

**CULTURAL RESOURCES COMMISSION  
REGULAR MEETING  
SEPTEMBER 6, 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 Chairperson, Raymond Hutaff, at approximately 10:07 a.m., Thursday, September 6, 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).

Chair Raymond Hutaff: Okay, the Maui County Cultural Resources Commission meeting for September 6 is now in session. We are still waiting on Rhiannon but we do have a quorum.

**B. APPROVAL OF MINUTES OF THE MAY 3, 2012 and JUNE 7, 2012 MEETINGS**

First part, anybody have any comments on the minutes of May 3? Any comments on the meetings for May 3? No adjustments; no corrections? Okay. Does somebody want to approve or --

Mr. Bruce U`u: Motion to accept minutes.

Chair Hutaff: Any second?

Mr. Warren Osako: Second.

Chair Hutaff: Okay, Bruce has moved to approve and Warren has seconded.

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

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

***VOTED: to accept the minutes of May 3, 2012***

Chair Hutaff: Motion is carried to approve the minutes of May 3, 2012. On to minutes of June 7, okay. Any comments, corrections, adjustments, discussions? Okay, does somebody want to make a motion?

Mr. Osako: I move that we accept the minutes of the June 7 meeting.

Mr. U`u: Second.

Chair Hutaff: Okay. So the motion's been made and seconded.

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

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

***VOTED: to accept the minutes of the June 7, 2012 meeting.***

Chair Hutaff: Motion has carried to approve the minutes. Now, we know that maybe a few people have to move on, leave a little earlier, and they'd like to make their comments now. Stan, do you have somebody who -- okay. Anybody who wishes to testify before we get to the agenda item? Okay, would you please come up and state your name?

Mr. Butch Gima: Good morning. My name is Butch Gima. I'm a resident of Lana`i. I wanted to offer testimony on the demolition permit request that you have on the agenda this morning.

Chair Hutaff: Perfect. Go ahead.

Mr. Gima: Okay. Thank you. I was born and raised on Lana`i. I moved back in 1990. I'm a member and president of Lanaians for Sensible Growth. When this -- these three demolition requests came before I believe your committee several years ago, as it did SHPD, and at that time, we offered -- I offered testimony, both in writing and personally, before the SHPD hearing on Lana`i. I wanted to testify again this morning and make sure everyone is aware that these three were part of that original twelve.

Lanaians for Sensible Growth has met with the management transition team from the new owner and we briefly talked about these demolition requests and, on face value, their intentions seem well taken. It's a safety issue for them. It's an aesthetic issue for them. And they want to increase the housing inventory. The third one's a little shaky, but I think the first two are well intended. However, it's been our position, and I think the position of many of the Lana`i residents and different governmental agencies, that these homes are in the condition they are because of neglect and we don't feel that that is a good foundation, no pun intended, that to demolish a historic building by virtue of neglecting it. So we feel that they have to assume some responsibility for this; granted, the new owners had no responsibility in neglecting these buildings over the last ten, twenty, thirty years, however, as new owners, I mean they take on all of the assets and liabilities of the corporation they bought into. That being said, I think -- I don't think the new owners have

a good idea of the big picture. I don't know how much they know about the initial twelve demolition requests. I don't know how much they know about the Lana`i City being designated as a -- one of the ten most endangered cities in the nation. I don't think they're aware of the SHPD hearing process. And I don't think they're aware of the fact our former council member, Castle & Cooke, and the county and/or SHPD were supposed to come up with some kind of compromise and that has not happened. So I don't want this body nor the county to make any hasty decisions because I think until the applicant demonstrates that they have full knowledge or that they're well informed of this process and history of not only these three buildings, but the whole process that we went through two years ago and how strongly residents felt about this, I don't think the county should take any action on this. I think we all need to look at it from a real big picture perspective and then have a comprehensive approach to it, not make an impulsive type of decision on these three homes. Now for me, personally, it's -- I can see why they want to tear down these homes. At the same time, I knew the people who lived in those three homes. So there's a personal aspect to this also. I would like to see those buildings refurbished to what it, you know, used to look like so it can maintain that feel in our city.

When LSG first met with Larry Ellison's management transition team, the first thing they, you know, they told us is that they're going to be spending a lot of time, energy, and monies into deferred maintenance projects, and they have been. They've put in a lot of money into the city to do these deferred maintenance projects. And these buildings could be one of their projects. I mean they want to put the Lana`i builders back to work, and a lot of them are working on a lot of things in the city, so I think this would be an appropriate project for them to do. What many of us are afraid is if the county allows these three to be demo'd, then they're going to go for the next nine in increments. In and of themselves, you, as a body of the county, may not think that much of that but as residents, when you see breaking down three here, one or two here, collectively, it changes the feel of our city, it changes the feel of our community, and please, please take that into consideration, and please ensure that the applicants are looking at this comprehensively, from a macro point of view, and not just one property, you know, at a time. I think that's a responsible thing for the applicant to do, and I think it's a responsible thing for you, as a body of the county, to do. That is your responsibility. Thank you.

Chair Hutaff: Okay, does anybody have any questions for Bruce? Butch? Sorry, I changed your name. I do it all the time.

Mr. Gima: Everybody does that.

Chair Hutaff: And you say that you're with the Lahaina -- I mean with the Lanaians --

Mr. Gima: Lana`ians for Sensible Growth.

Chair Hutaff: How many members do you have?

Mr. Gima: Funny, I got interviewed about that the other day. Lanaians for Sensible Growth started back in the mid-'80s as the island was changing from agricultural to hospitality, and at that time, some of this still exist, people are afraid to be associated with groups such as Lanaians for Sensible Growth, so there is a list of, I think, approximately 250 members that are locked up at the Native Hawaiian Legal Corporation offices. I can't tell you when that has been updated or changed. But pretty much in the last couple of years, most of the work has been done primarily by about a half-dozen of the board members.

Chair Hutaff: Okay. And your position?

Mr. Gima: President.

Chair Hutaff: No other questions? Thanks, Butch.

Mr. Gima: Okay. Thank you.

Chair Hutaff: Aloha. Okay, so I'm going to assume we're going to go back to --

Mr. U`u: Unless get anymore to testify.

Chair Hutaff: Yeah, was there anybody else that needs to speak? The problem with speaking before these things are presented to us is we might not be able to ask questions to the person so it's kinda better for everybody to wait. If you have to go, I'd rather hear from you than not hear from you at all. So anybody else? Let's move on to item C.

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

## **C. HISTORIC DISTRICT APPROVAL**

- 1. MR. DAN SHIRAKI of HONOLULU BUILDERS, LLC, on behalf of THE OUTLETS OF MAUI, LLC, requesting review and approval of the Proposed Lahaina Center Renovations (Buildings A-J and Parking Lot), Located at 900 Front Street, TMK (2) 4-5-002:009, in Maui County Historic District No. 2 and the Lahaina National Historic Landmark. Public testimony will be accepted. (E. Wade)**

Ms. Erin Wade: Good morning. My name is Erin Wade. I just have a brief introductory presentation of the project for Lanaina Center and then the applicant will explain in further detail.

The project is located here in -- partially within the Historic District 2; this green section is Historic District 2; the red's Historic District 1; this orange boundary is the NHL. The blue star shows the TMK, which is this way. So, essentially, historic district approval for this

front portion of the property, and then the rest is just general design review, but the front portion of the property is what triggered being here today for you folks. And I blew it up so now you can see it bigger.

Just for perspective, right here is where Hard Rock Café is on Papalaua Street, and then Hilo Hattie's is up here by the corner of Wainee, it does come all the way over to Baker, there's a parking lot entry back here, it's a paved parking lot, and then there's a parking garage in this location. Here's -- I think David Paul's is there now but they're relocating. But that's essentially the property from the exterior of the property.

The history of the site is it was formally the Pioneer Mill Hospital. This plaque does exist as you're walking into the Hard Rock Café seating area, so it was done by the Lahaina Restoration Foundation. It explains the history of the site. This is what that location looks like now. You can kinda see this in the foreground where the plaque is.

This is the approximate area within Historic District 2, so the front corner with the Hard Rock Café building there's some landscaping in the front and then, generally, for the length of Front Street, which is in Historic District 2, it's general just shops and retail space. There's a couple restaurants.

The other site changes that are part of this application are the removal of Hale Kahiko, so that's this area right in the center of the parking lot now, and while there aren't any historic properties on the site today, this was the one I did contact Lahaina Restoration Foundation about to find out what their feelings were, I believe Theo Morrison's in the audience, I'll let her testify to explain her position on it.

So, in summary, there's no new structures or intensification of use. There are no historic structures on the site today. The project does include the remove of Hale Kahiko. There will be exterior facade renovations proposed that are in keeping with *The Architectural Style Book*, but if you have further recommendations, that's for you to bring up today. There are landscape suggestions throughout the site. And so the trigger for CRC review is the exterior renovations in the Historic District 2 requiring a building permit.

Are there any questions of the overall before the applicant comes up?

Chair Hutaff: Can you go back to the pictures where it shows the Hale Kahiko, please? So that whole past the red line there would be removed?

Ms. Wade: Right. So this is the driveway entrance into the parking lot right now, and it goes over to the -- here's the parking structure beyond it, that would be the area to be removed. It is on the site plan, on the existing site plan in your packet as well.

Chair Hutaff: And why was that originally put up there?

Ms. Wade: I don't know the history of the intent of the original site.

Chair Hutaff: Do you have any idea how long ago it was put up?

Ms. Wade: I don't but I know Theo Morrison does know the answer.

Chair Hutaff: Okay. She'll get to that then. Okay. Thank you.

Ms. Wade: Okay. Thank you. So today Dan Shiraki will be presenting, along with Bill Mitchell and Janine Clifford, from Clifford Architecture.

Mr. Dan Shiraki: Good morning. I'm Dan Shiraki, I work with Honolulu Builders, and we've been hired by the developer, who is the Outlets of Maui, LLC, to renovate this property, so we put together a design team, it's primarily Janine Clifford, who works with Clifford Planning and Architecture, and I think you all know Bill Mitchell, with Hawaii Land Design. We have some mechanical, electrical consultants as well. We're currently also in the building department for one of the buildings for a permit, but this project consist of ten buildings on eleven acres, and it was designed and built as a shopping center back in 1988. It's currently owned by the Weinberg Foundation. Our client has a long-term lease with the Weinberg Foundation and plans on taking over the property, both to lease and manage it.

So we are very aware and familiar with the historic nature of the Front Street portion especially and also the fact that we are in Lahaina, which is kind of a historic town to begin with, and being next to the ocean, and being cognizant of the whole special management area process and the regulations, we have proceeded accordingly.

And I'd like to mention that our client is -- has tasked us to be very aware of the U.S. Green Building Council mandates and the whole leadership in energy and environmental design program that has been developed over the last 12 years or so, and even though we're not going to be doing a LEED project specifically, a lot of those guidelines we've already reviewed and we have that list that we are referring to and a lot of the work that's been done but so they are not only environmentally very conscious, but they're also culturally and historically going to be very active in contacting the kupuna in Lahaina and part of their program as they redevelop this and as they turn this into their project is to involve a lot of the historical and cultural past that's been a part of Lahaina into their overall marketing program.

I think Janine can explain all the design stuff, unless you have any questions for me.

Chair Hutaff: Anybody have any questions so far for him? Do go far.

Mr. Shiraki: Okay. I'm going to be right here.

Ms. Kahulu Maluo: I do. I have a quick question.

Chair Hutaff: Okay.

Ms. Maluo: Dan, you said that the owners would be contacting kupuna in the area. Have they already collected names or do they have a group of kupuna that they know they will be contacting?

Mr. Shiraki: They've mentioned a couple of names, but I think what they're making sure of now is that this whole process can move forward and part of their role is, you know, is going to be dependent on how all these proceedings and all their permits and everything are issued. So we're just starting the permit process now, so they're kind of in the wings, but they have their whole plan together. They've done this before on Oahu, and so they're -- this is not a new game for them.

Chair Hutaff: Okay.

Ms. Janine Clifford: Chairman and Members of the Commission, thank you for this opportunity. And just to further, you know, the discussion on that, I think they would really appreciate names or recommendations of people to add to the list to make sure that the owners really touch the right community members and include the right conversation. They are proposing that part of sort of giving back being good neighbors is that we include a heritage discussion, so that'll be included in the signage package, and as visitors arrive, that they're not only going to have a great shopping experience and a great dining experience, but that they also come away educated, know a little bit more about Hawaii, and be more sympathetic to the local community and the region. So I think they would welcome additional names to reach out to the community.

But, you know, one of the things that we have been tasked with, as Dan mentioned, is to make sure that we are good neighbors and good stewards, and being in the Lahaina special district, that we're aware of its prominence and I think these pictures are very telling. When you walk along Front Street or you drive down Front Street, sort of at the bookend is the Lahaina Center, and so we've been very aware in our thoughts to rejuvenate and rehabilitate the buildings and to perhaps draw a larger crowd; that we fit in with the design guidelines. So we actually started with this walking exercise where we walked the entire site, we walked down Front Street with our client, and really got the flavor for how Lahaina is now and the vision that it could be rejuvenated, more people at the end of the street. And then again, these are just some snapshots of the buildings as they look now.

So one of the things that we discussed is authenticity and why is it that Lahaina Center is perhaps not as robust as it could be, and one of discussions was that if we were going to try to bring back some cultural touch points, that perhaps the Hale Kahiko is not, you know,

an appropriate way of providing the sort of authentic sort of educational point to this center. And so we did some research work and we know that it was built by the existing management and that it was really meant as sort of somewhat of an attracter for potential -- well, a tourist attraction. So whether it was authentically constructed is -- I think our expert could speak to that. So the thought was that we could dismantle it and donate it to either the University of Hawaii or to a nonprofit foundation who could either use its parts or reassemble it in a more culturally appropriate fashion, but that we would be trying to bring the buildings back into alignment with the Lahaina special district as opposed to adding on another layer that's perhaps manufactured as opposed to being authentically historic.

So again, this is a site plan. As you can see, we have 929 parking stalls and our goal is to maintain the parking county; if not, adding more by removing the hale site, and so we would bring it back to 929, which includes 2 loading stalls, 18 ADA stalls, and 5 bus parking stalls. We aren't adding any square footage so the building in the lower right, which is Building A, is the only two-story structure, and the theater, which is Building G just to the north of that, does have a mezzanine floor. Everything else is single-story.

So we spent a lot of time discussing the character of the center and how it fits in Lahaina. One of the things we noticed, and Bill is here and he can speak about it a little further, is how hot it is, uncharacteristically hot, and so a lot of effort was made to reintroduce landscaping in a significant way to maintain all significant trees, so you can see in the center of the site is the existing very large tree, our goal is to rehabilitate it, take better care of it, make it a focal point of the center. We are also very conscious of water consumption, so Bill can also speak to our irrigation plan and water conservation. The other thing we've taken into consideration is the dark sky requirements, making sure that while we provide enough light that we're sustainable so these happen to be LEDs that we're proposing. We also very conscious of the color palette, so we've used all of the existing colors out of the Lahaina color palette except for one color, this yellow one, the far right, that will not be used on Front Street and will only be used in the interior as kind of accent colors, so we made sure we been very up front and forthright with all the colors we're using, so this is the palette that will ...(inaudible)... and this is what we think the center can look like when all is said and done. You can see the actual structure and bones, if you will, of the original, it's there, and what we've done is we've added this sort of lively, vibrant center that builds on the palette that is already within the design guidelines and we're not really stepping out of those boundary lines. And then here's a shot at night. Our hope is that at night time, it'll be as vibrant as it could be in the daytime and it'll be a great asset to the Lahaina community. Any questions?

Chair Hutaff: Go ahead, Rhiannon.

Ms. Rhiannon Chandler: Hi. Thank you very much. I'm looking at the packet that we got and notice there's a plan legend, and you had talked about landscaping and wanting to be



culturally authentic in your landscaping choices, and so I wanted to know if there's going to be somebody else who's going to be talking specifically about landscaping or do I direct my questions -- okay. Hi.

Mr. Bill Mitchell: Good morning. Aloha. My name is Bill Mitchell. I'm the project landscape architect with Hawaii Land Design.

Ms. Chandler: Okay.

Mr. Mitchell: I'd be happy to take any of your questions.

Ms. Chandler: Great. I just -- on this particular plan legend, it has rainbow shower trees, Hong Kong white orchids, and pink tacoma, and I'm just trying to figure out if this is the future landscaping plan or the intended -- I mean the current one?

Mr. Mitchell: Thank you for that question. Well, we're very fortunate that we have a lot of mature both shower trees and Hong Kong orchid trees on the property now, so we're going to be supplementing as need with more of those trees because as we add parking, we'll need to have more trees to match the -- the meet the county's off-street parking loading ordinance for shade count. We'll also be adding some pink tacoma trees in smaller planters where we don't have the room for the larger trees. And interestingly enough too, the existing trees that are in the hale site, there's some wonderful coconut trees and milo trees; we'll be reusing those and relocating those onto the site. So, in answer to your question, those are both existing and proposed, and in likelihood, we'll be adding some more small plant material to that legend as the plan develops.

Ms. Chandler: Do you have a list of native plants that you intend to use?

Mr. Mitchell: We'll use the typical things that work well on edges, the beach vitex and some of the lower ground covers where we can put them on drip irrigation. The interior scapes to the courtyards, one of the challenges we have there now is it's really kind of uninviting, from a pedestrian standpoint, because there's so much hard scape, so we're going to be creating much larger planters inside the center and, hopefully, where we have the right shade and sun conditions, we can have some native plant callouts and displays, but all under the guise of minimal maintenance and minimal water usage, so we'll be incorporating natives as we can and feature them.

Ms. Chandler: Thank you.

Chair Hutaff: Do you have a native plant consultant? I mean it's probably a rude question.

Mr. Mitchell: We don't have a specific native plant consultant. I've been here for 21 years and fairly familiar with the available native plants and where they can be most effectively used and featured, and where they can be enjoyed.

Chair Hutaff: Okay. That's why it was a rude question 'cause I figured you'd have that kind of an answer. If I could make a suggestion?

Mr. Mitchell: Sure.

Chair Hutaff: Okay. Is that to add to your knowledge-based, okay, if you could get a native plan consultant because there's more to the culture of plants.

Mr. Mitchell: Sure. We'd be happy to. Thank you.

Chair Hutaff: So if you could, you know, consider that, that would be great. Erin, are we going to see this again as it progresses or this is the one time?

Ms. Wade: No, this was -- this is the opportunity for you folks to make comment on the Historic District 2 component, and the general site plan, you're also welcome to make the comments on the -- this was intended to be the opportunity for your input.

Chair Hutaff: So first and final chance? Any other questions?

Ms. Chandler: Yeah, I would like to just suggest the name of a plant person to talk to. Do you know Anna Palamino?

Mr. Mitchell: Very well. Yeah.

Ms. Chandler: Good.

Mr. Mitchell: We use her nursery all the time.

Ms. Chandler: Great.

Mr. Mitchell: Sure.

Ms. Chandler: So maybe if you could take a look at this and your site to see how the light works in the area. She can give you some good plants to use and maintenance and water efficiency are features of native plants. You know that definitely.

Mr. Mitchell: Absolutely.

Ms. Chandler: So I think you'll be able to achieve what you want to see with that and there's a lot of emphasis on wanting to draw people into the cultural aspects of this and essentially removing the hale would make a lot of sense to try and honor it in a different way so --

Mr. Mitchell: We'd love to do that. Thank you.

Chair Hutaff: Any other questions? Okay. Anybody from the public would like to comment on this? Theo?

Ms. Theo Morrison: Good morning. My name is Theo Morrison, Executive Director of Lahaina Restoration Foundation. And we support the renovations that they're planning there. Lahaina Center has always been very bland looking and a very poor copy of Front Street. Front Street's got vitality because of its individuality in the different time eras of the different buildings, so what they're doing is going to definitely improve Lahaina Center. As far as Hale Kahiko, that was built in 1994 by Weinberg Foundation and, as far as I know, it was simply built as a tourist attraction. It used to have some value because they -- Aunty Doll did programs there, but probably in the last nine, ten years, it basically been abandoned and it's in very poor shape, it's an embarrassment, it's an eyesore, and we really don't need fake Hawaiian sites in Lahaina. We have plenty of real significant sites so we don't need to make fake ones. So the removal of that is something we'd actually support. Any questions?

Chair Hutaff: Any questions? No questions? Okay. Run that by me again.

Ms. Richelle Thomson: I was suggesting to Ray that because there is a portion of the property located within Historic District No. 2, the CRC would need to approve or disapprove the plans for just that portion, and then you can make recommendations regarding the larger site that's located within the National Historic Landmark District. And I think that it might be better to handle that in two different actions.

Chair Hutaff: So the first action?

Ms. Thomson: The first action would be to approve or disapprove the plans as they are related to Historic District 2.

Chair Hutaff: Okay. Any comments? Someone needs to make a motion?

Mr. U`u: Do we open it up for public testimony?

Chair Hutaff: We did.

Mr. U`u: We did?

Chair Hutaff: Yeah. Theo. I'm assuming --

Mr. U`u: Okay. So close.

Chair Hutaff: We're going to close it.

Mr. U`u: Okay. That's what I just was asking.

Chair Hutaff: I think it's a mad rush ...(inaudible)...

Mr. U`u: Motion to approve or accept the plans for the Historic District 2.

Ms. Chandler: Second.

Chair Hutaff: Any comments? Go ahead.

Mr. U`u: I'd just like to add a comment that I like what they doing with the project and what Ray has mentioned would be valuable to that. It's always been kind of an eyesore that building. It doesn't blend in much with the surrounding area. I like the fact that they going incorporate some LEED components to that structure and upgrade that area, and I like the fact that it's already existing so they're improving the existing, so I like that concept and if they take into consideration what Ray is going to bring up I guess on the next one, or would it be this one, as one of the conditions, Ray? Would that go with this or would that go with the second motion?

Ms. Thomson: Probably the second. You're talking about the larger site and recommend -- yeah.

Chair Hutaff: Okay, as I understand it, we have a motion that's been given and seconded to approve the idea of the plan.

Ms. Thomson: Yeah. The plans as related to Historic District 2.

Chair Hutaff: Yeah, that's what she said. Okay.

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 unanimously***

***VOTED: to approve the plans as related to Historic District No. 2.***

Chair Hutaff: Okay, the motion has been carried. I would like to leave some room for recommendations towards the end of this so we've -- I know that it's usually the opposite way, but because we're going to have another motion or entertain another one, I want to incorporate it as a whole rather than two separate -- she's saying -- probably going to tell me no but we're going to do that. So second part?

Ms. Thomson: No. I think that now would be the opportunity, if you have collective recommendations, you know, or comments related to any of the project located within the larger National Historic Landmark.

Chair Hutaff: Okay. Anybody want to make any recommendations?

Ms. Chandler: Okay, so just to clarify, we did talk about native plants, and Theo's comment was really important, we don't need any fake cultural sites in Lahaina, but I think, that said, if you are going to make any efforts towards cultural signage or any kind of enhancing the experience that you mentioned, that that is important to this site, I would like to ask that you take on some kind of cultural advisor, if you don't have one already, that maybe does come from this area of the island that could lend some authentic experience to that. So beyond that, I would also add that, as much as possible, add native plants to this site and some signage that relates to those plants to be able to relay that experience and if possible, even though you have, you know, certain Hong Kong orchids and other shower trees on the site, if you could not continue planting those and put the emphasis on native plants, I would think that would fit better in this site.

Chair Hutaff: So those three things you recommend?

Ms. Chandler: Yes. That's my recommendation. Thank you.

Chair Hutaff: Okay. Anybody else?

Mr. U`u: Is that a motion or just a recommendation?

Chair Hutaff: So far, we're discussing recommendations. We haven't moved to accept the recommendations or what. We have one more chance to discuss it. Okay. I'd like to make a couple of recommendations. She's already made one of them, which was that a actual cultural representative as far as the native plants and not using non-native would be something that I would certainly like to see. I would also like to recommend that the Planning Department, okay, monitor the project step-by-step since we won't have a chance to see it again to make sure that it does actually conform in design, in the final designs, of -- that would fit Front Street, and as the building permits are issued and as the building's begun, that the Planning Department monitor to make sure that the contractor didn't misunderstand, like we have seen on Front Street already. So those would be two recommendations that I would add to that. Any discussion? ...(inaudible)...

Ms. Chandler: Chair, I would say also that the Friends of Moku`ula is maybe one organization that is very familiar with culture that's specific to Lahaina and it might be good to just talk to them and figure out who they're consultants are who they work with because maybe that would be a list of people you could contact to give some recommendations for your site.

Chair Hutaff: I would also recommend talking to Keeaumoku Kapu, Sam Ka`ai about the area, I like the idea that the Hawaiian culture is included in Front Street, and I think that their input would be invaluable, so I would make the recommendation at least contact be made their input. We have anymore recommendations or, Erin, can you read them all back so we can try to put together a motion?

Ms. Wade: I kinda grouped it into three, so the first would be the incorporation of native plants throughout the site and signage that relates to those plant and utilize native plantings for all future plant materials. The second would be to retain a cultural advisor. And the third, that the Planning Department request compliance reports and continually monitor the project's development.

Chair Hutaff: And we, the Maui County Cultural Resources Commission, get those notes from the Planning Department?

Ms. Wade: Sure. Yes.

Chair Hutaff: Okay. Well, that being said, does anybody want to make a motion? Comment?

Mr. U`u: Yeah, just a question. So the existing plants that they have onsite now that they going be replanting, are we recommending that they get rid of those shade trees? What's the -- just for clarification.

Ms. Chandler: It looks like, according to their plans, they plan to work around a lot of the existing trees so I would say keep the trees, I'm not in favor of removing them, they are relocating some, sounds like, from the Hale Kahiko area and moving them around the property, but I think if you're adding any new tree or plant landscape, that those plants be native. That would be my preference.

Chair Hutaff: Okay. Does anybody have anymore recommendations, anymore discussions, or shall we -- somebody want to make a motion? Kahulu?

Mr. U`u: Motion to accept or to approve the overall plans in the Lahaina National Historic Landmark area.

Chair Hutaff: Anybody want to second that? Kahulu has second it. Are we okay?

Ms. Thomson: That's a fine motion as it is, and you may want to make a subsequent motion to adopt the recommendations as read by Erin.

Mr. U`u: With conditions.

Chair Hutaff: With the recommendations. Okay. Are you okay with the seconding of that portion of it? Are we legal? Okay.

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

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

***VOTED: To approve the overall plans in the Lahaina National Historic Landmark area with recommendations.***

Chair Hutaff: Motion is carried. Congratulations.

Ms. Clifford: Thank you, Mr. Chairman and the Commission. Thank you.

Chair Hutaff: Okay. Okay, we all good?

Mr. U`u: Depends who you ask.

Chair Hutaff: I guess we're going to move on to item D. Is that correct, Stan?

Mr. Solamillo: That's correct.

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

**D. ADVISORY REVIEW**

- 1. MS. CATHLEEN DAGHER, on behalf of SCIENTIFIC CONSULTANT SERVICES, INC., requesting comments on a CULTURAL IMPACT ASSESSMENT (CIA) for proposed improvements to two existing well sites (Hamakuapoko Well Nos. 1 and 2), TMK (2) 2-5-004:039, Makawao, Maui. The CRC may provide comments and recommendations. Public testimony will be accepted. (S. Solamillo)**

Mr. Solamillo: Is the applicant present?

Ms. Cathleen Dagher: Good morning. I'm Cathleen Dagher, and I am from Scientific Consultant Services, and we have been contracted to prepare two cultural impact -- well,

we're preparing cultural impact assessments for two projects here on Maui. The first one is for two existing wells, Hamakuapoko Wells No. 1 and 2, which are located in Makawao. We conducted an archaeological inventory survey, which yielded negative results, but anyway, I'm here, as part of the consultation process, for the cultural impact assessment, so I'm not here really to provide testimony, I'm here to actually get testimony from local individuals and/or organizations or to get the names of additional information -- additional organizations and informants from you folks.

So well's property is located on two acres, as I said, in Hamakuapoko, TMK: 2-5-004:039. I don't know what other information you might like on that one. And then the second property is at the airport, TMK: 3-8-001:123 and actually a couple, 3-8-001:239, 3-8-079:021. This is a 40 acre ...(inaudible)... is 40 acres. We also conducted an archaeological inventory survey on these properties and found two sites, both of them were historic: one was a flume that's probably associated with the plantation era, and then other site was a small building that we think was probably housing a generator and it's associated with the military. So that's another one, there were no traditional cultural sites, and that's actually why I'm here. I'm interested in traditional cultural practices and/or additional information on the history of either of these two areas.

Chair Hutaff: Okay.

Ms. Dagher: Okay.

Chair Hutaff: Anybody have any information or direction or somebody you know that might -- oh. Rules. Okay. Does anybody have -- does anybody in public there have any comments on this before we go any further? Okay. So that was an opening to public testimony. We're going to close that now. Okay. Now that the rules have been followed, thank you. Anybody have anybody who would be aware of the significance of that area in the past, culturally, recent past, plantation days? Anybody know of anybody?

Mr. U`u: I got a question.

Chair Hutaff: Yes?

Mr. U`u: Question. Prior to you running or your company doing the CIA, does anyone point you in the direction prior to you coming here or you show up and you ask?

Ms. Dagher: No. No. You are one of the agencies actually that I send -- part of that consultation process is I send letter of inquiry out to individuals that are known to us and agencies that are known to us. You folks are one of the agencies that I sent a letter to and so that's why I ended up on the agenda.



Mr. U`u: No. No. No. I agree. But prior to coming to the Commission, do you do some research prior to seeing who you guys can see prior to coming?

Ms. Dagher: I do -- well, you know, normally I consult with OHA, so I consulted with Maui OHA and also the Oahu branch, I consulted with Historic Preservation Maui branch, you guys, and I think there were some other, I don't have my list with me, but there were other individuals that I consulted with, and actually we haven't really heard back. That's the thing. We consult but we don't always hear back. So have a list of I think four other individuals for the Hamakuapoko well site project that I'm going to come back over and consult with probably next week. I haven't called them yet. But I do some contacts. I just wanted to see if there was anyone that I might have missed. Yeah.

Chair Hutaff: Does the -- Hinano, any ideas? Okay.

Ms. Dagher: Okay.

Ms. Chandler: I have two names.

Chair Hutaff: You do? Cool.

Ms. Chandler: Yes. So the first name is Jan Dapitan, last name D-A-P-I-T-A-N, first name Jan.

Ms. Dagher: Oh, okay.

Ms. Chandler: She works at the Old Maui High School.

Ms. Dagher: She would be the Hamakuapoko?

Ms. Chandler: Uh-huh.

Ms. Dagher: I believe she's on my list.

Ms. Chandler: Good.

Ms. Dagher: Yeah.

Ms. Chandler: Do you have Barbara Long on your list?

Ms. Dagher: ...(inaudible)...

Ms. Chandler: Okay. Barbara Long is also with the Friends of Old Maui High and I know that in Old Maui High School's history, UH has done some work around these wells and

she would know. And Barbara Long's contact information would best be found, I think, by looking up the Friends of Old Maui High School online. They have an alumni association and you can find her that way.

Ms. Dagher: Okay.

Ms. Chandler: And she's done a lot of history of Hamakuapoko. I think she was a former CRC member so she should have a lot to share with you.

Ms. Dagher: Okay.

Mr. U`u: Question. Who else is on your list for --

Ms. Dagher: I didn't bring it. You know, if you --

Mr. U`u: No. That's okay. I just asking.

Ms. Dagher: Yeah, if you call me, I can get you that. Yeah.

Chair Hutaff: Okay, well --

Ms. Dagher: Alright.

Chair Hutaff: I'm assuming that -- go ahead, please.

Mr. Osako: I don't have a question; I have a comment. I find it interesting that these people are contracted to do a CIA and yet they're coming to us and asking us if we know anything. I think if they're contracted to do the CIA, they should be doing the research. And I'm bias because I know one of the best researchers around in Hawaii, but you will not find him coming here and asking if we can give him any information. They should be presenting the CIA for our evaluation.

Chair Hutaff: And who is that person?

Mr. Osako: Kepa Maly.

Chair Hutaff: Perfect.

Mr. Osako: And, you know, like I say I am bias, but he is very thorough. He will go to sources on the Mainland, sources -- you know, there were, at one time, over a hundred Hawaiian language newspapers, there are also records for kuleana grants and kuleana applications, so, you know, I find it interesting, like I said, that you are contracted by somebody to do this assessment and yet you're coming and asking us.

Ms. Dagher: We are seeking names of individuals that we may have missed. As I said, I do have the names of some individuals, yes, and some organizations. But thank you.

Mr. Osako: But, like I said, I am bias because --

Ms. Dagher: Yeah.

Ms. Chandler: Mr. Chair?

Mr. Osako: I've worked with and know one of the best people that researches this kind of thing.

Ms. Chandler: Mahalo, Warren. You know, what Warren had said about kuleana land titles and just archival search, that is very important.

Ms. Dagher: It is part of our CIA.

Ms. Chandler: Yeah. And so I hope that you are able to get -- I mean, of course, most of that is located in Honolulu at the state archives --

Ms. Dagher: Right.

Ms. Chandler: But the land grants may be related also to the plantation and so whatever plantation it was that built this well, I think it'd be important to do that research and to find out if there's any cultural, you know, information associated with that. Is there any intended or anticipated impact to the surrounding area besides just the well?

Ms. Dagher: You know, as far as I know, it's a two-acre property that has existing wells and they're just going to be performing improvements to those wells, so I don't they're going to be going -- and that area looks pretty impacted. I don't think they're going to be going outside of that. Yeah.

Ms. Chandler: Thank you.

Ms. Dagher: Alright. Alright, thank you.

Chair Hutaff: Just to kind of expand upon what Warren had said, correct me if I misinterpreted what you were saying, but I kinda like what he was saying is that when people come to us and they ask do we know anybody, we certainly do appreciate that, okay. Don't get us wrong about that. We like the fact that someone comes here and says, hey, do you know anybody, and this and that, but what's also kinda good too is that if we receive some information about what's already been found because sometimes we can put that into a little better light; sometimes it's only one-sided, there's, you know, two sides to

everything; sometimes it'll spark, oh, wait a minute, that's not the story that we were brought up with that may end up you getting a little more information by giving us some information. Am I kind of going along with what you were trying to suggest? Kinda maybe?

Mr. Osako: Well, that's true because all we get is can we give them any leads. We don't know if they know anything to begin with.

Ms. Dagher: You know, I'm sorry. I said we did do, for the Hamakuapoko wells project, we did -- well, for both projects, we did do inventory surveys. I said the Hamakuapoko well site's already developed. Those results were negative. For the airport property, that had two sites and, as I said, they both are historic. So we did do -- we did do our field work and this is just part of the information gathering process.

Chair Hutaff: And so, right now, we're only discussing the one, yeah?

Ms. Dagher: No. Both of them. Either one.

Chair Hutaff: Either one.

Ms. Dagher: Yeah. The other one's the next item.

Chair Hutaff: Yeah, why don't we -- does anybody have anymore comments about that, anymore suggestions of people, like Kepa's definitely a great resource? His name's right here in front of me too. And then we'll have present the other one, on the Kahului --

- 2. MS. CATHLEEN DAGHER, on behalf of SCIENTIFIC CONSULTANT SERVICES, INC., requesting comments on a CULTURAL IMPACT ASSESSMENT (CIA) for a proposed consolidated rental car facility and associated improvements at Kahului Airport, TMK (2) 3-8-001:123, 3-8-001:239, and 3-8-079:021, Kahului, Maui. The CRC may provide comments and recommendations. Public testimony will be accepted. (S. Solamillo)**

Ms. Dagher: Oh, I'm sorry. Okay. The Kahului Airport project was a 40-acre property and it's for the consolidated rental car facility and associated improvements, it involves TMKs 3-8-001:123, and parcel 239, and parcel 3-8-079 -- I'm sorry, TMK 3-8-079:021. As I said earlier, we did conduct inventory survey. We did find two historic properties. Neither one of them were traditional in nature, and they're both are historic. One was a historic plantation era flume, and the other was a small building that we believe housed a generator and was associated with the military use.

Chair Hutaff: Okay. Question. This project area is not going to have any impact whatsoever on the area of the Kanaha Fishpond?

Ms. Dagher: I don't believe so. No.

Chair Hutaff: Yeah. I don't like that answer. I'm sorry.

Ms. Dagher: Well, I'm not designing the project, but I believe that it's out of the scope of the work and it's out of the scope of the inventory survey.

Chair Hutaff: So --

Ms. Dagher: So I would say no.

Chair Hutaff: Yeah, it looks -- it looks pretty far away across the street of Keolani and all that, but, you know, I think the question needs to be asked because sometimes we, you know, say, okay, the project's, you know, 200 feet away and, all of sudden, well, we're going to have to cut through the pond in order to bring something in to do or to pick up an area --

Ms. Dagher: No. I don't see why. I don't see why they would have to do that.

Chair Hutaff: Can you be sure?

Ms. Dagher: Well, as I said, I'm not designing -- I'm not involved with the project itself. I'm part of the archaeological aspect.

Chair Hutaff: Then let me rephrase, okay. Can you ask that question?

Ms. Dagher: To the --

Chair Hutaff: Yes.

Ms. Dagher: Okay. Sure. It looks, to me, looking at the map, I agree, It looks far away, but certainly we would consider, you know, the role the fishpond played, if any, in traditional and historic times.

Chair Hutaff: Because that area is definitely very historic.

Ms. Dagher: Yeah.

Chair Hutaff: And lots of legends.

Ms. Dagher: Well, yeah, it's on the, you know, it's on the other side of the highway as well --

Chair Hutaff: True.

Ms. Dagher: Yeah.

Chair Hutaff: True. But sometimes you cut off a pipe, or you do this and do that, you don't know what you're going to affect.

Ms. Dagher: No. Yeah, I believe -- well, I haven't -- I believe it's within the confines of the existing airport property, yeah?

Chair Hutaff: The fishpond?

Ms. Dagher: No. No. The rental car -- yeah, the rental car facility.

Ms. Chandler: Okay, so in this area --

Ms. Dagher: So, yeah. This is an -- I'm sorry. It's an undeveloped land adjacent to the Kahului Airport. Okay.

Ms. Chandler: So this area is, I'm very familiar with this area because we do a lot of restoration work at Kanaha Beach Park, the airport area has a lot of tree tobacco, and especially in undeveloped parcels, tree tobacco tends to dominate the landscape and it is protected by U.S. Fish and Wildlife because it's a habitat for a Manduca Moth, which is an English name for a Hawaiian moth that's endangered, so Blackburn Sphinx is another name for it, but it relies on tree tobacco for its habitat so the habitat cannot be disturbed during certain months of the year when the moth is in a pupa form, and I believe that is the winter but I'm not sure, so it would be best to contact U.S. Fish and Wildlife to find out when that stage is to make sure that no activity happens during that time. There's also another tree that occurs in this area called "aweoweo," it's a bush, and when the bush dies, it is the habitat for the Kahului Beetle, which is only known in Kahului. It's not listed on the endangered species list yet because that takes years but this is the only known location of it and USGS, Forest and Star Kim, are botanists that work in this area and it would be really good to talk to them because they have done I think the most accurate botanical inventories of this part of the airport, and so just to make sure that you do a thorough search for those particular plant species, I think the fine is about \$10,000.

Ms. Dagher: What were the names of those individuals?

Ms. Chandler: Forest and Star Kim -- oh, Forest and Kim Star. Sorry.

Ms. Dagher: Okay. Alrighty.

Ms. Chandler: Thank you.

Ms. Dagher: Thank you.

Chair Hutaff: Did we help?

Ms. Dagher: Yes. Thank you.

Chair Hutaff: Okay. Thank you so much. Sorry to be rude, but I do it all the time. Okay, so we're going to move on to item E, Demolitions.

Mr. Solamillo: The next item is item E, Demolitions. We have four of them and because of the proximity to each other, the same TMK, etcetera, we'll consolidate it into one.

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

#### **E. DEMOLITIONS**

- 1. MR. RALPH MASUDA of LANAI BUILDERS, INC. on behalf of Castle & Cooke Resorts, LLC, requesting review and recommendations on the demolition of a Plantation Dwelling (Building No. 1) located at 623 Lana'i Avenue, TMK (2) 4-9-006:050, Lana'i City, Lana'i. The CRC may provide comments and recommendations. (S. Solamillo)**
- 2. MR. RALPH MASUDA of LANAI BUILDERS, INC., on behalf of Castle & Cooke Resorts, LLC, requesting review and recommendations on the demolition of a Plantation Dwelling (Building No. 2) located at 615 Lana'i Avenue, TMK (2) 4-9-006:050, Lana'i City, Lana'i. The CRC may provide comments and recommendations. (S. Solamillo)**
- 3. MR. RALPH MASUDA of LANAI BUILDERS, INC., on behalf of Castle & Cooke Resorts, LLC, requesting review and recommendations on the demolition of a Plantation Dwelling (Building No. 3) located at 605 Lana'i Avenue, TMK (2) 4-9-006:050, Lana'i City, Lana'i. The CRC may provide comments and recommendations. (S. Solamillo)**
- 4. MR. RALPH MASUDA of LANAI BUILDERS, INC., on behalf of Castle & Cooke Resorts, LLC, requesting review and recommendations on the demolition of a garage (Building No. 4) located at 605 Lana'i Avenue, TMK (2) 4-9-006:050, Lana'i City, Lana'i. The CRC may provide comments and recommendations. (S. Solamillo)**

Mr. Solamillo: The three dwellings are located on a single block, which is bounded by Sixth Street, Ko`ele, Lana`i Avenue, and Seventh Street. The red rectangle provides you the location and oblique aerial provides a better view of the three dwellings, and there is a

garage, which is located behind the first dwelling, address is 605 Lana`i Avenue. This is how they appeared in 2009. I do not have current condition shots. 605 Lana`i Avenue, as it appeared in 2009 is the first one on the corner of Lana`i Avenue and Sixth Street. It has been slightly altered. Originally, these dwellings had an open porch with sidewalls, and that's very unique to Lana`i. As time went on, they were either enclosed by trellis work or fully enclosed by vertical wall board. That was a view from the rear of the property. There's a 1935 date, which is attached to the building permit and comes from real property tax, that probably is when bathrooms were added to these dwellings.

Chair Huttaff: '36?

Mr. Solamillo: 1935 or '36, whatever date is on the RPT property records, which was included on the applications itself. These buildings date from 1923. This is an interior of 605, board and batten interiors; windows are framed in so they're flushed with the outside; board and batten ceilings; six slide sliders, and six-over-six single-hung windows. At the time, this was the best of the three. They'll either have three or four-panel doors. In this case, we've got porcelain door knobs ...(inaudible)... that's a side view that you see from the street, Sixth Street I believe. The garage, as it appeared in 2009. And we don't have a firm date on this because it's been cobbled together and added to.

The next property is 615 Lana`i Avenue. In this case, half of the porch was left open; the other half enclosed for storage. These are oblique views from the front and rear as it appeared in 2009. Unfortunately, there are no interior shots of this particular dwelling.

The next property, 623, and in this case, one-half of the front porch has been fully enclosed; the opposite half has been partially enclosed. That's another oblique view of the front. And this one was in a little worse shape than the other one that we looked at and the tenant did not remove all the contents.

These are called "double houses" and they are the first American house type to be built in Hawaii in mass production. It's pretty amazing. They start up in about 1890s. When Maunalei Sugar Company established their plantation on the opposite side of Lana`i, they built these houses for workers. Lana`i is in fact the only place where you can see this house in the numbers that you see them. Every other place, they've been supplanted by the typical plantation cottage that we know today, which is the gable on hip roof plantation dwelling or cottage for one family.

This is a shot in 1924. At the bottom of the photograph, it says, "3/28/24," which is March 28, and this is the buildings that were built and that is what Lana`i looked like after they cleared the cactus. So this was a really big deal. The other big deal is that this was -- this construction project was done by all Asian work crews that came from Wailuku, Maui, under the direction of Kikuichi Honda. Those three buildings that you see before you today are arrowed in an enlargement from that photograph and that's how they looked in 1924.



Another panorama was taken in 1926 after two seasons more and we have the same buildings identified from the opposite end. The trees have been planted, the cook pines are in, but they're pretty stubby in the foreground, and you can see that we do have tennis courts for recreation. That's the beginnings of Dole Park. But that's how bleak the place was. And we offered yet that at that time, all of the signage was in Japanese. There was no signage in English.

In 1929, Lana`i City is fully built out. The location of the three houses that we're looking at today is shown with the arrow, and that's what it looked like after Masaru Takaki took over from Honda and continued the building campaign.

Another view from uphill; some called it "Snob Hill" where management lived. This was taken in 1926. And these are the three buildings today. As with all early houses here, all Lana`i houses building during this period have histories and they're all attached to families. As a descendant from someone who married into the Kaluia family, it was difficult for me to understand how you could get nine, and in this case we've got ten kids, ten kids into some of these house because, remember, they're only like 450 or 480 square feet, so everybody sleeping on the floor. But these three houses, the families that we know of right now are Seichi Okamoto, the Viela family, the Echaris family, and the Tamanaha family.

Chair Hutaff: Those people lived there or they're living there now?

Mr. Solamillo: No. The houses are vacant.

Chair Hutaff: Okay so --

Mr. Solamillo: But, historically, we know that these families lived --

Chair Hutaff: Lived there. Okay.

Mr. Solamillo: In these three dwellings. The location of the proposed demolition is within a proposed Lana`i BC-T historic district, which was surveyed in 2008, and determined those eligible for listing in the Hawaii Register of Historic Places in the following year there at the left-hand upper corner. And now we're -- if there are no questions, we may open it up for public comment.

Chair Hutaff: Anybody have any questions before we open it to the public?

Ms. Chandler: Yes, I have a question just for the Chair and the Department. There's a lot of letters here in this packet from the residents, and I want to make sure that the public understands that they're all here and these people are asking us, many people are asking us to not approve this permit, and so I don't want to seem biased, but I do -- I don't know if there's a process of reading letters into the record or if there's any way of just attaching this to the public records so that people understand how much -- how much input we're

getting from members of residents of Lana`i that are not present here today because I think a lot of people can't travel for this meeting but they've certainly given us their thoughts.

Ms. Michele McLean: Written testimony is part of the public record just as a verbal in-person testimony would be, so it should be considered by the Commission just as if they were here testifying.

Ms. Chandler: Good. And I think that question also is for people out in the audience that may not understand that we have these packets in front of us and that -- or that statement rather, not question, is for people to be aware that we have all these letters on our desk of people that are not here to testify. Thank you.

Chair Hutaff: Along those lines, are these going to be included in the minutes or 'cause you were saying they're public testimony?

Ms. McLean: Well, the minutes are a verbatim transcript of the deliberations so they're technically not meeting minutes but they are part of the proceeding, they are considered to be part of the proceeding just like all your applications and your packets are considered to be part of the proceeding.

Chair Hutaff: I wouldn't be opposed to having someone read a few of them into the record today as long as we're fair and we include the ones from the Fire Department, and go ahead, Stan.

Mr. Solamillo: And before we go into the deliberation or begin deliberation, you probably should hear from the applicant. The applicant is here.

Chair Hutaff: Absolutely. I'm just trying to answer this question because I was going to suggest that we do that after, let everybody kind of think about it, and let's listen to the applicant, and then when we -- before we close off public testimony, because this will part of public testimony, I'll ask the question: Should we read this into it or not? So, right now, I think we should hear from the applicant, shouldn't we?

Mr. Ralph Masuda: Mr. Chairman, Members of the Commission, I'd like to make one correction that the applicant is Ralph Masuda, Lana`i Builders, Inc., rather than Lana`i Holding -- it says, "Lana`i Island Holding, LLC," and that's not right right now. A name change hasn't taken place yet although the island was bought by Mr. Ellison, the name change hasn't been officially done yet, so we're still going with Castle & Cooke Resorts, LLC.

Chair Hutaff: Okay. I certainly do appreciate the information. But I thought that, when I read, and it's been a little while since I read it, as much as agreement that wasn't blacked out, I thought that Lana`i Holdings was part of the sale agreement?

Mr. Masuda: It is part of the sales agreement but the official name change has not happened yet.

Chair Hutaff: Okay. So the permit is correct?

Mr. Masuda: The permit is correct, "on behalf of Castle & Cooke Resorts, LLC."

Chair Hutaff: Go ahead.

Mr. Osako: So Castle & Cooke Resorts, LLC is that owned by Mr. Murdock yet or is it owned by Mr. Ellison?

Mr. Masuda: It's owned by Mr. Ellison.

Mr. Osako: Okay.

Mr. Masuda: It's the same entity. Mr. Murdock does own some holdings on Lana`i yet, Richard's Market, he owns a few lots down at Manele, but that's all.

Chair Hutaff: Okay. Thank you.

Mr. Osako: So, Mr. Masuda?

Mr. Masuda: Yes?

Mr. Osako: You formally work for Castle & Cooke?

Mr. Masuda: That's right.

Mr. Osako: And now you work for Lana`i Builders?

Mr. Masuda: Well, Lana`i Builders, we -- that's part of Castle & Cooke.

Mr. Osako: But it's now part of Mr. Ellison's --

Mr. Masuda: Mr. Ellison's Lana`i Holdings.

Mr. Osako: Lana`i Holdings. But, formally, are you an employee of Lana`i Builders or --

Mr. Masuda: I'm an employee of Lana`i Holdings.

Mr. Osako: Oh, okay. Because it says, "Mr. Masuda of Lana`i Builders" on the application so I'm just trying to clarify.

Mr. Masuda: I know. It's kind of confusing for all the people on Lana`i as to when this change will happen, but it's supposed to happen by the middle of this month. However, we do have four demolition permit applications in for these four structures on this parcel. The parcel is about 22,000 square feet and although there's been talk about it's being in a historic district, there was no historic district formed as of yet. The original hearings that was held by the historic nomination board from Oahu from SHPD, Castle & Cooke Resorts had requested a contested case hearing and that has never happened yet, so it's not in any listing as far as historic yet. The only reason we're here is because of the requirement of the 50 year old structures. If these structures are supposed to be refurbished and preserved, before we can do anything, we would have to go in and remove the walls, remove the flooring, remove the roof, and reconstruct a new structure anyway. So I don't know what's there to preserve because of the condition of the structures. If you read the structural engineer's report, the report from the Fire Department, and also the letter from the building inspector, they're all recommending that these buildings be demolished. It doesn't mean that whatever is reconstructed won't be following the Lana`i City Design Guidelines, so that's been in existence since 1997, and so that's why we're here today to get your recommendation of approval for our demolition permits.

Mr. Osako: But according to the Lana`i City guidelines, these buildings could be completely different but still follow the guidelines. Correct?

Mr. Masuda: That's correct.

Chair Hutaff: I didn't quite follow that.

Mr. Osako: Well, he says they're applying for the demolition permits and then they would rebuild something that would follow the guidelines, but the guidelines can be something completely different and still follow the guideline but you won't have some of the original buildings of Lana`i City there.

Chair Hutaff: Okay. And you said, "can be built." You didn't make a commitment to build. Am I correct?

Mr. Masuda: Well, we will rebuild it but I don't know whether or not it's going to be the exact same structure that's being demolished. That's what Mr. Osako is saying is that we would follow the design guidelines but the design guidelines doesn't mandate that the structures be the same, however, the use of the structures would have to be commercial because it's in the country town business area and single-family dwellings are not allowed in the country town business district, and you can have only two single-family dwellings per parcel, so this one has three dwellings and the garage within the same parcel, so we would lose one and maybe even lose the garage.

Chair Hutaff: Okay. I understand now. Any question questions? Go ahead.

Mr. Osako: Do we know what time frame this was all zoned commercial?

Mr. Masuda: Well, it was zoned in 1997 or 1998.

Mr. Osako: Being I wasn't involved, I think that it's part of the problem now if you want to do historic preservation but they can be used as adoptive reuse so that doesn't mean that, you know, they would be single-family dwellings, but the buildings could be reused for, you know, other purposes in the commercial district.

Chair Hutaff: Okay. Go ahead.

Mr. U`u: Question. Mr. Masuda, how long have you worked for the previous owner?

Mr. Masuda: I worked for 21 years with Caste & Cooke.

Mr. U`u: And say you have the demolition permit and you demolish, what's the intention of building there now? Or is it just demolish? Or are you guys proposing to rebuild something or just demolish?

Mr. Masuda: Well, based on the reports that we received from our structural engineer and the Fire Department, we would like to demolish that and clear that lot. As far as what's to be reconstructed on those -- on that parcel, it all depends on how the new owner feels as to what should be placed on there, and it could mean something similar like what's going to be demolished or, like Mr. Osako was saying, could be a commercial building, but the use has to be a commercial use.

Mr. U`u: Okay, question. So right now we have a residential in a commercial zoned area?

Mr. Masuda: Yeah. If you wanted to continue using it, then you would have to be a legal nonconforming use but it's lost that because it's been vacant for over a year.

Chair Hutaff: Okay. Go ahead.

Ms. Chandler: You mentioned that the intended use of the structure or the property after a demolition would take place would be up to the new owner. Is the new owner aware of these properties and has he said anything or any of his representatives been notified about this particular demolition?

Mr. Masuda: Yes.

Ms. Chandler: And what does he have to say about concerns?

Mr. Masuda: Well, they did inspect the structures and they felt that it should be demolished.

Ms. Chandler: Okay. And from the perspective of the community, is he aware of the amount of support that the community is putting forward to protect these structures?

Mr. Masuda: Well, we're not -- we didn't have the privilege of looking at whatever you have ...(inaudible)... support.

Ms. Chandler: Okay. Because the community in these letters is asking if the owner, you know, would support, you know, preserving them and maybe he cares about the community and maybe he cares that we, you know, this is part of our identity and stuff, so it seems like the community is hoping that he does actually understand how important they feel these structures are to them and their history and their identity, so maybe it would be good if you could convey that back to him because that came to us today, and that's maybe something that's coming out of this Commission meeting.

Mr. Masuda: Well "preservation" may actually mean that we would have to remove all the walls and flooring and the roof and reconstruct something else on it. I mean --

Ms. Chandler: Yeah --

Mr. Masuda: I mean it can be the same type of structure, but you'll lose the integrity of the original materials.

Ms. Chandler: Yeah, I understand that, and actually so there's a process that just we're all talking about right now called "demolition by neglect," and is -- who is responsible, in Castle & Cooke, for termite buildings? Who would be the person who, you know, up the chain, who was it that should have termited this building over the years?

Mr. Masuda: Termite?

Ms. Chandler: Termite prevention to prevent this deterioration, who would have been that person?

Mr. Masuda: That would have to be I think the president of Lana`i Company --

Ms. Chandler: The president of the company is responsible for the termiting?

Mr. Masuda: Lana`i Company.

Ms. Chandler: Wow. Yeah, so there has to be somebody, I think, that, in the future and maybe this is a new concern for the new owner, but this is not going to go away. These three buildings, no matter what happens to them, there will be many after them and this issue will continue until it's either dealt with or the entire city is gone. It's either going to go one way or another, and somebody has to take, at some point in time, a stand and say, from today on, we are going to termite our buildings or we're, in some way, going to

preserve them because the community is very sad. This is their history. There's people -- I understand there's new residents on Lana`i but there's a lot of old generational residents of Lana`i that don't want to see their history lost and this is how it gets lost, like this, three buildings at a time, you know.

Mr. Masuda: You don't have to tell me. I grew up in Happy Valley, the plantation village down there. My mother lived in that house for 85 years --

Ms. Chandler: Is it still there?

Mr. Masuda: And it's still there.

Ms. Chandler: Thank you.

Mr. Masuda: But the toilet had collapsed once. I mean it's built on post and pier, the toilet collapsed, and she fell down on the ground two stories high, and we had to reconstruct that thing. We couldn't build a new house. But, you know, the cost to build a new toilet was just as expensive as building a new house. My problem with preservation is that the cost involved 'cause we would have to, again, remove the walls, the roof, the flooring, and we would have to reconstruct that.

Ms. Chandler: I understand what you're saying and I don't -- I don't mean to sound like it's not, you know, oh yeah, just save the building. Yes, I know it's a tremendous cost but maintenance is cheaper than preservation and some point in time, we have to get there before it gets expensive to fix it, and I know this is -- you know, it's not an argument that we can even have because you have your representation and we have our representation, this is our kuleana, so I don't mean to make it sound like it's, you know, an easy thing, but obviously it's not an easy thing for anyone and any of the testifiers that cannot be here today, so I just want to make sure we do say these things.

Mr. Masuda: As far as tenting the structures, we have, in the past, tented the residential areas that the company owns and -- but that cost was passed on to the renters so the eventual people that paid for it are the renters but we save on maintenance cost by tenting it for termites.

Mr. U`u: Just for clarification because I heard Rae say about the overwhelming support of Lana`i. To be fair, only four of them get addresses from Lana`i. Some of them are from Honolulu, some of them have no addresses, some of them is from Arizona, so to say that we have overwhelming support from Lana`i is misleading because we have only four addresses in the community that states they're from Lana`i. I cannot support that inclination as we have overwhelming 'cause four is not overwhelming when the testifier prior say we had 200-plus at one time for Lanaians for Sensible Growth, and you get four people turning in letters, some from Arizona, about half of them from Oahu.

Ms. Chandler: Yeah.

Mr. U`u: At what point do we say, okay, some people oppose or some people -- just to be clear.

Ms. Chandler: Yes. Bruce, that's very fair. My first Commission meeting was on Lana`i and so I was there meeting with the people that had a lot of these concerns, you know, four years ago on the island that did attend that meeting on Lana`i. It's a shame that this meeting isn't on Lana`i because I think there would be more support. I think four people is very important because a lot of people don't even know the process, so for every person who manages to write a letter, they're representing a lot of people that don't know how to write a letter or who to write a letter to, so that's what I mean about it and I appreciate that.

Mr. Osako: I have a comment about that. I communicated with Stanley and Ray and I said this meeting should be on Lana`i but the Planning Department decided not to have the meeting on Lana`i, and we are not reaching the mandate of having one meeting a year on Lana`i and one meeting a year, at least, on Molokai.

Mr. U`u: I agree. I agree with you.

Mr. Osako: So, you know, I mean as far as having -- when they had the historic district meeting, and that was before a state body, there was overwhelming people to declare to have that become a historic district, but the landowner fought it, so as far as that goes, especially if you have a meeting where people can attend, if you have it during working hours, you're going to run into the same problem, but I believe that if you did hold the meeting on Lana`i, you would see that there would be a lot more people testifying.

Mr. Masuda: Well, Butch Gima had testified that he had met with the representatives from Lawrence Investments, and I don't know what the discussion was on, but I think Butch also said that they did discuss this project here. I don't know if they reached an agreement or anything like that. So we'd be willing to continue working with the community, with LSG, with this Commission, but how long can this building stand? And how long will it be before someone trespasses and gets hurt in there or a fire starts and, you know? But if one of these structures go, then there's other structures that's involves on that large parcel, which one of them is the community playhouse, which is the old theater.

Mr. Osako: And there are two more that are boarded up between Ilima and Jacaranda, I believe, same era houses. There are three also on Lana`i Avenue, between the company shops and Bank of Hawaii, that are still occupied that are the same era houses that appeared in the 1920s.

Mr. Masuda: Those are privately-owned homes. They are not company homes.

Chair Hutaff: Stick with the three. Okay --



Mr. Osako: I believe some of them are still company-owned, the ones -- no, they're not?

Mr. Masuda: No, they're not.

Mr. Osako: But the ones boarded up between Ilima and Jacaranda, are those company-owned?

Mr. Masuda: I believe they are. Yeah.

Mr. Osako: So those will come up for demolition too then?

Mr. Masuda: I guess, one of these days.

Mr. Osako: If they're boarded up and they're not doing anything to 'em --

Mr. Masuda: It may be destined for demolition.

Chair Hutaff: Excuse me. We need to stick with the three, okay, that we have before us, okay. It was brought up that the planning commission refused to have the meeting on Lana`i. Would you like to comment on this?

Ms. McLean: The Planning Department, not the planning commission.

Chair Hutaff: Planning Department. I'm sorry.

Ms. McLean: Couple of things. These applications were before the CRC in the past and I don't recall it being requested that the meeting be held on Lana`i at that time. When these were brought up recently, I was asked about having a meeting on Lana`i and I agreed that we should have a meeting on Lana`i. It was then brought to my attention that there were many other additional demolition permits still active on Lana`i and so my decision was to proceed with this meeting today here and to hold a future meeting on Lana`i when these other permits would be taken up, and doing a site visit as well. We have since met with one of the representatives of the new owner who assured us that they would not be proceeding with those other demo permits, and I spoke with Mr. Masuda yesterday and he indicated that there are a number of permits that were submitted many years ago that are still active in the county system that they, the company, essentially considers to be inactive. So the good news, at least from our understanding, is that there are not many more lined up to come to the CRC. So had I known that at the time that I decided for this meeting not to be on Lana`i, I would have chosen for this meeting to be on Lana`i. I thought that there were more coming and that that would be the better meeting to have on Lana`i. It doesn't seem like those are forthcoming, however, what's also been discussed today is the nomination for the historic district. That's also something I've spoken to Mr. Masuda about and also emailed with the new owner's representative to try to pickup where that process left off for the department and the owner to talk about what

options there are where we can agree on proceeding with the historic district. There's not a super rush on that, but I think it's -- that initial meeting will happen sometime within the next several weeks and then assuming that that proceeds, that would be another appropriate occasion for the Commission to go to Lana`i.

Chair Hutaff: Also, to take note that this particular application Ralph Masuda signed it on 7/25/12. It would not have really given anybody enough time to organize this and -- plus organize something for Lana`i, but does somebody want to make a suggestion that we have this on -- we discuss this on Lana`i?

Mr. Osako: Well, I believe that, you know, as the Lana`i representative on this Commission, that it should be discussed on Lana`i but, at the moment, we have it on the agenda so I don't know what we're supposed to do then.

Chair Hutaff: Anybody wanna comment?

Mr. Gaylord Kubota: Shall we recommend deferral of issuing the permit for now?

Ms. Thomson: Can I --

Chair Hutaff: Please.

Ms. Thomson: Add a couple of things. Just to clarify what's before you today and what your authority is on these four demolition permits. The CRC has review and comment authority today so you can't approve or deny the demolition permit but you can make your comments to Public Works, you know, and for the record, you know, SHPD, I think Hinano may still be here, at any rate, your comments can be transmitted to SHPD if you so request. And also to understand where these demolition permits are in the process as far as historic review on the state level, they're about midway through, as far as I understand it. SHPD has determined that these structures are significant under a couple of the significance criteria, and so from there, the next step is to talk about mitigation commitments, and those are when you're dealing with a private landowner, they have to be agreed upon, so they're not mandatory as they might be with some state or county project. So that's, you know, we're -- it's a bit midstream. Mitigation doesn't necessarily mean preservation, although that's one of the options so, you know, those -- I wanted to give you some context as far as where you are in the process so that you can maybe better structure your comments. As far as deferring these items, that's an option but it may not be the best option because of the -- of where the state process is. You may want to put your comments on the record now so that they can be input into the state process.

Mr. Kubota: What I was asking was whether we can recommend deferral of issuing the demolition permit.

Chair Hutaff: Well, we're not --

Mr. U`u: We're not the authorized --

Chair Hutaff: Oh, I see what you mean. Okay so --

Mr. Kubota: We're recommending.

Chair Hutaff: We're recommending. That's our recommendation. We have that authority to make a recommendation, or lack of authority, to the Planning Department that we wait, that they wait until we have a meeting on Lana`i. Is that what you're saying?

Mr. Kubota: Well, I think there's several things because Butch Gima seems to hope that the new owner may actually consider doing it as part of the maintenance and it's a little soon for the new owner to really become familiar with all the feelings of the community.

Mr. Masuda: Like I said, the new owner's representative did take a look at this. They did inspect the structures. They --

Chair Hutaff: Recommended.

Mr. Masuda: They wanted to have it demolished. That's the reason we have the application in before --

Mr. Kubota: But you also said that the new owner is not aware fully of the community opposition to the demolitions.

Chair Hutaff: So he was unaware.

Mr. Masuda: That's right. But the previous -- well, previous owner, Castle & Cooke, had fought the historic district nomination. They had requested for a contested case and that's never happened yet. It's been two years or three years since the request was done.

Chair Hutaff: Go ahead.

Mr. Osako: Can I make a comment? As has been stated, SHPD has also looked at the structures and determined that they can be saved. Yes, it does cost money. Everything costs money.

Mr. Masuda: That's true.

Mr. Osako: I realize that.

Mr. Masuda: That's true.

Mr. Osako: And, you know, I tent my own house from time to time for termites, but when was the last times these were?

Mr. Masuda: Tented?

Mr. Osako: Yeah.

Mr. Masuda: I don't know.

Mr. Osako: That's correct.

Mr. Masuda: I don't know if they ever been tented.

Mr. Osako: So the landowner has been neglectful. He's been collecting the rent.

Mr. Masuda: Well, whether it's deterioration by neglect or deterioration by old age, it's still deterioration.

Mr. Osako: It's still -- oh, so, yes it is. Are you familiar with Ka Lanakila Church as Keomuku?

Mr. Masuda: No, I'm not. Oh yeah. I am.

Mr. Osako: It's been restored.

Mr. Masuda: That's right.

Mr. Osako: So why can't it be done to these?

Mr. Masuda: Well, you're talking about two different types of structures. You're talking about one, I don't know about the condition that church was in whether it was termite eaten, mold and mildew, roof caving in ...(inaudible)... caving in.

Mr. Osako: It was.

Mr. Masuda: I don't know.

Chair Hutaff: I think we probably should get to a point where we open up for public testimony, but beforehand, okay, the Chair would like to pretend to say a few words or try to say a few words. Let's address the issue of today, and safety, and where the building is today. I certainly can look at that and say I doubt that it's very safe. The problem is is that to, for me, to look at a demolition permit based upon the condition of the building today as an absolute final reason to demolish it doesn't weigh well, okay. To get a building to this point of today takes quite some time. How long has it been unsafe? We could speculate

and say a year. How long before it actually falls down? We could speculate and say another year. So to address the issue of safety, it is -- has been unsafe for a while, okay. I think that lending itself to having the new owner at least be approached with why the buildings are important would be fair to him as well as to the residents. The residents, you know, it's very unfortunate, but we're not the governor or an elected official where we're going to get votes if we say, well, the people want that, okay. We know, I think, as a whole, there probably isn't any real support for tearing it down other than it may be unsafe or it is unsafe, okay, by the community, okay. So I would really like to take some time to get with the owner, to have somebody try to get with the owner, paint them a picture of how important these buildings are to the community, okay, the fact that it's a -- it can only be converted, repaired, restored, replaced, and then used for commercial ventures is actually a good thing, okay, because you get a little better tax incentive and little bit of help when you're using it for a commercial activity. The other thing is too is that it was placed into a commercial area at some point. It was a residential area to begin with and then placed in a commercial area, okay. I don't know how rules are made to where you can go from one, and then change it to another, but it kind of seems to me if you can do that, you can change it back.

Mr. U`u: That not easy.

Chair Hutaff: I didn't say anything about easy, okay. The other thing is is that, as a component to restoring the building, it's not that you're going to have to use a termite piece of wood, you need to use the wood like it was, which means it could be brought in from elsewhere or even a new ...(inaudible)... cut in order to restore the place one board at a time, one window at a time, one nail at a time. The cost of that's probably not worth the cost of the building, okay, which does lend itself to, you know, part of the roles is that the owner of the property, the building has to get something out of it, not just a huge expense. You can't exceed the expense of the building unless you can recover that expense through tax breaks and other things, or, in this particular case, Lana`i itself being -- lending itself to wanting tourism, okay, and the fact that -- what I've learned today is that's the only one that's left, only buildings that are left in the area and also it being the first one to be built, that means the second one that was built, the third one that was built in that area, or the fifth one that was built is gone. So the first is kinda like, well, really cool man.

Mr. Masuda: That's not true.

Chair Hutaff: That's not true?

Mr. Masuda: That's not true.

Chair Hutaff: Okay. Then I'll erase that part of it as part of my argument. But as far as it still being something worthy of, you know, commercial activity, bringing tourism to the island as a place that has this, you know, in there, there is value there that could probably pay for or at least offset the fact that you got to put more money into a building like that

than it's worth, okay. We don't go and look at a cost of paving a street and say, okay, the street's now paved and it cost us one million dollars, how are we going to get that million dollars back? Well, we paved the street so that people could go there to have commerce or to live. It's still an expense. It exceeds the value of the actual concrete as an intrinsic value. There's other values that go along with that. And I would certainly like to have or, again, a personal opinion, is to be able to present that idea to Mr. Ellis just so that somewhere down the road he doesn't go, so I didn't know that. If he comes up with the same conclusion, if he doesn't want to do anything about it, doesn't want to invest in putting people to work by restoring those buildings, that would certainly be a nice gesture as far as the economy goes, but I would like to see us give it some time to contact Mr. Ellis. That's my input - how short it be.

Mr. Masuda: Also, construction of new buildings will provides job also.

Chair Hutaff: Sure.

Mr. Masuda: I mean, you know, just as much as jobs as preserving the building.

Chair Hutaff: Actually, I think preserving would create more jobs because it's a lot more expensive.

Mr. Masuda: Well, but it'll still create jobs for carpenters and electricians and stuff.

Chair Hutaff: And, Mr. Masuda, that would be a good argument for you to make to Mr. Ellison, okay. Mr. Ellison. Boy am I really ...(inaudible)... his name.

Mr. Masuda: But the idea of trying to reach Mr. Ellison, rather than talking to his representatives from California, I think it's a better idea to talk to his representatives than trying to -- his representatives can also go in and talk to Mr. Ellison about the concerns of the community.

Chair Hutaff: I agree with you. I agree with you. I think that the effort should be made is what I'm pointing out to, to have Mr. Ellison have a full and complete understanding so that he can make an informed decision so that ten years down the road, he's going to say, well, yeah, I had to do it. There's was no choice. Or, I didn't know that. I think "I don't know that" is not good for anybody.

Mr. Masuda: Well, I'm sure his representatives will take it to him.

Chair Hutaff: So you'd be in favor of instituting that, to paint a complete picture?

Mr. Masuda: A big picture?

Chair Hutaff: A complete picture of --

Mr. Masuda: Preserving?

Chair Hutaff: What's being said here, what's being said by the community, and what the options are for tourism, if any, and what the costs are to tear down versus -- and replace versus the unknowns of, you know, restoring the place or to make it like it is. Would you be willing to do that rather than this? That would be the only recommendation I would wanna make today.

Mr. Masuda: Well, we could take that matter up and discuss it again with Butch and his group and also this Commission.

Chair Hutaff: Cool.

Mr. Osako: And I would like to bring up the thing with Ka Lanakila Church again because it's still owned by, well, by Castle & Cooke, whatever they call it now, but it was restored with private funding, an agreement was made. You know, that's another avenue of approach toward, you know, do we want the whole feeling of what Lana`i City was designed to be. If you look at the SHPD letter, it says, "Lana`i City design was influenced by garden city movement. Cities were intended to be planned self-contained communities surrounded by green belts (parks) containing proportionate area of residences, industry, and agriculture." You know, I was born and raised on Lana`i and where I live, I live on Lana`i Avenue, and right across the street, the big lot there originally was a park. It was designed to be a park. That's where I grew up playing baseball. That's where the older people played barefoot football; now it's half apartments and half is the county senior housing; before that, they decided they need housing for seasonal workers so they put up facilities for that. So we are losing what Lana`i City was designed to be. Yes, you could make it all brand new. But is that what we want? I think as far as our job as the Cultural Resources Commission go, what are we supposed to be doing? Anybody? Anybody? What are we here for?

Chair Hutaff: I think it's pretty much clear what we're supposed to do, okay.

Mr. Masuda: I don't think the --

Chair Hutaff: But before we do that, does anybody have anymore questions for him because I'd like to open it up for public testimony and then offer Mr. Masuda a chance to comment on maybe anything that's brought up as public testimony? Is that okay with you?

Mr. Masuda: That's fine.

Chair Hutaff: Is that okay with everybody? Sort of give us a cool off -- okay, anybody in the public would like to make a comment? Then I'm going to request that Michael Gushard, from the state, give us an idea of where they stand. Thank you.

Mr. Michael Gushard: Hi. I'm Mike Gushard. You'll be hearing from me in a few minutes as CLG coordinator but right now you're hearing from as an architectural historian at the State Historic Preservation Division. We issued a determination on this project, I think the letter, dated August 21, and our determination under Hawaii Revised Statute 6E was that it was an adverse impact on a historic place. No mitigation was offered because we wanted to acknowledge that before anything was done. That's where we -- that's where we stand on this. But it is certainly an adverse impact to a historic resource that is the three structures you see here but then the resource that is the community of Lana`i City, which whether or not is actually designated at this point as a historic district, is a resource unto and of itself. I mean under 6E-42 we look at all structures privately owned and, like I said, it is an adverse impact to the district and to the three structures.

Chair Hutaff: And, basically, because it's more than 50 years old and it has some significance to that but it's not designated as a historic district as yet.

Mr. Gushard: Yeah. We, under 6E-42, we review things and make determinations and comments regardless of that.

Chair Hutaff: Okay. Anybody have any questions for Mike? Go ahead.

Mr. U`u: So you guys a state agency?

Mr. Gushard: Yeah. We're the State Historic Preservation Division.

Mr. U`u: You know, just to give one heads up, the state is probably the worse at maintaining their own buildings. It's pretty remarkable you send out one letter to follow and adhere to but, yet, I feel you guys the worse, and it's definitely a fact, but so it's easy to send a letter, which I respect your letter, but you guys should read the letter and use it 'cause you guys demolish some buildings that should have never been demolished here on Maui.

Mr. Gushard: In the defense of my division, and not the state, I won't try to defend the rest of the state, we send a lot of these letters to our associates in other divisions of the state, we fight a lot of battles, even with DLNR, which we're housed in, so I agree with you.

Mr. U`u: But good letter. Don't get me wrong. But we see a lot of development and the state, after we give comments, are the very ones that don't follow our comments, and it happens right here on Maui. So I hope you as passionate as you are, to be fair with everything that goes through you guys and come here to us 'cause I would rather see it ...(inaudible)... the school, the old school that was in Kahului, I passed by and it's gone. I think that was a substantial loss.

Chair Hutaff: That was huge.



Mr. U`u: That was huge.

Ms. Chandler: Yeah.

Chair Hutaff: Every time I go by the empty lot, it just tugs.

Ms. Chandler: Yeah. Chair? Thank you, Bruce. You are very fair. I appreciate that. Always fair. And what we're talking about is specifically a lot of demos come from DAGS on Maui so if you have any say, you could talk to somebody who has a say. This Commission gets a lot of state demos and it's a good point.

Mr. Gushard: We should be or do comment on all of those, and I mean, hopefully, you guys see that or ...(inaudible)...

Chair Hutaff: And to comment and to kind of let him off the hook, okay, he is semi new, but he is also a, I forget how I put it today but let's put it this way, is he's got a lot of sharp teeth, he doesn't show them much, and since he's going to have an opportunity to speak a little later about the CLG, maybe those kinds of comments and questions can be done then.

Mr. Gushard: You know, and I don't like to make excuses but I think it's fair to point out our division has been understaffed, beyond -- I mean it's understaffed now but it's like normal understaffed now, it's been super understaffed in the past, I was hired, in part, to rectify that so, you know, there may have been things that kind of slips through the cracks, I'm hoping that we put a stop to that.

Chair Hutaff: And regarding this, can you tell us where the state might be as far as moving forward with trying to make this a historic landmark or historic area?

Mr. Gushard: I can say that we support its nomination, but I can't speak to where we are in the process.

Chair Hutaff: In the process. And the state itself, as far as demolishing this, it's to -- to make sure that we're kinda correct on this 'cause now you go from public to an official making a comment on that, is that your recommendations are not to demolish?

Mr. Gushard: Yes.

Chair Hutaff: Okay.

Mr. Gushard: We -- I mean we would prefer not to see an adverse impact to a historic resource.

Chair Hutaff: That's why, the adverse effect. Okay. Anybody have any comments before we release the public testimony and the state at the same time temporarily?

Mr. U'u: Thank you.

Chair Hutaff: Okay. Okay, Ralph, would you -- yeah, Stan?

Mr. Solamillo: Sorry, but this is made in all attempts to be fair. I wanted to direct everyone's attention back to the letters, since there were comments issued by a member of the Commission ...(inaudible)... cast dispersions from letters which emanate from somewhere else. The first letter, if I may, I'm not going to read the letters, I'm just going to read the names at the bottom and provide some explanation: Kepa and Onaona Maly, and Kepa is the Director of the Lana`i Cultural and Heritage Center, and he provided a lot of historical background that actually -- and assistance to this office; Lisa M. Galloway, PhD, from Lana`i City; Diane Preza, from Lana`i City; Sally Kaye, from Lana`i City, although she does not indicate her address on her letter; Susan Osako, from Lana`i City; Historic Hawaii Foundation, which designated the town one of the nine most endangered places in Hawaii, that does emanate from Oahu; Melvin Catiel, from Lana`i City; Astrid M. Liverman, she was with SHPD, she was the architectural branch chief in 2008 and surveyed half of Lana`i City along with myself, so that letter comes from Colorado; William G. Munro, he's a descendent of a manager of Lana`i City, he says he's the son of Hector G. Munro, who is the original employee of the Lana`i plantation, so his letter emanates from Cottonwood, Arizona; Kathryn Ladoulis Urban, she is an architect, a preservation architect from Oahu; and the last one is from Dr. Francine Palama, and she's another architect from Honolulu.

Ms. Chandler: Thank you, Stan. And so, again, all of those letters were received with a subtitle at the top indicating to our Commission that they want to preserve these buildings.

Chair Hutaff: And to finally get around to answer your question: What are we here for? Okay. As I see it, okay, we are here as part of the preservation of all kinds of things that have to do with the history and the culture and with a minimum of 50 years and older, okay, that's our role. Buildings are part of that; viewscapes are part of that; landscapes are part of that. And so that's what our role is is to be sure that everything that we can possibly do, from the county level, from the state level, and from the Commission level is to try to mitigate how we preserve, how we educate people, how we handle ourselves, how we, you know, make suggestions or recommendations. We are not allowed to say yay or nay, okay. Okay? But -- and I think that's all -- we all kinda, you know, stood for so our voice is important, a rationale is most important, and our ability to communicate the importance of preservation to people who automatically come here in disagreement with that, okay. They don't say, "Tear it down." Done. I get it. Okay. So the arguments that we have need to be within the framework of preservation, okay, and why it's important. With that being said, remember that we only have the ability to make recommendations. Before I go any

further though, do you have anymore that you'd like to say or you're comfortable with everything that you've said?

Mr. Masuda: I just have one thing to say about the speaker from SHPD. Adverse impact of a new structure would be on the termites, the mildew, and the mold. That's what would be the adverse impact but that would be replaced, the structure would be replaced, but the design may be the same.

Mr. Osako: When you say the design will be the same, it'll look like this?

Mr. Masuda: It could be like that.

Mr. Osako: Not could be, will it?

Mr. Masuda: No. I said it could be because the county has certain design guidelines.

Mr. Osako: Okay.

Mr. Masuda: If this Commission would like to mandate us to follow that, they can try, but we have certain design guidelines that we have to abide by. That's the county ordinance.

Chair Hutaff: Thank you.

Mr. Osako: I would be more amenable, personally, if they would guarantee that they would build something that would represent these buildings, not something that goes by the Lana`i City guidelines, which would be something different.

Chair Hutaff: Maybe when he speaks to Mr. Ellison and their staff, maybe he could ask them if they could make that guarantee.

Mr. Masuda: We can.

Chair Hutaff: I don't think he's in a position to make a guarantee, okay, just like I can't guarantee the outcome of any vote here, I would want one a certain way, but it doesn't mean that that's how it's going to play out. Am I correct?

Mr. Masuda: That's correct.

Chair Hutaff: Yeah. I believe that that's what he's trying to say is --

Mr. Masuda: We can raise the question.

Chair Hutaff: He can't -- yeah, he can raise the question and he can say what he'd like to do, what he thinks he'd like to do, but he can't guarantee it.

Mr. Osako: Unfortunately, when you bring a message that you don't like, the messenger gets the flack.

Chair Hutaff: And we don't apologize for that.

Mr. Masuda: I know.

Ms. Chandler: I apologize ...(inaudible)...

Chair Hutaff: Okay, where we go from here, obviously, we get to make some kind of recommendation; naturally, the good, kind person here who make sure we follow all the rules, I'd like to ask her for her suggestions on where we should go from here.

Ms. Thomson: Given where these demo permits are in the process, there in the historic review process, and the Planning Department is working with SHPD and will need to work with the landowner regarding possible mitigation commitments. It's midstream is what I'm trying to suggest. So some of -- some the options, perhaps, for this board at this time would be to, you know, recommend that SHPD and the county work with the landowner to develop mitigation commitments and if you're so inclined to suggest what you would prefer, which is, you know, from preservation of the homes or something less, you know, and Stan can better explain the mitigation options. And then I've also heard, you know, talking about wanting the Planning Department to continue to reach out to the landowner to educate the landowner as to the importance, the historic importance of the whole region, which also include these structures, so you might be able to phrase your recommendations along those lines if you'd like.

Chair Hutaff: Comments? Stan?

Mr. Solamillo: Your lunch has arrived. Do you want to break for it?

Chair Hutaff: Okay. Yeah, basically, I'm just going to see, does anybody want to sort of take action on these things? I think the recommendations that she's alluded to are pretty much what I've been hearing here, okay, that we -- that we entertain the owner, through the proper channels, okay, he's going to -- if we could ask Mr. Masuda there to guarantee, not try, okay, to do those, and then we take no other recommendations at this point other than those three suggestions or recommendations until we hear back from Mr. Masuda via letter, or in person, or however the county would like to have that done. Bruce, before I go?

Mr. U`u: No, before you say, I would like to hear comments from Ralph.

Chair Hutaff: Some more comments?

Mr. U`u: Yeah, from what we are --

Chair Hutaff: Oh, okay. Sure. I think that's very appropriate. But let's kind of get, in the discussion part, let's try to see if we can formulate a motion, okay, and then see if we can get it second or discuss it, and then during the motion, I'll break protocol and ask Ralph to comment on those things so he has a clear understanding of what we're trying to move to. Okay. Would that be okay?

Mr. U'u: I would rather want to hear from him prior to the motion.

Chair Hutaff: I'm game. Anybody else? Everybody okay with that, or you guys want to sit and eat lunch, or you want to listen to him some more? Did I close it? No, not really. No. I haven't yet, but we have really gone through the motion process yet either. Yeah, okay, which is why I kinda left it open so that Mr. Masuda could -- do you have any comments? You've kind of heard what we've planned to probably maybe do if we all agree. Any comments to that effect?

Mr. Masuda: Yes. I wanted to find out from Corporation Counsel what are you talking about when you say "mitigation measures?" How can we mitigate this? Does that allow new structures?

Ms. Thomson: Stan, did you want to go over the kinda five options for mitigation commitments?

Mr. Solamillo: Five options - sounds ominous. Option number one: Preserve the building in place. You have your previous owner, your previous boss did one of the best things for Lana'i City, which was to have it designated by the USDA as an LMIC community, which is the Low to Moderate Income Community, which, under the Newt markets tax program, gives you 39% of tax credits that may be recoverable through syndication. Now, this is a historic structure. It was so designated. We know -- we're kind of hedging the bets right now because everybody says, well, they're significant, but if they're officially designated as historic structures, which takes an application to the National Park Service, then you have 20% HP tax credits, which you combine for 59% that's recoverable, okay, through syndication, selling the tax credits via a broker on the Mainland. So if you invest 40,000 into building no. 1, located at 605 Lana'i Avenue, you get \$23,000, which is available for you to recover. This Commission has seen buildings like or complexes like the Fred Baldwin Memorial Home that came in and that was a total of one, two, three, four, five, six, seven buildings, which were rehabilitated, and those were the uses of tax credits specifically. So that's option number one.

Option number two is something that the Commission is talking about, I don't know and that would have to be actually checked, which is to duplicate or build a replica of the current building if they were demolished and HP, you know, cultural resources and historic preservation law work from the standpoint of saving buildings and not specifically in doing reconstructions. Typically what happens when they go through a mitigation process for an adverse effect because we all recognize the demolition of a historic property is adverse,

it's not a good thing as far as cultural resources are concerned, you have what we "HABS, HAER documentation," which is documentation which meets the standards of the Historic American Building Survey or the Historic American Engineering Record. This is a building so it comes under HABS. HABS is divided, typically, into three levels, and we've discussed this at Commission on several occasions. HABS Level 1 is full mitigation, and that means you have measure drawings, which are prepared for every -- for the building, that includes elevations, floor plans, longitudinal and transverse sections, and details; then you have a narrative report, which documents the history of the building; and then you have archival photographs which are taken of the building, typically, exterior as well as interior photographs. HABS Level 2 is an option that follows HABS Level 1 except the company has actual original drawings of these buildings, so that would be original blueprints that were supplied to the Honda and his hui when they first constructed the double houses in Lana'i City. And then HABS Level 3 is usually the lowest level or category for documentation; that's archival photographs as well as floor plans only. Let me backup to HABS Level 2. If you have the original drawings, you accompany those with photographs as well as a narrative report and that will take care of your HABS Level 2 documentation. So right now, we've done -- that's typically what we do for mitigation. Those are your options.

Mr. Masuda: Does that mean then the exterior of the structure would have to match the whatever is going to be demolished, and not the interior?

Mr. Solamillo: Correct. Even if you did the existing building, if you gutted it, even under a certified rehabilitation, all that would be important would be what is visible from the public right-of-way. So interior, you could cover the walls with mirrors and put up a revolving ball and have a disco if you wanted to go so far, but it's what is visible from the public right-of-way because that's what's important about Lana'i City, these houses, how they look, the siding, the relationship to each other and to the street.

Mr. Masuda: Okay. That's good. Well, like I said, we can take this back and discuss it more among the company representatives and we will respond to -- are we going to get some kind of a recommendation letter from --

Chair Hutaff: We're going to have to come up and make sure that we -- well, first of all, I'm going to close it off to public testimony, okay, and thank you. You've been standing a long time. You're a very strong man. Why don't you have a seat, okay. Thank you for your patience on that. And I think that we need to determine: one, if a motion's going to be brought and, two, if so, what is that motion to be.

Ms. McLean: To clarify what Richelle had indicated earlier, the Cultural Resources Commission's role is to make a recommendation on the demo permit process, that recommendation goes to DSA; at the same time, SHPD has their role and they're really the ones with the authority to determine mitigation, and what Richelle was suggesting, I know there was talk about possibly deferring, what Richelle was suggesting was that it might be

a better idea to make your recommendation so that SHPD knows what your recommendation is as they proceed with discussions with the applicant on mitigation. So if, you know, what I've really heard is that you want them to be restored, that you don't want to see them demolished, and if that's your recommendation, then that should be your recommendation. That's about as strong as you can go. Regardless of what the discussion with the owner is going to be, I don't know that that would change your minds. So, you know, I don't think that's what the -- I think the applicant would still like to proceed with demolition but, at the same time, I don't know that having a meeting on Lana`i is going to change your minds, or getting input from the owner is going to change your minds. If you want to see those structures preserved, then that should just be your recommendation.

Ms. Maluo: I don't know if we've passed this point but if in our recommendation - I too feel that the people of Lana`i should be heard, but Mr. Ellison should hear them, not his representatives, you know, 'cause this is the kind of effect it has on people when you actually hear what the voices of Lana`i are saying - so is there a way that we can make a very strong recommendation that if there is a hearing on Lana`i, that he show up? And maybe there is a commitment from the people of Lana`i, just like they did with the church, you know, that we can restore these buildings, but I think it's -- there's less of an impact when the word is delivered by representatives. That's all I have to say.

Chair Hutaff: I actually strongly agree. I also think that the landowner should be aware of the Varian levels of options, okay. We, again, I'm not going to speak for this Commission at this moment, but based upon my personal feelings and the fact of who we are, that approving a demolition is not going to help. Recommending approval is not going to help. Okay. But there are a couple of different levels and I would hope that, you know, Mr. Ellis would get the information. I know that in some of the Lana`i meetings it was video taped that other people who weren't at the meeting could see and hear what was going on. There's lots of ways for, you know, Mr. Ellis to get the information through his management team. Everything will go. I mean, you know, he's kinda got a couple things to do, and a couple nice airplanes, and a couple nice sailboats, so usually people in that kind of position are sat down at one point and then they're given information; the information is assimilated, put together, and given to him in a very quick form. We have our three-minute, you know, thing where we give the people can only talk for three minutes. Based upon his time, everybody may only have a minute to talk, okay. He's got a lot to do that day. So the impact of how he receives the information is important, and how we make the recommendations, okay, can emulate that. Alright. How strong we make the recommendations, you know, Mr. Masuda has, you know, committed, okay, from what I understand, to getting that information to his staff to get to him. We have no control over whether it gets to Mr. Ellis or not, okay. But I think that if it's -- if we make our recommendations correctly, if we do make any, that that can be part of our recommendation, okay, that he get this information in hand, not the management team make the decision and come back to Mr. Masuda. We ask that of him. That's all we can ask, okay. And I think that also hearing Mr. Ellis if he could the words of the people from the people by any means possible, whether it be video tape, whether it be Skype,

whatever, just so that it can happen, okay. We have to understand that if we ask too much, we get nothing. If we ask too little, we get too little. So to ask the balance is what we're asking Ralph to try to figure out what the balance is if we make that kind of recommendation. So -- and I don't think we need to go to Lana`i, at this point, in order to do that, although I think that it's important that the people of Lana`i know that the County of Maui and the Planning Department, okay, and the Cultural Resources Commission wants to hear their words. From that standpoint, I'd recommend that we do go to Lana`i. Anyway, back to any recommendations. Shall we have her read back off what she came up with and then make sure that we're on the same page, modify it to our own words, or would someone like to make a motion otherwise? Just look at it this way, the quicker we do this, the sooner we eat.

Mr. Kubota: Actually, one of the recommendations was that we say that we're against demolition.

Chair Hutaff: So one recommendation is that we're against demolition. Okay.

Mr. Kubota: And tie that in with and we strongly recommend that Mr. Ellison be informed about the depth and extent of the Lana`i community's opposition to demolition of these buildings.

Chair Hutaff: So that's two recommendations. Okay. Anybody else?

Mr. Kubota: I think those were the two key points.

Chair Hutaff: Those were the two key points. Anybody wanna add to that, subtract to that? Somebody else want to put that into a motion based upon what he said?

Mr. Osako: I'll give it a shot. I would like to make a motion that the Commission deny the demolition permits at this time and that every effort is made for open communication between Mr. Ellison and the community of Lana`i and also with the historical preservation community because while it is important to the people of Hawaii and the United States that we are all a part of.

Ms. Thomson: May I say something?

Chair Hutaff: Yeah. Go ahead. I know what you're going to say.

Ms. Thomson: I just wanted to clarify that approval or denial of the demolition permit isn't within this body's purview, so you can recommend that --

Mr. Osako: I believe I did say "recommend."

Chair Hutaff: No. You didn't.



Mr. Osako: No?

Chair Hutaff: But if you meant to say it, that's fine.

Mr. Osako: Yeah.

Chair Hutaff: We'll write that in. Okay, anybody else want to second that part of it? Anybody want to second? That was a motion. Am I correct?

Mr. Kubota: Yeah. I'll second it.

Chair Hutaff: Okay, seconded. So, one thing I think before we even open up for discussion is we're going to make sure that that term "deny" is removed from the recommendation and that it be "recommended" that we don't -- that it not be approved. Okay? Anymore discussion?

Mr. Kubota: We can recommend the denial.

Chair Hutaff: Yeah.

Mr. Kubota: It's the same thing in different words.

Chair Hutaff: Yeah, we have to use different words.

Ms. Thomson: You may want to rephrase to recommend that the building not be demolished.

Chair Hutaff: Right. Yeah, that's what we said. Okay. Yeah, if you can correct that one part, please, just to be --

Mr. Osako: Okay, I would change "deny" to what? That the building's not be demolished?

Chair Hutaff: Recommend that no permit be --

Mr. Osako: Oh, recommend that no permit would be issued for demolition of the permits?

Chair Hutaff: Are we good there?

Mr. Kubota: The buildings.

Chair Hutaff: We have the idea behind it?

Ms. Thomson: Whether or not DSA cannot approve a demolition permit is -- it would be based on different grounds but I think your recommendation that you do not want the

buildings demolished, that you want other mitigation would be appropriate, an appropriate recommendation for this body.

Chair Hutaff: Okay. If I could add one thing to that recommendation, and that's Ralph receive the recommendations in writing as soon as possible. Okay.

Mr. Thomson: Ask for the motion to be withdrawn and amended and rephrased.

Chair Hutaff: How about if we -- okay it -- I would like that motion to be rephrased to include the fact that Ralph, Mr. Masuda, receive our recommendations as quickly as possible. I would also like to see the motion amended to where we be sure that the State of Hawaii gets a list of what we've talked about here, gets these recommendations, okay, before we -- can I get someone to modify that? Go ahead ...(inaudible)... instructions. Okay, so we've got a motion, it's been seconded, am I correct? And we don't need anymore discussion?

Ms. Thomson: Because there's been quite a bit of back and forth, you may just want to have him make or restate his motion so that we're all clear about what exactly it is.

Chair Hutaff: Okay, before lunch, guys. I'm sorry.

Ms. Chandler: Okay. Alright. Could I make a motion?

Chair Hutaff: Go ahead.

Ms. Chandler: I would like to make a motion that this Commission recommend that no permits be issued for the demolition of these four buildings and that Mr. Ralph Masuda receive our recommendations as soon as possible and convey to the company and owner, Mr. Ellison, that there is community support for the preservation of these buildings and that those same recommendations be forwarded on to SHPD, and also that Mr. Ellison, in some way, directly connects with the community to hear from them their feelings about these buildings and what these buildings also represent in terms of, you know, their holistic feelings of preserving their communities.

Ms. Maluo: I'd like to second.

Chair Hutaff: Okay.

Mr. Kubota: We have two motions.

Chair Hutaff: Okay, we've got -- what do I do? Okay, I'm going to make one of those executive decisions that says this current motion, okay, is in response to the first motion so this one, this last one here, supercedes it, just to clarify.

Mr. U`u: Just withdraw the motion.

Mr. Osako: I will withdraw my motion and go with --

Chair Hutaff: I like that idea.

Mr. Kubota: And I'll withdraw my second.

Chair Hutaff: Now we just have one motion onboard. Boy, I better eat soon. Okay, so anymore discussion? Am I going to be legal after this? Are you okay with all of this?

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

***It has been moved by Commissioner Chandler, seconded by Commissioner Maluo, then unanimously***

***VOTED: that the Commission recommend that no permits be issued for the demolition of these four buildings; that Mr. Ralph Masuda receive our recommendations as soon as possible and convey to the company and owner, Mr. Ellison, that there is community support for the preservation of these buildings; that those same recommendations be forwarded on to SHPD; and also that Mr. Ellison, in some way, directly connects with the community to hear from them their feelings about these buildings and what these buildings also represent in terms of their holistic feelings of preserving their communities.***

***(Assenting: R. Chandler; R. Hutaff; G. Kubota; K. Maluo; W. Osako)  
(Dissenting: B. U`u)  
(Excused: I. Ka`ahanui; M. Kanuha; B. Sarich)***

Mr. U`u: I going oppose and I'll state my reason.

Chair Hutaff: Please.

Mr. U`u: I like what you guys did and but I would have used the words "encourage rehabilitation," and not so strongly oppose. I know the importance and I hope it pulls off where they keep it, and they don't demolish, but I feel property owners have a right, I also feel that Lana`i is being not treated fairly because we had a lot of demolitions come before this Commission and we did not ask anyone of them to go through this of what we're asking and I think it is unfair; in fact, I know it's unfair. But, again, I understand the importance. The Fred Baldwin Memorial Home went three times over what they exceeded to be the cost. I know that. I talked to the owner. So you can have all these credits, but when it goes three times over, it hurts everyone, including him. He had to ask Olson

Investors to invest in his property to finish it, but then again, we hold Lana`i at a higher standard because they have the money. I fall into that predicament because I did breakdown one house that was 50 years old, called the "Hale `Aina," on our family property, and we didn't restore it. I broke it down and I rebuilt it. And my kids and my grand-kids love it just as much now as it did when I was young, but it's more functional right now being more modern. It's a lot more functional than it was 80 years ago, and it serves the same purpose as it did, it's a family house, and it's still enjoyed by everyone, and I think that's -- that's my outlook on -- I no put so much emphasis on a house as I do the place and the people, and the house is material; the place is not material; the people in there. It's the living people, which is my mom right there now, it's the same people within that place that makes it happen, and not a structure, and it's a better structure now. The house right now wouldn't pass code. That's for sure. You got lead. You got everything. And but, again, I hope you guys succeed where they restore the house. That's my hope. But my initial would be to encourage to renovate or restore, which is what states as what we do in the Cultural Resources Commission. This is what it states we do. What is our body do? Encourage. That's our job by law. This is what it entails. And at times, we don't follow that to the T but that's my mana`o and I respect your guys' mana`o on top of that.

Chair Hutaff: That you so much for that comment. I believe, with my vote, it passes. And thank you --

Mr. U`u: You're welcome.

Chair Hutaff: So much.

Mr. U`u: We still can eat.

Mr. U`u: We can go eat now? Why don't we come back 1:30? Give everybody time to eat and relax, and we'll start with the good stuff. Thank you.

*(A recess was called at 12:40 p.m., and the meeting reconvened at 1:31 p.m.)*

Mr. Solamillo: Good afternoon. Under item F, Presentation, Michael J. Gushard, Certified Local Government, or CLG, Coordinator, from the State Historic Preservation Division, in Kapolei, is here to speak with you, and he's going to be presenting a few items on the Hawaii and, specifically, the Maui County CLG Program. So, please, let's welcome him.

## **F. PRESENTATION**

- 1. MICHAEL J. GUSHARD, Certified Local Government (CLG) Coordinator, State Historic Preservation Division, Hawai'i Department of Land and Natural Resources presenting on the Hawai'i and the Maui County CLG Program.**

Mr. Michael Gushard: Hey, you guys all look familiar. So, yeah, I'm Mike Gushard. I was an Architectural Historian about, I don't know, an hour ago and now I'm the CLG Coordinator at the State Historic Preservation Division, and the "CLG" stands for Certified Local Government. I'm not sure exactly how much all of your specific familiarity with that term is, but the Certified Local Government is a program that was created by the National Park Service and it's a partnership between SHPOs, which is what SHPD is, it's SHPD in Hawaii and SHPO in every other state, we're special, local governments and the National Park Service, and the idea was that it would kind of institutionalize the idea of historic preservation in local governments, and the way it does that is with -- like creating a commission, like your own, and historic preservation ordinance that commission has oversight over, but then there's also kind of a nice carrot that goes along with it, grant money, essentially 10% of our federal budget has to be passed through to the CLGs, and Stanley actually has some examples, some slides of projects that have going on right now, right?

This is a structural assessment for Kaahumanu Congressional Church. This was a CLG project that we funded this year. Another one that we have going on is kind of schematic nomination of temples, parsonages, and language schools, which is great because one of the things that the National Park Service and really everyone in preservation has been trying to do is kind of broaden the horizons of what we look at, interpreting what we look at preserving and passing on to future generations. And the Hana Courthouse and Jail structural assessment, similar to the Kaahumanu project. And the types of projects that it can, the funding can fund is anything essentially that's not bricks and mortars, studies, structural assessments, walking tours. I think the year before last, or maybe last year, a walking tour was done of Wailuku's historic center. HABS documentation. Anything that isn't directly to preservation of a building through like bricks and mortars, essentially.

Chair Hutaff: So fishponds and --

Mr. Gushard: Well, you couldn't restore the fishpond, but you could do a study about the fishpond, about how to restore it or you could do some kind of interpreting, interpretation of the fishpond, or even a public education project about a fishpond. A kind of innovative project that was done I think two years ago in Oregon, which is where I moved here from, there's a town of about 500 people called "Scio, Oregon," and they funded for just like a thousand dollars video project for the local high school to do about history in the town. So it's very broad the types of things that it can be -- that it can fund.

Ms. Chandler: Yes, I have a question about this.

Mr. Gushard: Sure.

Ms. Chandler: We went to a conference last year where there was a presentation from a lady from Washington and she had a computer software named "Wizard" --

Mr. Gushard: Yes.

Ms. Chandler: And would this be able to pay for something like that to be done?

Mr. Gushard: It might be able to. I'm kinda getting into the nitty-gritty of the way the grant works. That is not an ideal project for it because that -- the NPS would look at that as something that benefitted the SHPO as opposed to a specific CLG but --

Ms. Chandler: Oh, that benefits us a lot.

Mr. Gushard: Oh no. It does.

Ms. Chandler: Oh, okay.

Mr. Gushard: It benefits you, generally, but they prefer, at least in the first year, they're two-year grants, and in the first year, they prefer that the money be sent on something that is within the boundaries of one of the CLGs. We have two CLGs by the way, Maui and Kauai.

Ms. Chandler: And I want -- one more question. You mentioned public education. We had talked about the Lahaina Historic District and how many people that live in the district that are not aware of the guidelines and the restrictions and things, and even like termiting and basic maintenance to prevent demolition, could we do a public outreach campaign to Lahaina with these funds?

Mr. Gushard: That would absolutely be the type of project that could be funded with CLG funds, yeah. And the application period for the 2013 funds is starting -- coming up at the end of September so we can start talking then about -- about what we might want to do. The other reason that I'm here, and we an kind of just have a general conversation after this if you want, is to talk about training opportunities for you and the Commission. We -- I met Ray not too long ago. We had the opportunity to send our two commissioner -- commission chairs to the National Alliance of Preservation Conference Forum. I hope that was valuable. I hope. Afterward, I don't here ...(inaudible)... a waste of time but -- and I really do think it's valuable just to make sure that everyone on all the commissions, both of the commissions are kinda on the same page, and to make you guys as effective in your role in the community as you possibly can be. So if there are specific topics that you know you would like to have training on, I mean that would definitely be something I'd like you to let me know about I mean now or you can, you know, any of you can email me or tell Stanley, we're in contact.

The other -- we were talking about public education. I'm hoping, and I'll be in touch with Stanley about this in the future and, hopefully, through him you all, to have some kind of a historic preservation 101 for the two CLG communities, so not just for the Commission, but in the actual communities to kinda build capacity and advocates for historic

preservation among the people who, you know, aren't on a commission or whatever. I think that would really benefit like Lana`i when we were -- we had the whole conversation about watching things kind of be demo'd by neglect essentially, if we can get the community involved and get them to understand the process, that would be a great thing. That's something I'm trying to do with kind of expired CLG funds. You wouldn't necessarily have to apply for that as a project so --

So, yeah. Do you guys have any questions about the program or anything, I'm happy to discuss it with you. My main goal in coming here was just to say "hi" to everyone and see what everyone looks like. I feel like once you've really actually met someone, you can -- you work a lot better with people as opposed to just a name and email.

Chair Hutaff: Maybe you can answer a question that I haven't asked yet to anybody else, I wanted to wait until this meeting, but on the forum that we went to, they gave us out the little thumb thing.

Mr. Gushard: Oh, the thumb drive?

Chair Hutaff: Yeah. You know, I'd like to make copies of that and give it to the Members for them to look at at will, throw it away, whatever, you know, but there's a lot of really good information there. Do you know if I have to get specific permission to do that or do you think it would just be a good idea to ask?

Mr. Gushard: It would probably be a good idea to ask. I really assume, this is my non-legal opinion - sorry, Corporation Counsel - that they would like you to do that. They would like that information to be shared.

Chair Hutaff: And Paul Adu would be the -- or Purdue, or whatever his name is.

Mr. Gushard: Trudeau, yeah. Yeah, he would be the person to ask.

Chair Hutaff: Okay, I wanted to wait till after this was done because he was trying to work on the historic preservation -- I mean not the historic preservation, but the neglect part of it --

Mr. Gushard: The demolition by neglect.

Chair Hutaff: Separate some pictures and stuff like that. Well, I'll ask him and if I get approval, which I believe we will, I'll give everyone a copy of that, the flash drive. It's got some good highlights in there. It makes for, you know, wonderful coffee reading.

Mr. Gushard: You know, and just as an aside, but I feel like standing up here and talking about the CLG without talking about how Maui is kind of my gold standard CLG, and I only have two, not bashing Kauai, but talking about how great Maui is, you know. You guys

have had a series of really good projects for the last few years. For at least the last three years, you guys have kind of been the CLG program in Hawaii so there's a lot to be proud of there.

Ms. Chandler: We should thank Stanley for that.

Mr. Gushard: Absolutely.

Ms. Chandler: Thank you, Stan.

Chair Hutaff: Okay, if we're going to thank him, we need to demand twice more.

Mr. Solamillo: I'm getting old.

Chair Hutaff: Cool. Well, you know, I personally -- my side of this is, you know, I did meet Mike, we did have some, you know, conversations outside of our job description, and I wanted to tell you he's like a really right-on guy. He answers most of my texts with a positive ...(inaudible)... or ignores them. Kind of what I'm trying to say is that, you know, somebody who's on it as far as the CLG program to assist in and getting things done, I haven't met anybody within the system that lives up to you.

Mr. Gushard: Oh, wow. Thanks.

Chair Hutaff: And that's my personal observation.

Mr. Gushard: It's ...(inaudible)...

Chair Hutaff: ...(inaudible)... Anybody have any questions for him?

Mr. Gushard: And, you know, you're not limited to now to ask questions. I apologize, I don't have my business cards with me. I'm new to being an adult so I'm not used to bringing them around. But my email address is on the SHPD website; Ray knows it; Stanley knows it. I'm always open to asking questions. One of the advantages of -- most states have 50 or, you know, a couple of dozen CLGs; one of the advantages of Hawaii's situation in only having 2 CLGs is I feel I can answer questions more readily and kinda be an advocate for your guys on the Commission.

Chair Hutaff: And also part of your duties too, please correct me if I'm wrong, especially if I'm wrong, when we have questions about the Department of Land and Natural Resources and their projects that maybe we feel didn't come to us or have gone a little sidetracked, you're one that we can at least ask the question to and you can pass it on to the correct people or answer them?



Mr. Gushard: Absolutely. I mean that's not necessarily in my job description as CLG coordinator, but I feel just as an employee of SHPD that that's something that I'm open to and happy to do.

Chair Hutaff: Cool. And since we all seem to be -- give projects to people, right, Stan? So you mentioned the education of people, so you can come up with a lesson plan, we expect it by the end of the month.

Mr. Gushard: I'm hoping to out source that to someone else, someone who's an expert in doing that so --

Chair Hutaff: I'm just asking for an outcome. I don't care who does it. Thanks, Mike. I appreciate it.

Mr. U`u: Thank you.

Mr. Gushard: Thanks.

Mr. Solamillo: Before he steps off the podium, I wanted to compliment Mike because he arrived on the scene when SHPD needed somebody really to get in and manage the CLG program, and we benefitted from his assistance in getting some pretty important projects, such as the Kaahumanu Church structural assessment, these were really major projects, that is a major landmark, and that's like the symbol of Wailuku, and if it hadn't been for his assistance, as well as our Deputy Director, who found the match here in Maui County, you know, that wouldn't be happening, so it's huge. So my kudos and thank you cannot go far enough.

Chair Hutaff: Remember now, now that we've thanked him, put him to work. Thanks, Mike.

Mr. Gushard: Thanks a lot.

Chair Hutaff: Before we go on to, I believe, the next part of the agenda is the Director's Report, okay, I noticed that Council Member Cochran is. Did you have something you wanted to say to us?

Council Member Elle Cochran: No. I just came to observe. Thank you.

Chair Hutaff: Okay. Cool. We're not on our best behavior so don't take it --

Mr. U`u: Question. Question.

Chair Hutaff: Yes?

Mr. U`u: So the funding for Kaahumanu Church --

Chair Hutaff: Yes?

Mr. U`u: When it's going to start to -- what is the funding for?

Mr. Solamillo: This is just for a structural assessment because if you look at the church, the tower has been leaning and we're concerned about -- there had been a front-page story last year that came out and said that it was decaying and deteriorating, so there was a structural engineer that had been doing some work with the church and we were able to fund the structural study to see what's wrong with it and then what needs to be done to fix it, and that was the most important thing that the church didn't have the funding to do. So once we know what needs to be done, then it can be cost out, and then -- then it's a fundraising situation. But without having any knowledge about where the weakness it within the structural system, because the tower I think was put up in 1878, or something like that, it comes like 40 years after the church has been built, and that's what needs to be looked at.

Mr. U`u: ...(inaudible)...

Mr. Solamillo: Yeah. So -- yeah. I mean the clock, I've got some incredible pictures that will show this Commission, once the structural assessment comes out, the whole clock mechanism, the framing system within the tower itself is pretty incredible, and there's a -- I think there's an "1840" on the bell, and the bell was cast in Boston, so it's pretty incredible, but had it not been for CLG as well as our Deputy Director finding out match, you know, this would not had been possible so --

Chair Hutaff: I have a question about that because -- how did that assessment come about because I know that you had mentioned about it and I went and I tried contacting the church, and walked around the grounds, and knocked on doors?

Mr. Solamillo: We finally got to the kahu, I forget it finally happened, but we talked to Reverend Higa, he was the kahu, and --

Chair Hutaff: And you did that?

Mr. Solamillo: No. Someone helped me do it. I never do anything alone, someone always helps me, but --

Chair Hutaff: No. I'm impressed. I thought it was pretty much a lost cause.

Mr. Solamillo: No, no, no. It finally came together and it was -- the timing was incredible and --

Chair Hutaff: Perfect.

Mr. Solamillo: It was one of those Hawaii things.

Chair Hutaff: Yeah. Well, whoever it was, can you convey my appreciation?

Mr. Solamillo: I will.

Chair Hutaff: Thank them a whole bunch. That's cool. Great. Thanks. Okay, what's the next one? Shall we go on to the Director's Report?

Mr. Solamillo: You're one.

## **G. DIRECTOR'S REPORT**

### **1. Comments on National Alliance of Preservation Commissions Biennial Forum**

Chair Hutaff: I am on.

Mr. Solamillo: Yes, you are.

Chair Hutaff: Oh. Okay.

Mr. Solamillo: Your comments on the National Alliance of Preservation Commissions Biennial Forum.

Chair Hutaff: Well, if I can give you guys the flip drive, you know, get as many copies as they will allow me to do, it's really worth going over. Most of the classes that we went to were about 45 minutes long with about a 15-minute question and answer time, so it just kinda went fact, and we got a lot of highlights on things, but what was really important, for me and for others that went there, including somebody from the mayor's office, was to be able to network and ask questions. A lot of highlight information was given about, you know, demolition by neglect, about how to write letters to realtors to inform them of certain processes, how to encourage the Planning Department to make sure that the people who are out there watching and making sure that everybody's in compliance actually attends the meetings, okay, when we have or need to have and attend so that they understand how enforcement is never the goal, how prevention is a better goal to go out there and have somebody who is within the department and in charge of making sure everybody's in compliance and they know what the rules are, engage the people that are out there ahead of time before they start to tear down a wall or before they, you know, hire a contractor and all that, and the end result of those kinds of things is that the community, as a whole, comes together rather than have pockets of resistance, like the businesses on

say Front Street, and say, well, I wanna put up this sign, or I wanna do this, or I wanna do that, or I've already done this or nobody told me this. You eliminate that and you end up having a community within the historic district that actually works together with the same goals. So those were, you know, components of the meeting that I felt that were very important to what -- what we do here; also to, you know, address the fact of what our role is here as a Commission and kind of as a funny story, Kumu Leialoha, of Kauai, challenged, in a mild way, one of the speakers, and I thought it was an excellent challenge because the way he was presenting it was is that, you know, our role as a Commission is not to worry about the person or the individual or what their circumstances are, our role as a Commission is to protect the property or the place, and, basically, she goes, "Whoa, whoa, whoa, that is so wrong," and I'm doing it with hand motions too, okay, "on so many different levels. I can't even begin to explain it," okay. And we're in a room of about a hundred people, and a hundred people learned a very important lesson. Her lesson was is that just because my house has a roof, it doesn't mean that that's my home. The whole place is my home and we need to take care of each other, you know, and watch out for -- somebody's doing something that's not the best or wrong, you know, it's our obligation to protect their home and go up to them, hey, bruddah, no can. And she said it like that. And everybody within that meeting of a hundred people were so quiet because she had such a powerful message. And I think that to take that into, it kinda goes along with what Bruce is always trying to say, is that if we do more of the prevention, we never get to that point where we have to go and say, okay, we have to put the blinders on. Because we do. That is our role as commissioners. But if we promote prevention ahead of time, then we never are placed in a position where we have to make the decision only with blinders where we can help somebody assist with that.

There were projects that they talked about how funding works, how banks are trying to fund some of these historic places. It was very good. I talked to a lot of people about how do we, you know, submit places for to be part of the historic district, or become a historic district, or become a historic place, or something like that when it has no building on it because everything that went through over there talked about a building, okay. Right. You can add to a building that's -- and make it conform as long as you have the same siding, the same windows, or the same roofs. And I'm like, okay, so how does fishponds work? And believe or not, what end up happening was is that we were able to talk to so many different people at so many different times, over lunch and dinner, okay, that even my cousin who was there went on a dinner cruise with 80 people and they all came up to him and said, oh, you're with the fun Hawaiians, okay, because what we were trying to do was find out from everybody how they get these places nominated that don't have a building on it, i.e., from my point of view, was for the fishponds, for the heiaus, or even just, you know, places, open spaces that just have cultural or religious significance but don't have even a pohaku to say that's where, that's how, that's how come. Okay. And in doing so, we created a lot of interest and I've already heard back from about seven people including an individual, who doesn't want to be named at this particular point in time, from Washington who says can you explain a little bit more what you're trying to do, okay. From what they've all told me is all rules ...(inaudible)... presenting and many places with

historical values is already in place, okay. It's already there. They've got places that have graveyards that have been, you know, sectioned off. They've got empty areas that they say, okay, the Civil War Battle happened here but there's nothing there to remind anybody of it other than the open space. The problem is is that Washington, from this person's point of view, while he doesn't want to be named at this point, is that whenever an application comes across, they get so many of them believe it or not, that the first thing they look for is what the building looks like. If they don't see a building, they put it back in and goes where is the building? And move on to the next one because they're lengthy. If you read the short nomination for Lana`i and the one that Stan did on the churches, it's a huge amount of information that they have to sort through, and confirm, and make sure it applies. But in doing so, we were able to open up many parts of the country who are now asking Washington, because we were called the "fun Hawaiians" they want to help us out, okay, so now Washington thinks there's a thousand people out there trying to find out when it was really me, okay, and Mike, and Kealoha and -- or Ku`ulei, and I think that if anybody here ever has an opportunity to go to one of those things and to learn, if you're serious about preservation and the inner-workings and how other people think of things, you should take a look at that flash drive, when I get permission to use it, and make contact with people across the country because everything that you do here comes back here, okay.

A little short story, just to explain what I'm trying to say, is that being in a tour business, we used to have Dodge vans, and the doors opened like this, and if you're by a waterfall and they opened up like that, you couldn't get the people out to get to the waterfall, so there was a sliding door available but it was an option, okay. So what I did is I got on the telephone and I called 37 different states, 142 different dealerships, and I said I want 4 vans right now, I have the cash, but they need to have sliding doors. None of them had them in stock. Thank goodness. Okay. Now, Dodge standard is sliding doors. The option is the double doors. So we were able to change the whole industry of the Dodge manufacturing process for vans by having all these multitude of places who were going out there and asking about how do we do this and how do we that, okay, or how do we get this? With Washington, they're now getting people from Arizona, they're getting from New Jersey, they're getting Rawlings, North Carolina, they're getting people from South Dakota, right?

Mr. Gushard: ...(inaudible)...

Chair Huttaff: Yeah. So South Dakota. The whole, what did he say? The Commission, I think, exceeds the number of people that are in the community. But they're out there asking about Washington. So anything that you can do to gather information, but also to make contact with others out there, okay, will give you information and also make them aware of our issues here in Hawaii because the cultural differences, you know, are most apparent. And, by the way, that draft that we had for or the definition that we presented to the Planning Commission, okay, I shared that with everybody I could, including the National Park Service, including Paul from the National Association of Preservation

Commissions, shared that with my cousin who is sharing it with about 600 people right now, shared it with every good looking girl I could find who would listen to me for more than two minutes, okay, and let me tell you, they were all very impressed by what you guys, as a Commission, came out with. So in a nutshell, I'm not done with this preservation commission forum. I wanna share that with you. I'm going to share that with you with flash drives. And I know you guys have a lot to do in your own personal lives, but if you can for -- there's -- you can go through a slideshow in about 15 minutes, if you could do that once a week over a cup of coffee, you'd be surprised how much information is in there and how much you'll appreciate, and how we could help preserve and the people who own their own homes.

Ms. Chandler: Chair, you mentioned open space and being able to nominate areas that don't have a building or any kind of structures on them. That's, I think, called "traditional cultural landscapes," and we had talked about that and I wanted to find out, actually while an SHPD person is here, how best to go about nominating traditional cultural landscapes 'cause we had talked about that a couple months ago about even like coral reefs as being TCPs or TCLs -- TCPs, because of their, you know, use and function in the culture, and so I wanted to get some feedback from you.

Mr. Gushard: You know, and I apologize that I don't know off the top of my head which it is, but the National Park Service has actually written a *Bulletin* about it and about the way to frame the argument in the nomination, and I can't remember what it is, it's in the high numbers, and then there's another *Bulletin* that they have, they have all of these like guides for how to nominate thing, how to care for things, and I believe it's *Bulletin 34* or *36*, and that's about cultural landscapes, so not necessarily traditional properties where there's some kind of activity that happens, but landscapes that, in and of themselves, by being a landscape and organized the way they are, tell a story. So there's definitely -- there's a process for nominating those.

Ms. Chandler: So who helps us with that, and I don't want to ask Stan to do another thing, you know, but even if somebody could direct me how to do that, this came up when we were hearing about Olowalu from one of the developers, and we had talked about the importance of the coral reefs and maybe being able to nominate the landscape over there, but I would be happy to write any kind of, you know, nomination paperwork if I could have it reviewed or adhere to whatever guidelines are recommended.

Mr. Gushard: Our National Register Coordinator's name is Dr. Ross Stevenson. His -- I think his email is [ross.w.stevenson@hawaii.gov](mailto:ross.w.stevenson@hawaii.gov) You can ask Stanley for that. You can also just contact me and I can pass things on to him, but he'll, you know, he'll be your contact of going through the register process regardless of what it is, and then the information in the National Park Service Brief about traditional cultural properties will be the best information that you can get on how to write that, write a nomination like that. Another person to possibly talk to, every state is assigned a reviewer at the Park Service, they have

zones, our's is named Paul Lusignan, and since he would be the one reviewing it eventually, after it got to the state, he would be the person to talk to too.

Ms. Chandler: And so one of the qualifications of nomination is the property owner agreeing to that, and if the property is the ocean, is the property owner the state?

Mr. Gushard: You know, I don't know where the boundary is, but I assume that it would be the state.

Ms. Chandler: Okay. Alright. Thank you.

Chair Hutaff: Also too, in some of the communication back from the people in Washington and stuff, my question was that: How do I begin? And he had -- the person I spoked to actually had known about the Lana`i nomination, so I believe we all have that in our packet, if you take a look at it, he said the most important thing you need to do is to begin to tell the story. He says the sooner the begin to jot things down, have it, you know, not necessarily verified, but where you got the information from, how significant is the information from that person that when you do, it'll help you fill in the blanks, and they'll have less questions. And he did say the same thing that Mike said is run it past the state guy first 'cause they, you know, they get it, we don't. So as far as the Commissioners, does anybody have any questions about anything?

Mr. Solamillo: I had a comment.

Chair Hutaff: Comment.

Mr. Solamillo: Yeah. This is about nominations and this whole -- and it kind of rolls off of today's meeting, and I found it working with the Filipino Federation, you've got a very controversial kind of entity that people fall into two camps; they either hate it or they love it, and if you would like to dissect that, they fall into two categories of world views, one isn't ...(inaudible)... edict view; what I think about it and what people from somewhere else think about it. When we look at places like Lana`i, especially if we're attached and we descendants and we have family ties, it's guttural almost, it's connected to our na`au, right, and it's something that we feel very deeply; whereas, somebody coming from somewhere else, that connection is not there, and it's -- so when in the nomination process, you have to really do whatever you need to do to verbalize the tangible things and the intangible, in the case of traditional cultural properties, what are these connections because they're not visible, and they're not easily discernable to outsiders, and that's really the challenge, even when we're dealing with plantation, the remnants of plantation culture. You know, I am a descendant from Pu`ukoli`i, right, or Pu`ukoli`i camp, you know. I'm tied there by graves that still exist in that place, but the gravestones have been removed, but the bodies are still there, you know. The same thing could be said for Maunaloa descendants because we went through this whole thing where, you know, communities were just erased, but there are -- and then the populations were dispersed throughout the islands, but, you know, our

descendants also went to the Mainland so we've got these connections with people from the Mainland, and that's why, when we do get letters about something like Lana`i City, those are mostly descendants. So it's really -- it's how you structure it and how you research it, but you have to put in that other dimension, and you have to verbalize how that is real and verifiable. That's all.

Chair Hutaff: ...(inaudible)... questions for me, I'm done.

## **2. Correspondence to Realtors Association of Maui**

Mr. Solamillo: Okay, next topic, Correspondence to the Realtors Association of Maui. You have a draft letter in front of you. If you want, we can wait till the next meeting to comment or you wanna do it today? It's up to you.

Chair Hutaff: Well, I kinda hoped to have a full agenda next meeting, so I think we should go over it. Has everybody read this thing?

Mr. Solamillo: Okay.

Chair Hutaff: Okay. I noticed there's a small change here. Did you make that change?

Ms. Chandler: Probably.

Chair Hutaff: Okay. You did? Minor edits. How do you want to handle this? Well, first of all, maybe kind of a nod, is anybody opposed to doing this? Everybody's in favor of doing this to the Realtors Association? Okay, just kind of a general before we move on. What we have here, you didn't scan it or anything, huh?

Mr. Solamillo: Sorry. I just got it today at the meeting.

Chair Hutaff: Okay. I'll tell you what, I'll read it and -- my reading is a little better than my mind is -- and there is one addition. I'll point out that addition to there. It says:

"The Maui County Cultural Resources Commission provides design review for projects affecting buildings and structures located within the county's three historic districts, two in Wailuku, one in Lahaina, as well as the federal Lahaina historic district. The CRC additionally provides public information, education, training, and technical assistance related to national, state, and county historic preservation programs.

As you know, Lahaina is a very special place. The National Park Service thought so 46 years ago when it designated Lahaina as a National Historic Landmark. Since that time, there has been much change, so much so that the Lahaina NHL is officially classified as



"threatened." We need your help to save it and would greatly appreciate your sharing this letter with your membership."

Now what's been added is:

"Incentives in the form of," and we go back to, "tax credits may be available for historic, commercial, and rental housing, tax abatement for homeowner occupied historic properties.

Copies of the Maui County Code relating to the county historic districts as well as maps of the county historic districts and the federal Lahaina historic district are attached." Not yet. "We are aware that members of the public may have been given inaccurate" -- wait a minute. Let's go back. "We encourage that you make this information available to your membership as we feel it is vital that real estate agents are aware of the laws related to use, alteration, and demolition of structures located within the districts. We are aware that members of the public may have been given information about purchasing tear-downs within these districts. Disclosure laws are also to be implicated in transactions within a historic district.

The Cultural Resources Commission, the County of Maui, Department of Planning, welcome your questions and comments." Please feel free to call Stanley.

Mr. U`u: Twenty-four hours, seven days.

Mr. Solamillo: They do.

Chair Hutaff: And of course, after the last sentence regarding for information, presentation on historic preservation issues, and opportunities. Anybody have any comments to add to that?

Ms. Chandler: Nope. Just two questions. First of all, we have to change "designated" -- in the second paragraph says when it designated Lahaina and take out "the," and then the third paragraph, "disclosure laws are also implicated," take out "be," and then the top of it, is there a letterhead for the Commission or would it be Planning Department letterhead, or what kind of letterhead would it be on?

Mr. U`u: I think we need a letterhead.

Chair Hutaff: Well, yeah. I think if I were to have a say in it, okay, that it would be the Maui County Planning Department and the Maui County Cultural Resources Commission. I don't know if that's fair.

Ms. McLean: It would just be Planning Department letterhead. There isn't separate letterhead for any of our boards or commissions.

Chair Hutaff: Okay.

Ms. McLean: I wanted to offer a possible addition. Where this letter would transmit copies of the current Maui County Code relating to the historic districts, would you want to make a notation that these provisions are currently under review by the council, for clarification purposes, and so they may be amended in the near future?

Chair Hutaff: Well, you know, why don't you give your point.

Mr. U`u: Because it's factual.

Chair Hutaff: True. Okay. But the way I'm looking at this is that, you know, this is long overdue, and the thing, when you write something like this, you kinda hope that 50 years from now someone's still going to read it. With that thought in mind, whatever the rules are when somebody receives this letter, okay, is what the rules and laws will be at that time. We don't know what it's going to change to, we don't have any idea if it is going to change, and what's it going to change in ten years from now, what's it going to change two months from now. So by having them go to that particular county code, might be a better way to do it.

Ms. Thomson: I think you could go either way. I mean this isn't a legal opinion, but if and when the code does change, then you send another, you know, a followup letter saying, you know, please be advised the code has changed. If the code changes go through as you want them to go through, you're going to have significant more authority over the National Historic Landmark that you don't have right now, and that's going to be -- that'll be important to groups like the realtors board, I would think. So you could be giving them the heads up to watch for the law change and also perhaps giving them the opportunity to comment on that law change as it goes through council.

Chair Hutaff: So two slightly difference of opinions. You want to just -- why don't we get a general consensus and discuss it, or discuss it and then get a general consensus on that. His idea is we should ...(inaudible)... is subject to --

Mr. U`u: I think when you -- when you inform them, it keeps people current and abreast of ongoing or upcoming issues. That's just my thought.

Chair Hutaff: Okay. That's actually pretty good.

Mr. U`u: So they gotta stay on it and follow it as we go through the process.

Mr. Kubota: One drawback if you say, "changes are forthcoming," it may not ...(inaudible)...

Mr. U`u: Potential.

Mr. Kubota: They may just figure they're going to wait until the new one comes out. That's a possibility.

Ms. Chandler: Yeah, it's true. I think either way, just sending them the code and telling them that it's going to change is all we can do now but somehow that note about the fact that it's going to change is still not going to change the content of the letter, which is don't sell properties as tear-downs. You know, like one way or another, the code can change but the essence of the letter is always going to stay the same no matter what version of it that we give them.

Chair Hutaff: 'Cause I think if you really look at what we're trying to say is that here's a map, here's the historic district, okay, and you can really give people inaccurate information about purchasing or suggesting that this be a tear-down. And what we have pending at council right now doesn't -- that part of it's not really going to change, is it?

Ms. Chandler: Yeah. So that would be the only thing I would say on ...(inaudible)... it could change but it won't change the ...(inaudible)... of this letter.

Chair Hutaff: Yeah. So maybe kind of not say anything might be a good idea?

Mr. U`u: Yeah.

Chair Hutaff: And then we can make sure that part of our approval process is that we -- if it does change significantly, where it changes the body of this letter, that we are obligated to reinform the agents. How about that? Is that a compromise? Anybody have any modifications or suggestions, or want to make a motion to that effect? Okay. We have to approve a motion to approve.

Mr. U`u: Motion to approve.

Chair Hutaff: Okay.

Mr. Osako: Second.

Chair Hutaff: Any discussions? Do you want to add anything before we go on? Okay.

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

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

***VOTED: to approve the letter with corrections, as discussed.***

Chair Hutaff: No one's opposed. Motion is carried. We have a letter folks. Good job. Okay. Stan?

**3. Update on Status of a Bill Amending Chapter 2.88, Maui County Code, Relating to the Cultural Resources Commission, and Title 19, Article III, Maui County Code, Relating to Maui County Historic Districts**

Mr. Solamillo: This would be for Michele. We just need a status of the county council action on the draft bill amending Chapter 2.88, Maui County Code, relating to the Cultural Resources Commission, and Title 19, Article III, related to Maui County Historic Districts.

Ms. McLean: I haven't heard that this is going to be scheduled. I don't believe it'll be scheduled for the next Planning Committee agenda, perhaps the one after that, but not the one next week.

Mr. Solamillo: Okay. Thank you.

Chair Hutaff: I have a comment on that. I did make contact with the chair and he pointed out...(inaudible)... email, he pointed out that the meeting on the 17<sup>th</sup> they were going to be bringing it up. They have some responses back from some letters they had sent out. So on the 17<sup>th</sup>, it's supposed to be on their agenda. If it is on the 17<sup>th</sup>, I'll be there, and then I can comment for the October 4 meeting if possible. So right now they haven't -- they're still in discussion phase. We should ask her.

Ms. Chandler: Okay. Wait. So that is the changes that we made and we inserted like the information about natural resources and stuff, those -- okay. And then that was going to go to the Planning Committee.

Chair Hutaff: Yeah. Right. According to Don Couch is that they have scheduled it for the 17<sup>th</sup> because they have received responses back from the letters they sent out. I don't know what the letters are, okay, and so their next scheduled committee meeting is on the 17<sup>th</sup> to have that addressed, and I'll keep track of that. Like I said, if that's the case, I will attend to listen in.

Ms. Chandler: Okay. Thank you.

**4. October 4, 2012 Meeting Agenda**

Mr. Solamillo: Next item, October 4, 2012 meeting agenda. Anything hot?

Ms. Chandler: Nominating traditional cultural landscapes.

Mr. Solamillo: And do we want a -- we can do a reduced version of the last one we did.

Ms. Chandler: Yes.

Mr. Solamillo: Would you like that? Okay.

Chair Hutaff: Okay.

Mr. Solamillo: So that'll be -- that'll include the *Bulletins* that were discussed today. Okay.

Ms. Chandler: And then I have a question about Lana`i. I know we had talked about not meeting there because we didn't have any items to come before us, but was there further discussion about the nomination of the landmark and if that conversation gets revisited between the owner and the community, would it be possible to go as a Commission at that time?

Ms. McLean: Absolutely. We've started the ball rolling with the new owner's representatives to meet with Stanley there, whoever from the owner's team, and just say, okay, this is where things were left off, how can we proceed, you know, can we find a way to proceed that we can all support, and just see where they are 'cause we don't have a sense yet of whether their position is still the same as it was or if they have a different perspective, and so once we have an indication of where that's going, then I think it would be appropriate to bring it to the CRC for a Lana`i meeting. If there are other applications, which there better not be any other applications, but if there are applications, then we would also look to have that meeting on Lana`i.

Ms. Chandler: Okay. Yeah, meaning applications for demolitions, which they said that they wouldn't do.

Ms. McLean: Right.

Ms. Chandler: Okay. Got it.

Mr. Osako: Well, there's two other houses that are boarded up that are the same era and the same style so I'm sure they have it boarded up, they're going to apply for demolition.

Ms. Chandler: Actually, on that same note, there was design guidelines that the Councilman Hokama had proposed, and there was also design guidelines that the Planning Department had created with Erin Wade presenting to us, are those still both in limbo and I know that they were going to go to the community plan or something like -- or have a time for the community to give some input?

Ms. McLean: The Lana`i Planning Commission commented on Council Member Hokama's proposed design guidelines, and so those comments were put together, and as well as your comments, and sent back to the council, so for that proposal, for Council Member Hokama's proposal, the ball is in the council court. The department's proposed revisions

are still with the department. Stanley's frowning a little bit. I believe those are still with the department, not ready to transmit those to council yet, whether they need to come back before you folks or Lana`i Planning Commission, again, I don't know.

Mr. Solamillo: I don't know either.

Chair Hutaff: Anybody wanna add anything to the October 4 meeting agenda? Shall we move on to Commissioner's Announcements?

#### **H. COMMISSIONERS' ANNOUNCEMENTS**

Mr. Solamillo: Commissioner's Announcements.

Chair Hutaff: What's that?

Mr. Solamillo: Commissioner's Announcements is next.

Chair Hutaff: Okay. Any Commissioner's got any announcements?

Ms. Chandler: Oh, I have a question. Do we still have nine Commissioners on our board or what's going on with our membership?

Mr. Solamillo: Okay.

Chair Hutaff: Officially, we have had no resignations. I know that Maka had something to do on Lana`i today, okay, and that's about, I think, where we're particular -- where we're at.

Ms. Chandler: Okay.

Chair Hutaff: So I appreciate, personally, the fact that all you smiling and intelligent faces are here on a regular basis. I know she was trying to get out of the Molokai -- she was trying to get out of a meeting and I guess could not. So I really appreciate the effort that everybody puts in to be here to participate even though we're not always a complete Commission. We are always a quorum, the goal.

#### **I. NEXT MEETING DATE: October 4, 2012**

Okay, next meeting date, October 4, 2012, anybody have any comments? Go ahead.

Mr. Solamillo: Yeah, just before you leave, Ma`alaea General Store is finally open. Please stop by on your way to Lahaina on the pali.

Chair Hutaff: And the hot dogs are ...(inaudible)...

Mr. Solamillo: And the hot dogs are there for sale.

Ms. Chandler: Red hot dogs.

Chair Hutaff: Cool.

Ms. McLean: Wait, wait, wait. Stanley, don't sneak past that. Go back. Stanley's being too modest. Go to the next slide, Stanley.

Mr. Solamillo: Oh.

Ms. McLean: Please tell us about that.

Mr. Solamillo: Oh, this is like one of those stories. Back in 1998, when I couldn't sleep a lot, I spent a lot of time at the library looking at microfilm, so I kept coming across Chinese names, and I went to a party with a Chinese friend of mine and a guy came up to here and said, "What are you?" And she said, "I'm Chinese." And he goes, "Welcome to America." This was in Dallas, Texas, by the way. And she had been born here. And I kinda got infuriated. So I had been stumbling across Chinese names during ten years of research in Dallas, Texas, in trying to find the first Black hospital and things like that; I would always stumble across, you know, bits and pieces about this community, and finally, I got angry enough to just go through all the telephone directories from 1874 -- actually, 1875, all the way through 1940, and pickup every Chinese surname I could find. In doing so, I found out that they all -- the community there was dispersed, it never settled into an enclave, most of them were laundrymen who then proceeded into the restaurant business, and they all had been strikers from the construction of the Asian TC Railroad from Houston to Dallas in 1875 or '74. I did an article back in 2007. The editor redacted my list, and these were the most important thing to me, the list of all those names because, as descendants, we want to find ancestors and that's what we need to have. So I let that kinda ride, and then there was a great guy who wrote three books, he's Professor Emeritus, U.C. San Bruno, I believe, in psychology, he retired, and he started writing history books because he had ...(inaudible)... laundryman son in Macon, Georgia, of all things, so this brings you to this whole tale of Mississippi Chinese and all the diaspora of Chinese settlement throughout the south during Jim Crow era, which was pretty rough. So I sent him an email and I said, "Love your book," 'cause I got a couple of books of his, and I said, "Your books are great. I've got this list of names. I want to send it to you." So he posted it on this site, which is Chinese Laundries, and now it's literally up there and anybody can go and see if they got family who was in Dallas in 1902. So that's my best story yet.

Ms. McLean: Thank you, Stan.

Mr. Solamillo: Thank you, Michele.

Chair Hutaff: Anybody else that goes along with you in your stories is that, you know, what you do and how put it out there, you know, it gets shared and it expands upon things so, you know, keep doing that as a natural thing rather than say this is mine or I have this, it's like share it. Cool. Anybody want to decide it's time to go home? Anybody want to make a motion.

**J. ADJOURNMENT**

Mr. Osako: I move that we adjourn the meeting.

Mr. U`u: Second.

Chair Hutaff: Okay.

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

***It has been moved by Commissioner Osako, seconded by Commissioner U'u, then unanimously***

***VOTED: to adjourn the meeting at 2:27 p.m.***

Chair Hutaff: Motion carried. We are adjourned. Thank you so much.

Respectfully submitted by,

SUZETTE L. ESMERALDA  
Secretary to Boards & Commissions

**RECORD OF ATTENDANCE**

**Present**

Raymond Hutaff, Chairperson  
Warren Osako, Vice-Chairperson  
Rhiannon Chandler  
Gaylord Kubota  
Kahulu Maluo  
Bruce U`u



**Excused**

Irene Ka`ahanui  
Makalapua Kanuha  
Brandis Sarich

**Others**

Michele McLean, Deputy Planning Director  
Stanley Solamillo, Cultural Resources Planner  
Erin Wade, Small Town Planner  
Richelle Thomson, Deputy Corporation Counsel