolition permits so the Planning Department has just a couple things left to do, and that would make it a very beneficial meeting, you know, if we all communicate 'cause I know that there's a lot of land trust, there's a lot of people that are doing stuff out in Kahikinui and in Hana to analyze what's there, but they don't know where to go with it. So I think your idea is actually pretty important if we approach it that way.

Mr. U`u: A good point, it's amazing that we require, you know, people like Castle & Cooke to upkeep, upgrade, not by neglect, and the county and the state, you know, like I said earlier, if we going hold certain people to one certain level, we have to be fair and hold everyone to that level, and now you have the DOE not committed and we held someone else to one even higher standard. It's amazing, and it's wrong across the board, but, you know, we gotta be consistent in doing certain things.

Chair Hutaff: Well, I think that's, you know, it's an excellent point. Actually, driving up here, I was thinking about that when I went pass the area where they're going to demolish over there, where -- by Sears, and I was thinking here's, we have the state historic preservation society, we have historical foundation, we have these things that are fun by the state, and then the state, itself, is doing things that are opposing, and after-the-fact, or long time. Again, that's, you know, something that if you approach that, how do we avoid these things, you know, also, how do we get the, you know, the different organizations at the state kinda communicate with each other, you know, like, hey, this building's getting old, we're ten years from demolition, what do we do? I mean, obviously, I don't think that would happen exactly that way. But through communication and stuff for the next 30 or 40 years, maybe we can, you know, start to slow down this process completely. Because you're right, you got the state wanna preserve things, then you got one that wants to tear it down. And if they communicated ten years ago, we'd have a different outcome. Or, like you said, if we can't find anybody to rent, and then all of sudden somebody goes we'll do

it, you know, how do we, you know become a part of this system of preserving things in advance.

Ms. Chandler: Yeah. Chair, I think my question was specifically didn't we give them a timeline, and I believe the request was made within the timeline, so is there anything that we can do about that?

Mr. Solamillo: We received a list.

Ms. Chandler: Uh-huh.

Mr. Solamillo: Two buildings.

Ms. Chandler: But part of our request to them was also to find an occupant for the one building.

Mr. Solamillo: That part of the request wasn't responded to. So I apologize that I didn't get the correspondence to you but I'll make sure that it's in the next packet. I am going to make a comment because I'll need to know exactly if we want to entertain this item on an agenda how we're supposed to do it, whether you wanna do a workshop, 'cause workshops take an awful lot of time to develop, given our cultural resources, we're in serious decline, but I'm going to be really frank, the couple that was in here with the little boy this morning, you know, or any owner of a -- even a, you know, a building that's a contributing building, say that church across the street, if the kahu and the congregation decide they want to tear it down, you can't do anything. It's within their rights as property owners. Even if stuff is listed on the National Register of Historic Places. So I mean there's limits to what we can do. We can encourage them. We can setup special tax programs, abatements, conditions to make it beneficial for a property owner to save a property, but when you get down to brass tax, no, there's nothing that can prevent you from taking it out. And that's it. So it's kind of this -- I think it comes from how do we change the atmosphere; how do we change how people think knowing that we've taken out, what, close a thousand buildings in Maui County in almost ten years, and we're running out historic stuff, and at some point, that's your tourism. People come here to see things like that. And until you make that connection that you're taking away another opportunity, you know, to make your place special and different from where you come from, then, I mean you know, it's a rough battle.

Chair Hutaff: True. And prevention is prevention. In other words, we need to know a little bit earlier. That house, if -- seeing that it's being -- around it is being built; if somebody had said, hey, that house is here and brought to somebody's attention, you know, they might have bought the house out, Lahaina historic restoration foundation might have -- or Restoration Foundation might have gone there and offered help to keep it intact. It seems

like everything that we get here is at a stage where it's too expensive, you know, you got a young family there who's not going to be able -- they probably won't even be able to build a house, to be honest with you, unless they got something that we don't know about, but we need to get ahead of the game and I think that should be the, you know, foundation of what you're doing. As far as a workshop goes, do we wanna learn the ins and outs and stuff like that, to be honest with you, I don't think that that's going to be something that we're going to benefit from as a Commission because we -- I'm gone next year, she may be gone next year. I think the idea is to get these organizations together and that can be our forum in order for them to perpetuate that regardless of who sits here and to be advanced to go out and look for these properties and places and to recognize that, you know, that house has been abandoned for year, maybe we should tell somebody. In Kula, I stopped by an old -- this guy's got a barn, it's just sitting out there, the home's probably 70 years old, but this guy's old barn's gotta be 110 - 120, two-story barn, I talked to him and asked him what he planned to do with that barn 'cause it's -- it stands out even amongst everything else that's old, and, believe it or not, they actually have been restoring it for the last 75 years. One board at a time. No, this is going to stay there. Okay. This guy's 90 years old. And I hope his kids feel the same. But the thing is is that, you know, we need to know in advance so we don't get it tomorrow, you know --

Ms. Chandler: Yeah.

Chair Hutaff: And very little will come to us if these things are preserved at the proper time, okay. In other words, there's not going to be the Planning Department getting involved, having to get a demolition permit, we're not going to have to face a family where we feel for them but the rules for us are different, okay. A proactive report by these organizations I think that getting them to communicate, understanding what the problems are so we can help them with solutions, that should be the kind of thing we should discuss.

Ms. Chandler: Chair? Brandis, I like your idea. And I think one of the things that doesn't get to happen very often is just the opportunity to talk to each other about what the possibilities are, so even if we could put it on the agenda as a dialogue, and then see what we can come up with in terms of connecting agencies and people and existing property owners to each other, and maybe what comes out of it is some kind of public education campaign, and one of the things that we learned at that conference that we attended last October was that there is some money in historic preservation funds for us to apply for and if we could create a website or if we could create a mailer or a press release or just something out of this Commission to Maui County just to even, at the most basic level, ask people to termite their homes to prevent demolition, that's powerful, and I'd be willing to write a grant because, Stan, I'm not, you know, expecting it to fall on your shoulders and create more work for you, but I know that you know what resources are out there for us to apply or to, so if you could share that with us, and then just give us time on the agenda to

talk to each other because I think we're always hearing items we're not able to talk about ideas and that's what we need to do.

Mr. Solamillo: Do you have any suggestions?

Ms. McLean: I think it's, you know, it is a good idea to have that opportunity for the Commission to discuss the general issue, not just an application that's in front of them, but I would think it would be most beneficial if we could also get some of the organizations that might be involved in this in some way, whether it's land trust or habitat, whether it's the Historic Hawaii Foundation, or someone from SHPD, even someone from DAGS, to get people involved so that you can hear the obstacles and hear what incentives might be needed from the people who could have a role in that process. Whether we can pull that off by May 3, I don't know. Stanley's shaking his head ...(inaudible)...

Mr. Solamillo: ...(inaudible)...

Ms. McLean: So that might take, you know, another meeting or two until we can put that all together, but I think the time would be best spent to have all those participants, and it could be the format would be your choice, whether it's a workshop with them as participants with you, or, you know, however you want to structure it, and we can talk about that at maybe a future meeting as well. But I would think having other groups involved would be a better use of everyone's time.

Ms. Chandler: Yeah, I think in terms of them being able to express whatever resources they could bring to this process, but I do think that just time to dialogue is really important, so maybe we could just put it on the agenda for June as that and --

Mr. Solamillo: You wanna do May as dialogue? I'm talking about getting all the folks together. I can't do that.

Ms. Chandler: ...(inaudible)... partners.

Mr. Solamillo: Yeah. That would have to be 60 days out, but if you wanna do dialogue, can we agendize it in such a way to allow that to happen?

Ms. McLean: Sure. It can just be, you know, I don't know a discussion item, or something like that, just among the Commission, and then if you want to do that in May and then we can fine tune the next step, that's fine.

Chair Hutaff: Maybe an idea would be to put together a list, as individuals, of organizations that we think would be interested, and a contact person if we have it, at least the name. If all of us brought the list to the next meeting, then we could, you know, try to formulate

an idea of what we wanted to do, we'd contact all these organizations. But having a list of who to contact, I think, is important. I think Gaylord could come up with a few. I know Rhiannon could. I know you can. I have no idea if I can but I'll look into it. But, you know, so we don't miss anybody. We might be surprised. Let's start with the County of Maui, Planning Department.

Mr. Solamillo: I think the other thing was that Lorraine Minatoishi Palumbo has been working with Japanese temples and cultural resources. She's come up with an astonishing figure about how many temple congregations have dipped below a certain level where they can survive, so you have, you know, the potential of, you know, abandonment, and it's not by will or anything, it just happens, aging populations, and then, of course, you've cemeteries related to that and a whole line of, you know, shrines and other cultural resources that are all connected, and then my big concern is, okay, if we look at the Chinese cemeteries right now, and our Hawaiian cemeteries, you know, we have this challenge, and it's like there's no maintenance, ownership among the Chinese oftentimes is in Honolulu, you know, how do we reverse this trend so that it doesn't continue to happen, and it's been dealing with every ethnic group, you know, in succession.

Chair Hutaff: So we can even discuss building a criteria based upon our observation of when something becomes, you know, critical where we can jump on it quick or have some of the other organizations jump on it quicker. So having a criteria of demise - I didn't even think about aging population, you know, the number of people in a particular church going down to where the church can't sustain itself, you know, those are warning signs, so that could be a criteria for all the organizations to understand and for us to make comments on.

Mr. Solamillo: Alright.

Ms. Sarich: I am quite concerned about what you brought up, Rhiannon, with the education building, and I'm not quite sure, as a Commission, can we -- do we want to even go there and put something in the paper and bring this to light, or do we let it get buried?

Ms. Chandler: I don't know. It hurt feelings. I emailed Stan back and I was like is this right? Like is this possible, you know? But I don't know how much power we have and I think the process already started. So the process started for demolition, Stan?

Mr. Solamillo: I have no idea.

Ms. Chandler: So we -- I don't know. We're in a difficult place and I would defer to the Deputy Director to give some guidance here.

Ms. McLean: The Commission could ask that a letter be written to DAGS as a followup saying, at this last meeting, this was a specific request, and we followup on it and found

somebody, and apparently you turned them down, you know, that's -- violates the understanding we thought we had with you and --

Ms. Chandler: Yeah, can I request that that be written and when we play back this meeting, you just said exactly what needs to be in the letter.

Chair Hutaff: But can't we do that now as a recommendation? Isn't that what you're asking?

Ms. McLean: Yeah, I'm suggesting that if the Commission says please write that letter, then we can write that letter.

Chair Hutaff: So we need a motion to put that together, Rhiannon.

Ms. Chandler: Yes. I move that a letter be written to DAGS recalling the request made by the Commission to find an occupant for the building, Kahului School, and then also including the information that a group was approached and did approach DAGS to occupy the building and was turned down, and I believe that is within the time period that we asked them to be looking for an occupant, so we're, as the Deputy Director stated, that is in violation of what we had or that is not congruent with what we thought that we expressed to them and we want to have some followup or some kind of response as to why that took place.

Chair Hutaff: Anybody wanna second that?

Ms. Sarich: I'll second.

Chair Hutaff: Can we named the organization that applied for it?

Ms. Chandler: Yes. Feed my Sheep, and their Director's name is Joyce Kawakami, and she would be more than happy to still occupy that building, if it's a possibility, so she wouldn't mind being brought into this discussion.

Chair Hutaff: Based upon that motion, any discussion?

There being no further discussion, the motion was put to a vote.

It has been moved by Commissioner Chandler, seconded by Commissioner Sarich, then unanimously

VOTED: *that a letter be written to DAGS recalling the request made by the Commission to find an occupant for the building, Kahului School, and then also including the information that a group (Feed my Sheep) was approached and did approach DAGS to occupy the building and was turned down, and I believe that is within the time period that we asked them to be looking for an occupant, so that is not congruent with what we thought that we expressed to them and we want to have some followup or some kind of response as to why that took place.*

Chair Hutaff: Very good. Excellent.

Mr. Solamillo: Is that it? Any other items? Going once.

Chair Hutaff: I'm sure there'll be something.

Mr. Solamillo: Commissioner's Announcements.

Chair Hutaff: Go ahead.

G. COMMISSIONER'S ANNOUNCEMENTS

Ms. Sarich: I don't know if this is the right time to say this, but earlier, I voted against a motion but I didn't understand the motion completely.

Chair Hutaff: That's okay.

Ms. Sarich: So I actually am in support of salvaging pieces of that home, if it comes to that, but I was not in support of demolishing the home.

Chair Hutaff: Good. You know, what I would like to see, now that you guys have elected me into this position, good luck, is that when you do oppose something, to give your reasons why because then that way it becomes part of a record, and I've known that we've -- we actually voted on something, and somebody then said why they don't want it, and then we changed around, so it's kind of important, I think, that we have our say. Don't -- I'm certainly not going to be offended by somebody having a disagreement or different idea than we have. I think it's important. Your ideas about Lana'i and you're not being a part of that area, those are well taken, okay, and I'm glad somebody on the Commission refused to vote in favor of something because of those reasons and so I think it's important. So that's what I wanted to say about that.

Mr. Solamillo: Are there any other announcements?

Ms. Sarich: Yes, I will not be able to attend the next meeting

Chair Hutaff: Okay.

Ms. McLean: Then, perhaps, we shouldn't start the workshop at the next meeting?

Ms. Sarich: I would like it if we could wait till June.

Mr. Solamillo: Okay. Then we won't.

Ms. Sarich: Thank you.

H. NEXT MEETING DATE: MAY 3, 2012

I. ADJOURNMENT

Chair Hutaff: Thank you, guys, for a good first day. I certainly do appreciate it. Anybody want to make a motion to adjourn?

Mr. U`u: Motion to adjourn.

Chair Hutaff: Any second?

Ms. Sarich: Second.

There being no further business brought before the Commission, the motion was put to a vote.

It has been moved by Commissioner U`u, seconded by Commissioner Sarich, then unanimously

VOTED: to adjourn the meeting at 2:33 p.m.

Respectfully submitted by,

SUZETTE L. ESMERALDA
Secretary to Boards & Commissions

RECORD OF ATTENDANCE

Present

Raymond Hutaff, Chairperson
Warren Osako, Vice-Chairperson
Rhiannon Chandler
Irene Ka`ahanui
Gaylord Kubota
Kahulu Maluo
Brandis Sarich
Bruce U`u

Excused

Makalapua Kanuha

Others

Michele McLean, Deputy Planning Director
Stanley Solamillo, Cultural Resources Planner
Erin Wade, Staff Planner
James Giroux, Deputy Corporation Counsel