

**CULTURAL RESOURCES COMMISSION
REGULAR MEETING
MARCH 5, 2015**

*** 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, One Main Plaza, 2200 Main Street, Suite 315, Wailuku, Maui, Hawai'i. ***

A. CALL TO ORDER

The regular meeting of the Cultural Resources Commission (Commission) was called to order by Chairperson Warren Osako, at approximately 10:45 a.m., Thursday, March 5, 2015, in the Lahaina Civic Center, Social Hall, 1840 Honoapiilani Highway, Lahaina, Island of Maui.

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

Chair Warren Osako: The March 5, 2015 meeting of the Maui County Cultural Resources Commission is now called to order.

B. PUBLIC TESTIMONY

Chair Osako: At this time, if there is anyone that wishes to testify on any agenda item, you may do so at this time, however, please be aware that if you do testify now, I would suggest that you wait till the agenda item is called, if you can spend the time, otherwise, if you stay through the meeting and want to testify again, there might not be any time left at that time. So is there anyone at this time who would like to testify on any agenda item? If not, we'll move on to the next --

Unidentified Speaker: ...(inaudible - not speaking into the microphone) --

Chair Osako: Any item on the agenda. You want to testify now? Okay.

Ms. Yvette Hill: Hello. My name's Yvette Hill, and I own Atomic Tattoo on Prison Street, and we're an upstairs location, and we had to take our -- we had a small neon open sign in the window because our business looks like it's closed if we don't have an open sign 'cause it's, the way the sun hits the building, it's very dark, so we've been told we can't have any kind of open sign whatsoever because it goes against the rules, and our business has lost revenue because we don't have an open sign and it looks like it's closed. And also, we're not allowed to have any, you know, pictures of the services that we offer, and businesses that have store fronts, you can see in the window, you can see all the things they sell, you can see jewelry, you can see clothes, you can see all the things that they offer, but we offer tattoos, and piercings, and Henna, but we can't have any pictures so we can't show what we offer, and so it's kind of, in a way, unfair for our kind of business with such strict rules of what we can have and what's considered a sign, and what's, you know, allowable, so, you know, our sign right now just has our Atomic -- Maui Atomic Tattoo on it, and we also offer other things, and we can't really afford to make another \$1800 to have, you know, kind

of piercing jewelry added onto our sign or have a whole new sign made in the sandblasted redwood that's approved and if maybe we decide, okay, we're not going to have Henna anymore, we're going to have to take the sign down and, you know, change it every time. It's kind of unfriendly to business, I think, some of the stringent rules that the Commission has on signage. So that's what I have to say.

Chair Osako: Commissioners, anyone want to comment?

Ms. Owana Salazar: What was your name again, I'm sorry?

Ms. Hill: Yvette Hill.

Ms. Salazar: Hi, Yvette. Thank you for coming. You know, one of our functions today is to approve the new guidelines, and I hope you're going to be staying throughout the rest of the meeting, and there's provisions in here, but it's definitely clear that the neon signs is what you, you know, what the guidelines will not allow, so maybe we can explore something that would help your business but still remain within the guidelines.

Ms. Hill: Yes, some kind of open sign that we can just put in the window 'cause we were told that we can't put anything at all in the windows whatsoever.

Ms. Salazar: O-P-E-N. It's just that it's neon you said ...(inaudible)...

Ms. Hill: Yeah, we had a little neon, it's like a little -- it didn't flash, it was just like one of the ones that turns on ...(inaudible)... open, but even we can just put some kind of sign that says "open" in the window and not have someone coming and telling us we have to take it down or we going to get fined. We said, you know, like you can't even have an open sign this big saying "open" is what we were told so --

Mr. Bruce U'u: Question. So the current sign you have in Atomic Tattoo, is it maxed out to the six of what's accepted?

Ms. Hill: We have -- we don't have a perpendicular sign. We've been kind of waiting to see what happens, and also we just don't have the budget because our revenue's gone down without being able to have an open sign or, you know, some of the other like signs that we -- like pictures or signs that we've had before the rules were enforced because we were -- we've been in business since 2007 but no one enforced the rules until -- since like 2012 or 2011, we had difference signs and different things going on and no ever said anything. We didn't know that there were rules. We were completely unaware 'cause we just took the business over as it was, so the original owner put up all these signs and there was never anything said for five or six years.

Mr. U`u: Do you have a picture of the sign available?

Ms. Hill: Yeah, I can --

Mr. U`u: Thank you.

Ms. Hill: I don't have a picture of our current signs, this is an old picture of the old sign we used to have. Now we have a sandblasted redwood sign that follows the dimensional -- yeah, it says Atomic -- "Maui Atomic Tattoo" on it, but it shows like the little open sign that was in the window in this picture. It was above our -- the open sign was in the window above our front door 'cause you have to walk through a hallway, and then go to the staircase so -- okay. That was old, it's not the current 'cause we took the little open sign that was in the window down, and that was our old sign before we got approved one up. You can see how dark the windows. It just looks dark and closed, even when the lights are on during the day where the sun hits the building.

Chair Osako: Okay, anybody else have any questions or comments? I have a comment. This body is more of a guidance body. We work on the guidelines and our job mainly is historic preservation. You are in the historic district, so the guidelines, there is a avenue for you to apply for a variance, but we can make recommendations here but we cannot give approvals. I hope you understand that so -- and our job like historic preservation so the guidelines are built along those lines, and, you know, if enough people don't like what the guidelines are or -- you can contact your councilman, whatever, but that's our job, so that's what we do, but we don't make the ultimate decision, okay.

Ms. Michele McLean: Thank you, Chair, and Commissioners. I checked with staff, and looking at the photos, you would be allowed to put up to -- you don't have any window signs right now, you can have a window sign that takes up to 30% of the window area, so you could put a sign in the window that says "open," it couldn't be neon, it couldn't be illuminated, but you could have a sign that says "open" that you could put in the window. That's existing. Oh, excuse me, no. That's proposed to be new.

Ms. Salazar: Also, there -- I know you already did your sign but is there a way -- you said you wanted to put the -- some piercing and -- like that, that is allowed on your sign that's on the building so you can have the Atomic Tattoo and they're allowed up to three subtitles, you know, that can go on that sign as well. And also, there's another provision about lighting, like -- okay, let me ask this question. If she doesn't have a neon sign up but has a sign that's more visible, can she shine a light on it that's within the historic guidelines? You could install a light to shine on it, okay.

Chair Osako: Okay, at this time, is there anyone else that would like to testify at this time? If not, we'll continue on to the next order of business, item C:

C. RESOLUTIONS THANKING OUTGOING COMMISSION MEMBERS WARREN OSAKO and BRUCE U`U

Ms. McLean: Chair, we do have two resolutions, as well as a letter of appreciation signed by the mayor, and a certificate signed by the mayor to you, as Chair, and to Commissioner U`u, as Vice-Chair. I'll just mention a couple of highlights from the resolutions: You both having served with distinction, and performed your duties in the highest professional manner; and Cultural Resources Commission commends you for your dedication and untiring public service to the people of Maui County; expressing sincere appreciation for your services and extending our best wishes in your future endeavors.

Chair Osako: Thank you. Did you have anything to say, Bruce?

Mr. U`u: I just wanted to say thank you. It's been my privilege serving on this board, and the reading material here is awesome, and so I appreciated the reading, believe it or not, and good luck to you guys, and I appreciate your guys' friendship.

Chair Osako: Okay, and thank you. And, actually, this has been a real learning experience for me. It gives you a little bit of insight into how the government works, and actually more people should be volunteering to serve on these commissions and boards because it's actually to the benefit of the people. Thank you. Okay, onto the next order of business, item D:

D. APPROVAL OF MINUTES OF THE DECEMBER 5, 2014 MEETING

Mr. U`u: Motion to approve.

Ms. Arleen Ricalde-Garcia: Second.

Chair Osako: Alright, it has been moved and seconded that we approve the minutes that's presented from the December 5, 2014 meeting.

It has been moved by Commissioner U`u, seconded by Commissioner Ricalde-Garcia, then unanimously

VOTED: to approve the minutes of the December 5, 2014 meeting as presented.

Chair Osako: We'll move on to the next item, item E, Public Hearing, action to be taken after public hearing

Chair Osako read the following agenda item into the record:

E. PUBLIC HEARING (action to be taken after public hearing)

1. Adoption of the “Lahaina Historic Districts Design Guidelines, Sign Guidelines,” to replace the existing Lahaina Historic Districts sign guidelines. (A. Kehler)

Ms. Annalise Kehler: Really quick, I'm just going to go over a couple of minor, some new things that have been added to the guidelines, and then I'll turn it over to the Commission. So page 1, I added -- we added more definitions, so we talk about what windows are, parapets, and various other architectural elements. Page 3, we added two sign tables that help clarify numbers and sizes of the various signs that occur in the district.

Mr. Michael Hopper: Just to be clear, this isn't different than the version that went out for public hearing?

Ms. Kehler: No.

Mr. Hopper: This is just different than a previous version the Commission was looking.

Ms. Kehler: Yes.

Mr. Hopper: But these are in everything that went out in the public notice to people.

Ms. Kehler: Yes. It's also -- it's the one that's on the Planning Department's website. And I think -- I think that that pretty much sums up everything that's new to this version, and now I'll turn it over to the Commission.

Chair Osako: ...(inaudible)... answer questions.

Ms. McLean: I believe Commissioners received some information from Deputy Corporation Counsel, Richelle Thomson, and there are a couple of revisions that staff would propose we make today if the Commission's ready to move forward with these, and we can go through it page by page if you'd like to, or we can just generalize what those changes would be. Just generally, in the document where it references CRC approval, we would have to change that to "CRC review or consultation."

Ms. Salazar: ...(inaudible - not speaking in the microphone)...

Ms. McLean: That's the email that Richelle sent. So those changes haven't been made to the document, you don't have those changes, so we could go through the document page by page, or the Commission could just take an umbrella action to say anywhere the

document references CRC approval, it should be changed to review or consultation. We can go through it page by page, if you'd like to do that, that's fine. Oh, okay, we'll give one example, on page 1, in the first paragraph, start right at the beginning, it says, "Signs in the Lahaina Historic District shall require permits and are regulated by Chapter 19.52.30, Maui County Code, and these guidelines. All signs and alterations of existing signs require review and approval by the Maui County Planning Department's staff," and we would strike this next section, "and possibly the Cultural Resources Commission prior to receiving the permit." Because in the county code right now, and in your rules right now, you don't have the authority to approve signs. What we would like to do, we would like to get these guidelines adopted, because there are a lot of great changes in them, we would like to then amend the code to give you that authority, and then re-adopt these rules to reflect that authority. But until you have that authority in the county code, that can't be reflected in the guidelines.

Mr. U'u: So question to the Chair, so you want it -- do it line item by line item and take a vote, or you want to group it as a whole?

Chair Osako: I think that depends on the Commission members. If anybody would like see it item by item, then we should do it by item by item. Okay, we have one person that would like item by item, so we'll do it item by item.

Mr. Frank Skowronski: If these guidelines are going to be reviewed by the county council to -- no? What body in the county would be empowering us to have authority to review the signs?

Ms. McLean: Right now, you have the authority to adopt rules and to adopt guidelines. For you to -- for your authority to be increased to where you have approval authority over signs, the county code needs to be changes.

Mr. Skowronski: Okay, so what's the county -- if in fact the county code is to be changed that would then give us the power to approve the signs, then would that necessitate another public hearing at that time?

Ms. McLean: To change the code to give the CRC that authority, that change would have to go to the three planning commissions as well as the county council.

Mr. Skowronski: Right. But let's assume, just for the sake of argument, that it goes through and this body does get that approval, then the guidelines would have to go through a public hearing again?

Ms. McLean: Yes. They would have to be adopted as rules with a public hearing.

Mr. Skowronski: With another public hearing?

Ms. McLean: Yes.

Mr. Skowronski: Okay. Then why are we doing the public hearing today?

Ms. McLean: Because there enough changes in these guidelines that we would like to have adopted so that they can implemented now.

Mr. Skowronski: Okay.

Chair Warren: Okay, since one member wants to have item by item, I guess we'll do that.

Ms. McLean: Okay, so there was that one in that first paragraph, deleting "and possibly the Cultural Resources Commission."

Chair Warren: Yes, it has been suggested that we do public testimony in case there are any other issues that pop up, and then we'll discuss the rule changes or recommendation changes. So at this time, Yvette Hill? Oh, you already testified. Theo Morrison?

Ms. Theo Morrison: Okay, good morning. I'm Theo Morrison, Executive Director of Lahaina Restoration Foundation, and I'm not opposing the guidelines, I just want to emphasize that I've been testifying against this for 20 years, and prior to when I was at LRF, I was at Lahaina Town Action Committee, and that's the hawking issue. I walked down Front Street yesterday, and I was hawked at at least four times. So, you know, we can make all the rules we want, it's not working. There has to be some real something, I heard they're being fined, but whatever it is, it's not working, and it's the single most unpleasant aspect of walking down Front Street. So, you know, I don't know -- I don't know the answer, but I'm glad it's in the rules to say it's not allowed, but it's blatant, ongoing. Everybody in front of me was hawked, everybody behind me was hawked, and it's just horrible. And then when I went back the other way, same thing happened again. So it's just horrible, and I really think, after 20 years, it started with the -- when the timeshare guys moved in, so now there's different companies doing it, and, anyway, I just want to throw that out there, that's the one single thing that really needs to be changed on Front Street. Thanks.

Chair Osako: Trisha Kapuaala.

Ms. Trisha Kapuaala: Aloha. My name is Trisha Kapuaala. I'm the Aloha Ambassador for The Outlets of Maui. My name is Trisha Kapuaala. I'm the Aloha Ambassador for The Outlets of Maui, and I'm here representing Mona Abadir, she's the owner/developer of The

Outlets. She extends her aloha. She is expecting a grandchild so she's in Honolulu today. Firstly, I just want to thank you all of you for taking on the difficult task of amending these design guidelines. It's -- it's a balance between the cultural heritage of Lahaina as well as its lifeblood, tourism. And we all know cultural preservation connects us to our history as well as shapes our collective story moving forward.

According to the Hawaii Tourism Authority, and other experts, cultural heritage, travelers, make up more than 75% of the U.S. travel market, and more seven-tenths of international travelers seek destinations and experiences that offer cultural authenticity.

The Outlets of Maui is not a historically significant property, but the developers did take extra care to preserve the historic character of Lahaina. If you see the pictures that are being circulated, they added parapets, stayed to the colors of the whaling era, required sandblasted signage, hanging signs.

A CSP, or a comprehensive signage plan, was adopted -- or I'm sorry, approved by the Department of Planning, and over 30 variances were granted by the BVA, the Board of Variances and Appeals. The Board of Variances and Appeals -- oh, I'm sorry. The Urban Design Review Board, they granted over 30 variances for extra signage to be located in the business district part of The Outlets of Maui. If you recall the old Lahaina Center and today's Outlets, it's over an acre in size, and the majority of the property is located in the business district.

We are here before you because we have two buildings that are located on Front Street. So we would still need to come to you for a deviation from the current and the proposed sign code. Additional to that, we would still need variances from the Board of Variances and Appeals because 19.52 states similar language.

So we submitted a letter that I hope you got along with your agenda, and rather than going over it again, I just want to thank you again for taking on this task and hearing us in Lahaina. If you have any questions, I'd be happy to answer them.

Mr. U'u: Good morning, and thank you for your time today. I think this is one of the issues where I would say, and granted this probably my last meeting, correct? This my last meeting so I can say whatever I wanted to say. Who cares. I'm kidding. But this is one that I think will be better served as a case-by-case issue, and I know we have that outlet, on the last page, on how we handle the permits, but I think certain ones and certain businesses will be better suited on a case-by-case issue, and I think this one will fit that criteria.

Ms. Kapuaala: Thank you.

Chair Osako: Of course, as I said earlier, at this time, this body cannot grant a variance or stuff, so until things change or if they do get changed, at some point, then you could appeal to the body, but at this time, yeah, this body does not have the authority to grant the variance.

Ms. Kapuaala: For clarification ...(inaudible)... if this body could potentially have the authority to grant a deviation from the guidelines, and, you know, and then a variance would still be needed from the Board of Variances and Appeals. So one other point I would like to bring up, in our letter we request that The Outlets of Maui, specifically on the Hard Rock Cafe building, we would like to be able to assist the Lahaina Town Action Committee, Lahaina Restoration Foundation, any other community organizers to be able to put a banner for those events up at The Outlets. I think it would close or join Front Street in a more effective way. I did note in what Mona noted in her letter that we are a major pickup and drop-off area for hundred -- over hundred thousand visitors that goes to Front Street from the Kaanapali area, and that would add, literally, hundreds of thousands of impression to the marketing potential of our community events on Front Street. Would that would be something that you could discuss today or adopt, when the time is right? It's a change we're requesting. Other than that, we will come again for a deviation request.

Ms. Salazar: So your function here today, you were stating, is to ask for a variance for the businesses along Front Street?

Ms. Kapuaala: No.

Ms. Salazar: I'm -- where? Papalaaua?

Ms. Kapuaala: I'm here -- I am just here to advocate for those businesses. I will probably be here again asking for a deviation for additional signage, etcetera, for those business if your current deviation language goes forward or is adopted. But today, what can be done is adding the Rock Hard Café building to a list of acceptable signage -- event banner locations. It's noted in the letter, it might be the last page. It's also in the proposed design guidelines, dated March 2015, on page 12. Roman Numeral No. 10 for event banners, Section A, and then it's 1, 2, and 3. There are 3 locations allowed for events occurring on Front Street. So we're proposing, requesting, respectfully, a 4th location at The Outlets.

Ms. Salazar: I'd like to reflect on something that we have spoken of in our meetings, and it was to possibly, and it's not on the agenda and maybe we could get it on an agenda at some time soon, is to expand the Lahaina Historic District to be larger than it is right now, and some of it we could take in the Outlet stores and that would automatically bring in the banner thing, you know, but I'd like to bring that out right now, in front of the Commission, to make that an item in the very -- that is within our - what is the word? Duties to advocate

to include areas for historic ratings - is that what the right word is? Yeah. To expand the Lahaina Historic District.

Chair Osako: So, as I understand it, banners are only approved for the locations that are noted? So that, you know, would have to go back to the committee that drew up the guidelines, which would mean another hearing, so unless -- is that correct? Yeah, it would involve another hearing because then it would have to be noticed. Because this has been in a public notice, to change --

Ms. Kapuaala: Yeah. I understand.

Chair Osako: I mean to add something, we would have to redo, but to delete, you know, it can be deleted. So --

Ms. Kapuaala: Is it something that we could come to the Commission for a deviation, and then get a variance from the Board of Variances and Appeals, I mean procedurally? I don't necessarily expect your opinion, just procedurally, is that a acceptable procedure to be able to help promote community events?

Chair Osako: At this time, being it's not one of the approved locations, you know, if it would -- you know, that's, yeah, this body doesn't have that authority. You know, I mean --

Ms. McLean: Yeah, you can talk to staff about that. It's not something for the Commission to answer.

Ms. Kapuaala: Thank you. Thank you.

Chair Osako: Okay, at this time, I see "Antoinette" and I'm having a hard time reading the last name.

Ms. Antoinette Boutrous: Good morning. It's Antoinette Boutrous, for the record. Good morning. You must forgive naivete as this is only my second attempt at maybe speaking at such an event here in Maui. My question to you actually -- well, before I can maybe make a very short statement, I have a question. How does the transient - what is it? Tax? The TAT tax, how does that work exactly, if you wouldn't mind explaining that?

Ms. McLean: This is a public hearing for you to offer testimony to the Commission. We're not here to answer questions, and that's also not within the Commission purview.

Ms. Boutrous: Okay, again, forgive my naivete. So am I correct in understanding that that tax goes towards funding maybe recommendations put forth by your Commission, is that correct?

Ms. McLean: Again, the purpose of this is for you to give testimony --

Ms. Boutrous: Okay.

Ms. McLean: To the Commission. The Commission is not here to answer your questions.

Ms. Boutrous: Well, my understanding of that is that it's provided for by businesses, and the reason that signage is so important to our businesses on Front Street is, number one, before we can kind of brand manage, we must brand establish, and in order to do that, signage is kind of paramount for as to -- for all of us to say, yes, indeed, in fact, we're open, here's our hours, here's our information, you know, please all, you're welcome to Lahaina, into our businesses, etcetera. And again, my understanding is it would be a very symbiotic occasion if our business revenue increased for tax purposes to fund all the initiatives that we would all like to see happen in addition to restoration of the historic sites, but just upkeep of Lahaina in general. We all want to contribute to that, personally and professionally in the public sector. So signage is important for that contribution because it just increases revenue in a very fundamental way. Sorry, and I didn't say, I'm also -- I'm one of two general managers from The Outlets of Maui, so that is why I'm here today. But I would like to partner with you, again, I'm super new to this, but that is why signage is so important for us, and I feel like that should be important for any public servant is to increase revenue in Lahaina.

Ms. Bridget Mowat: Hi.

Ms. Boutrous: Hi.

Ms. Mowat: I'm from Molokai, so I'm not really familiar with The Outlets, but is -- how many entrances are there?

Ms. Boutrous: How many entrances?

Ms. Mowat: I mean, yeah, is there like a main entrance or --

Ms. Boutrous: Well, there's several. There's several that are accessible on foot for pedestrians, and then there's two entrances to drive in.

Ms. Mowat: Okay, can I --

Ms. Boutrous: One off Wainee, and one off Papalaaua.

Ms. Mowat: Okay, so the area we're talking about would be the historical side, which would be?

Ms. Boutrous: Front Street.

Ms. Mowat: Front Street. Does it goes up mauka too or just Front Street? Okay, so The Outlet, right now, each store, do they have a sign on each door saying where they are or who they are?

Ms. Boutrous: Each store -- yes, does have a sign.

Ms. Mowat: They do have? And then do they have an outside for pedestrians or a directory of what stores are there within The Outlet?

Ms. Boutrous: We're allowed those internally. There's been several restrictions that -- on visibly being visible from Front Street, and so those are -- that is, I know, part of why we're here today is because there are so many restrictions pertaining, specifically, to historic Lahaina, whereas, we can have them in our parking lot because they're not visible to ...(inaudible)...

Ms. Mowat: Okay, my question was: Is there any? Is there any now? Any directory?

Ms. Boutrous: Are there any directory? There is one small one.

Ms. Mowat: One. And where is that located?

Ms. Boutrous: On the corner of Front and Papalaaua. Right on the corner.

Ms. Mowat: Okay. So each store already has a sign identifying what -- what their store is.

Ms. Boutrous: Above their entrance ...(inaudible)...

Ms. Mowat: And then they do have a directory right in the corner of, like you said --

Ms. Boutrous: And an edited one. It's not a full directory.

Ms. Mowat: Okay. So I'm not sure what -- what that means.

Ms. Boutrous: It's smaller.

Ms. Mowat: It's smaller.

Ms. Boutrous: It doesn't include all of our merchants.

Ms. Mowat: Okay, so that would be more -- would be for the pedestrian, and not so much for the car pass -- driving by?

Ms. Boutrous: It's what was allowed.

Ms. Mowat: Okay. So, okay, that was my question. Thank you.

Mr. U`u: Just a question, not a question, the TAT tax, if I not mistaken, is generated through the hotel industry, correct? The transient accommodation tax has nothing to do with Lahaina.

Ms. Boutrous: But the tourists come spend money, right, in Lahaina?

Mr. U`u: You guys get the GE, but the TAT --

Ms. Boutrous: We don't, is my understanding ...(inaudible)...

Mr. U`u: General excise -- the transient accommodation tax comes from the hotels, and every year we fight for that, for taking it into our budget, and it's a nice percentage to have, but it's generated through the hotels. But what we do here is we need to balance the historical part, component, and try to delicately balance with business, but the component for us is historic, and that's priority for us. And I've read -- I've read the amendments you guys proposed at the Outlets of Maui, and there's a lot of it in here, which is good read, I mean, like I said, I like reading, it was a good read, but I would suggest that you get together with staff and see, possibly, if you can take it on a agenda item, as I said earlier, will be a case-by-case item because you guys have a lot of proposed amendments and we can see what we can do but, at this time, I don't think it would be wise for us to act on any of this right now.

Ms. Boutrous: Okay, my comment, actually, to that would be we are a 55 million dollar investment in Lahaina so we are, of in that investment, we're afforded, possibly, a little more human effort, a little more time to attend certain things, like these, whereas I would advocate for many of those business owners that are literally in their businesses right now, you know, it's a little bit more challenging, so I would like to -- I don't know when the last time these signage requirements or laws were maybe finessed, guidelines were finessed; when was the last time they were looked at again to be refreshed, to be more accommodating, more modern maybe. I totally understand the historic, I'm from -- I grew

up in Portland, Oregon, which has a lot of historic districts, and they're quite lucrative, and so I grew up in a community where they were a symbiotic environment to be both historic and lucrative at the same time.

Ms. Salazar: Without a doubt, having Lahaina as a historic town is attractive and, you know, lucrative in that -- so what I wanted to say is that so I believe what we're looking at here, correct me I'm mistaken, that the acreage of the location of this Maui Outlets is part of it falls into the historic, you know, and the other one is business, is it that it's business, so what I'm beginning to hear is that the historic side wants to kick it up a notch and to match the condition side.

Ms. Boutrous: ...(inaudible)...

Ms. Salazar: Yeah, so let's get that really clear that if, what you're asking, is so all of that ...(inaudible)... to take it down. I'll just put it right out there. I would say my place and it is our duty here is to advocate and to support and review and comment, so my comment is that we cannot just keep ...(inaudible)... 'cause they can, why can't we? That's not -- I don't believe that to be a solution. And furthermore --

Ms. Boutrous: ...(inaudible)... that's why. Because it's a business environment, it's not just because everyone is trying to make a profit but, you know, the more we make, the more we gain in taxes, right ...(inaudible)... so, no, it's because it's a business environment ...(inaudible)... and I enjoy the location, personally.

Ms. Salazar: ...(inaudible)... and you're all doing business as well, so I wanted to just take a moment to reflect on what is Maui's -- West Maui Community Plan, which Maui has and the council adopted after years of working, a master plan for Maui County, and it's on the website as well, I was just looking through it, but there is, when you look at the West Maui side, and there's words like "slow the rate of growth and stabilize the economy, exert more control on the timing and patterns of development within the region through the community plan zoning and the permitting process." I think one of the really important things, I like where it said, you know, "to build character," and we just have -- this is a tough one I think because we have -- it's like a little conflict going on in the same house.

Ms. Boutrous: Have you been? Have you been to our center?

Ms. Salazar: Yeah, and I don't get lost there no matter how big or small the signs are. I can read. So I think when I see so many big signs, it's like they're screaming at me, you know, and that's almost like getting hawked, you know, in -- but it's not hawking. There's nobody out there going, you know, with pieces of paper, but with all due respect, I know I would rather see the business side of this acreage of Maui Outlets, you know, raise their

bar in support of the historic Lahaina district and meet the standards of our historic guidelines rather than have bigger signs.

Ms. Boutrous: So by raising the bar, by your definition, it would have smaller signs in the business district?

Ms. Salazar: That's raising the bar.

Ms. Boutrous: Which lowers the bar from a business standpoint, right? Right? Okay.

Chair Osako: Okay.

Ms. Boutrous: Thank you.

Chair Osako: Just a comment. If you feel that you're at a disadvantage because you're in the historic district part of the facility there of the shopping area, maybe you should talk to the landlord and, if you feel you're at a disadvantage, they should give you a lower rent.

Ms. Boutrous: I actually work for the owners and we do not feel that it's a disadvantage to be in historic Lahaina district.

Chair Osako: Well, so it's your opinion, not there's, correct? So you have a choice.

Ms. Boutrous: All I would ask is that we could in fact ...(inaudible)...

Chair Osako: Do you feel you're disadvantaged by being in the historic district?

Ms. Boutrous: We -- I wouldn't call it that. No. I would say that we're --

Chair Osako: No? You don't feel, but you want a variance?

Ms. Boutrous: Indeed. Yes.

Chair Osako: So if everybody wants an advantage, what will happen to Lahaina if everybody gets what they want?

Ms. Boutrous: Lahaina will make more money and pay more taxes.

Chair Osako: It's all about money, it's not about the historic district?

Ms. Boutrous: No, indeed, so we can fund the restoration, right? Because it's takes money to fund restoration.

Chair Osako: Okay. Yeah. Okay, I was told that this is about testimony but, anyway, that was my comment. Okay, that is all the people that signed up for testimony.

Unidentified Speaker: ...(inaudible - not speaking in the microphone)...

Chair Osako: You can if you want to. Go ahead and testify.

Ms. Tambara Garrick: Aloha. My name is Tambara Garrick, and I'm a sales and marketing manager for Bubba Gump Shrimp Company. I would like to echo some of Theo's comments that she made earlier that we're thankful for these guidelines; they're really well organized. I've been to pretty much every meeting that you guys have had regarding this. I have one comment. A few times today, some of the Commissioners have said or have advised us that we can this up on a case-by-case issue, however, on page 9, under case-by-case, it says that only those applicants who are unable to comply. Well, at Bubba Gumps, we're able to comply with any rule and any law that is given to us, so we wouldn't be able to come before you and ask for any sort of variance for our Bubba Gump finch, which we really love, and would be not allowed as a sculpture. So I just think that we should maybe make that a little clearer under case-by-case. Mahalo.

Chair Osako: At this time, is there anyone else that would like to testify?

Mr. U'u: Question. My question would be what the testifier said where what she read verbatim, how would someone who's complying ask to have some type of, I guess, variance, amendment, change, where it was actually just -- just in case we miss something? If it's something sensible, then is there an avenue for owners to come before anybody to ask for an amendment? Is that something that's needed in the guidelines that we're looking at today? I think it might be that's why.

Mr. Hopper: Variances, it says under the county code, it says, "Requests for variances shall be heard pursuant to Chapter 19.520 of this title." That's the Board of Variances and Appeals. So I believe that variances would be heard by the Board of Variances and Appeals, and that was one of the changes that was recommended by council from the guidelines that, generally, the CRC would not be granted variances, unless the county code was changed, but at this point, variances are to be heard and determined by the Boards of Variances and Appeals from compliance with the code.

Mr. U`u: So my question would be, Corp. Counsel, it's something that we could potentially add in, adding some amendments to the rules today? Is that something we could fit in it being we creating some amendments?

Mr. Hopper: Because the variance section is in the actual county code, that would be hard to -- I think we could -- maybe you could have a statement that, eventually, you would like to see that, but at this point, I think the county code dictates where the variances are to go for -- in the historic districts that they're supposed to be heard by the Board of Variances and Appeals.

Mr. U`u: So my next question will be, for clarity, is there a possibility we can point them in the direction when questions like this arises?

Mr. Hopper: Well, the code says that, and then if you want to put in the guidelines, that it would probably be more accurate to say applicants who are unable to comply are - I don't want to say -- necessarily say "are invited," but may request a variance from the Board of Variances and Appeals pursuant to 19.52.070 of the county code. Maybe that could be added.

Ms. McLean: Thanks. My question is that because these are guidelines, would -- would someone have to go to BVA for a deviation from the guidelines because they're not rules, because they're not code? There is a reference in the guidelines referring to variances, but that's from the size of the signs, which is in the code, so when something like that, when it's a code provision, then yes, you need to go to BVA for a variance from the code provision. But because these are guidelines, I'm wondering if those changes would go to the BVA or if there is another way to consider deviations from the design guidelines.

Mr. Hopper: There being enforced as a requirement under 19.52, I mean, which gives the Commission its authority, then you would need to go to the Board of Variances and Appeals, and I think that was Richelle's opinion as well looking at this. If we want to take a look at that, I would want to defer action to the next meeting, but as of now, you've got, right in the code, it says deviations are under 19.52 of the code, and those are for -- those aren't for I want a different sign, generally, they're for I've got a hardship and I can't comply with the body, and that's why "unable to comply" is in there. That's generally what variances are for if you're unable to comply, and you have to meet the standards of the Board of Variances and Appeals in order to be entitled to that. If you want to look allowing other bodies to grant variances from the code or guidelines adopted under the authority of the code, then, generally, we're looking at code amendments to the county code that would say, "The CRC may hear and determine sign variances." Right now, the outside of the historic districts, the Urban Design Review Board has the authority over sign variances and has a different criteria than the Board of Variances and Appeals. But the in the historic

district, that section that gives the Urban Design Review Board that authority, that does not apply to historic districts. They're specifically regulated by the code. And so I think we're looking at something that if it is authorized by the code to require review of sign permits, then deviations from that, generally, have to come from the code.

Ms. McLean: One last question. The section that the lady from Bubba Gump just referenced about applicants unable to comply with the guidelines, would it be appropriate for the guidelines to say that applicants who have questions about the applicability of the guidelines, like if it's not a black and white case, not asking for a variance, but do these apply to me or don't they apply to me, or this is a different of situation, would that be something that the CRC could be consulted on rather than, as this language says now, the Commission can allow flexibility from the guidelines, which is basically a variance, but rather than that, can they just ask for the CRC's interpretation of the applicability and all to a situation?

Mr. Hopper: I think, and I'm attempting to look it up now, that the role of the CRC does provide instances where it may advise the Planning Department on various issues, and so I don't think that's a problem as long as it's clear they're not granting a variance, they're saying yes, you are in compliance with this, and I think for -- if there's businesses that have trouble, you know, with these guidelines, that the better approach is to amend the guidelines now if there's problems with them, so before adopting them or after adopting it, you know, change the standard if it's going to be a hardship for lots of people, then, you know, change that, or not, and then require compliance, but that is the option of the Commission right now. But yes, if you wanted to put something stating, essentially, that the Planning Department, in its ability to review and approve signs, may consult with the Cultural Resources Commission on the -- on whether they meet the guidelines. I don't think that's a problem. It's just saying flat out that they can disregard the guidelines through a variance process; that would be the concern.

Chair Osako: So -- but then would that be an addition, which would mean another -- coming before another meeting if you add anything to the document?

Mr. Hopper: I think what you're saying is, right now, it says that it, basically, the CRC can -- may allow flexibility from the sign guidelines, and that's a problem, I think, legally, the way it's phrased. And in the public notice, it was noticed that the CRC would be looking at this and determining whether or not -- determining whether or not to grant a variance from the signs, and so I think changing it, it's kind of deleting that and changing -- changing allowing flexibility to saying "may review," which I think is a less extensive process than was already -- the public notice was they will have the authority to kind of grant variances and now it's saying, well, they can review, and I think that that's less extensive than from a public notice perspective is not any different than what's already -- it's different than what's in there, but

it's not -- it's not like an anticipated change that the public would not be aware of the potential for the CRC to be reviewing sign permit applications; in fact, it's less of a review by the Commission and it's less of an intrusion, potentially, on what the guidelines originally allow, so I don't think that's a problem to change that to just review rather than allow variances.

Chair Osako: Yeah, I guess what I'm getting at is as long as we don't make any changes that would -- in other words, we don't want to make any changes that would require a rewrite and another meeting to review this document.

Mr. Hopper: I think that'll depend on what the Commission, after its review and after hearing all the testimony, would like to do. It may be a good idea to republish and renotice if the Commission wants to do that. If the changes end up being so insubstantial, and I think this one is a -- does not appear to be substantial enough to require a new public notice, then that's fine. But I think until we get to the point where there's a kind of consensus on what the document would be, what changes there may be made based on either public testimony or Commission comments, then we can decide that, but that's true generally if you've -- if there's going to be something of that nature, it may not be a bad idea to renotice, republish the public hearing, it'd be the same process, and then -- and have another meeting with the revisions in front of you so you could make -- do that as well. That's always an option of the Commission, but not required if the changes are not substantial that the public notice didn't give the public notice of those changes being made.

Chair Osako: Okay, at this time, is there anyone else that would like to testify?

Mr. John Cote: Good morning. My name is John Cote. I'm a commercial realtor in Lahaina. I've been in that work in Lahaina for the last 18 years, and for a huge portion of that time, I did a number leases at what is now the Outlets, but it was the Harry and Jeanette Weinberg Foundation Lahaina Center. Anyone that took a space in the interior part of that shopping center was almost doomed from the beginning, and bless Harry Weinberg, but he built 10 buildings and expect you to walk around them to find the shops, which I found to be just really, really difficult, so I want to implore you to support the Outlets in any way that you can as well as the county itself. Their success will also be Front Street's success, and the Lahaina Historic District's success. They have a big beautiful parking lot there that were the first how many years that Weinberg was there people just used to park so they could go to Front Street; they certainly didn't go to many of the shops in there, but just the fact that they have this parking lot, it's, you know, parking is one of the biggest issues in Lahaina. The Outlets, I commend them for coming in here and taking what was a big white elephant and attempting, and they're doing a pretty good job, considering all of the barriers that they are confronted with. It's really important that they succeed. It's important to Lahaina that they succeed. They're at the top end of Front

Street. It's the end that, basically, once you get there, people just stop. They stop at Papalaaua, they might go to Hard Rock Café, but once you're inside that shopping center, you need -- you have said that signage is good in there, well, you go in there and start walking around, the signs are cute, they've done a great job, but it's very difficult. You don't see shopping centers built like that. They're just not. So I just want you to think hard and do whatever you can to support The Outlet. They're -- I think a lot of Lahaina's success is somewhat depended on it. Thank you.

Mr. Skowronski: Your comments about The Outlets. My, these are personal comments, I can't speak for the board although I'm a member, I think it's incumbent that The Outlets try to expand and exploit their economic opportunities as best they can, so when it comes time, Trisha, for the banners, for the ground signs, or the building directories, you want to push back as hard as you can to represent your clients. But if you're going to come in front of us and start and ask for exceptions to the signage or doubling your signage based on things like better brand identity, you have to realize that our brand identity is Lahaina's historic perspective. We encourage and would love to have this symbiotic relationship between your brand identity, but our brand identity isn't yours, it's ours, and our brand identity is the existing plantation era architecture and aesthetic. The idea that you can increase your signage and, therefore, increase your cash flow is your problem; it's not our problem. Our problem is to keep the identity and to keep the Lahaina brand, not your individual commercial brands. When that shopping center was built, it was built with the full knowledge that those front two buildings facing on Front Street were part of the historic district, and so you had to come with some sort of commercial success or commercial design to reflect that. It's as if it had high winds, or it had salt spray, or it had too much sun or too little sun. This is part of the environment in Lahaina, and from my perspective, you have to meet that environment. I don't have to meet your economic goals. You have -- I'm enforcing a brand identity that is different than yours, and the idea that you're not a true historic building, you have to come up with better reasons to get these exceptions than citing that you're not a true historic building. There are very few true historic buildings throughout Front Street. There's only a handful that were done from the original get-go. But all of the reconstruction, renovation, upgrades, and compliance with public safety and health issues had done in a historic perspective. Those two front buildings are stuck with that historic perspective. We agree that your success is our success, but we're coming at it from different sides of the coin. It's the same coin, we're both interested in literally exploiting Lahaina, but we're exploiting it from two different perspectives. So you have to come up with better reasons to come to change the sign restrictions that you have by saying that you're not a historic building. You may not be, technically, a historic building, but our expectations are you act like one. You may not have better brand identity by the restrictions of the size or the scope of your signs, but we're doing a different brand, and again, I'm not -- I don't want to make rules, or I don't set down markers, or take issue, but

you need to push and change as much as you like but keep in mind that my perspective is going to be completely different than yours.

Chair Osako: Anyone else to testify at this time? If anybody else would like to testify, would you please sign up now? No? Then I take it no one else will on this item? Okay.

Mr. Rede Eder: I apologize for the late sign up ...(inaudible)... to speak. My name is Rede Eder. I'm the General Manager of Hard Rock Café. Now, we've been here in the community for 25 years. This is our 25th anniversary and we love being part of it. We support everything that goes on there. I mean it's a great thing. However, when The Outlets had to go through and get their re-certification, the signs that we've had for 20-plus years had to be taken down. Removed completely. They weren't obstructing anything. They weren't making anything look bad. They weren't -- you know, we have a very large frontage down two streets, and yet we're afforded now the same amount of signage of a fudge shop that is, literally, three feet wide and eight feet deep, you know. The sign that we got recently was approved, put it up, you can't see it unless you're right in front in front of our door. These types of things are hard. You talk about branding. We are branded worldwide, and yet people will call and say, "Hey, we can't find you." You know, that's hard. Very, very difficult. Especially when we've been established within the community for so long. You know, what made that change from 20 years when we put those signs up, or 25 years ago, to now, literally, less than a year, we lose everything. Our identity is stripped from us, which creates a whole other challenge. You know, we want to be part of the historic district. We enjoy that. But at the same time, it should be oppressive to us to the point where we're having difficulty even doing business at a level that is even profitable. And these are unique situations, and Trisha and Alice have really tried to do what is right by adhering to the needs of the Commission and so forth, but now they put us into a situation that is really challenging and whether -- can we even stay on Front Street, you know. We want to be part of the community. We want to continue to do what we do. We want to take care of the people that work for us. But it gets challenging, and in this situation now, we've dropped tremendously in sales because people can't find us. It's a common occurrence now. It's not that once in a while. You know, how many people that come into Maui, Lahaina is a first time experience, especially to those people that come over and maybe they've been saving for years, they come over, they come into Lahaina, they have certain expectations, it's not the same as the people that come for the timeshares that come year after year after year and they don't really come down to Lahaina anymore. The identity of the our businesses needs to be at least visible to a point when are looking for you, they can't find you. Now, I'm not sure how many of you have actually been down to The Outlets since it's been redone, it's beautiful, they've done a good job with it, but trying to stay within the guidelines has really kinda gone backwards in certain situations. It would be different if you guys came to me, and plenty of inspectors have come by our property, I talk to them, you know, if you came to me and said, hey, your signs

are obtrusive, they don't fit in, they're lit up wrong, they're neon, they're whatever, ours aren't, ours weren't, and yet we still had to take them down. And again, the big point comes down to how large we are and yet we have this tiny little sign to cover three entrances. You know, if that fudge shops gets one based upon its size, why can't I have three, one for each entrance? It doesn't make sense. It's different, I think, if the Commission's rules were in place when those original signs went up, and we addressed it at that point, but now, after an established business of 25 years, it's cut out right underneath us. So the frustration is there, and this may not be the right place to talk about the changes, however, if you guys are about to discuss making changes to the guidelines, why can't we address the changes as well? You know, the whole process is a little confusing to me, and I apologize, it's the first time I've been to one of these, but how do we make those changes? How do we look at that? Who do we actually address with this if it's not you?

Ms. Salazar: Thank you for your question and your testimony. I believe what you're asking is procedural. Because we're a Commission and it has to be in front of the public, the procedure would be to bring it to the Commission as an agenda item in a request place and then we have to have a least a month for the public to hear about it, you know, to learn that this is going to be an agenda item. And so I really want to reflect upon what Commissioner U'u said a little while ago about case-by-case. Granted, I see what you're saying, the large space you have on both sides of the road, Front Street and Papalaaua, and yet the place that has only maybe a six-foot wide frontage, you have to do the same signage, so I think that would be a perfect example for a case-by-case, if you could possibly bring it as a case-by-case in the near future, like you could make it happen next month or something, we can't do it today as far as any deviations. And also, this is kinda what happens -- what has happened on Front Street too, places have gotten smaller. When I came here in the '70s and walked around, the stores were larger, and now they're maybe split in half and now there's two stores, so it's something has occurred over time and that there's more stores in the same amount of space, however, with the Hard Rock Café, it's not the case as you have -- you still have a lot of space, you need, you know, you're making a case for needing better signage or something that would be more visible.

Mr. Eder: I mean we don't really necessarily want more; we just want what we had, you know, because it wasn't --

Ms. Salazar: No, but still it would have to be a case-by-case is what I'm saying in procedurally. Am I correct?

Mr. Hopper: Right now, we're reviewing amendments to the sign guidelines so if there's a change in these amendments, you can make that now, you'd have to renotice, but the whole purpose is to have public testimony and if there are changes that can be made, it

would be generally applicable to everybody, it wouldn't say Hard Rock Café can have a certain size sign, but they could say, you know, if your building is a certain size, you have a different scale for the size of your sign. That's an option. But it's not my idea, and I'm not promoting that idea, but I'm saying that you can make -- the whole purpose of the testimony is if you want to make changes to the guidelines, you can. If you decide not to and want to go with what they have, that's fine too. But the Commission has the authority to, you know, whatever is here, within the scope of these changes, the Commission can look at it and determine if it wants to make alterations to these, defer these, or pass them as they're written. It's up to the Commission. You can't grant variances for people through this though. You can't say Hard Rock is different, but if you wanted to have something in general that applies to everybody, that's the purpose of the public hearing and it's something you guys could look at.

Ms. Mowat: Hi. I was just thinking about what you said about somebody calling and saying we don't know where you're at. I'm thinking why; it's not because of the sign. It's because maybe, you know, the resources. You have other resources. You could Google and find out where it is. I've been hearing that the signs is what brings in the money, brings in the people, but I know, I live -- when I'm here, I'm in Kihei, and I was in with my high school girlfriends, and we drove all the way because she wanted to see -- she wanted to check out Coach, which is The Outlets, right? So we know where everything is 'cause we have all these resources now. You can look up in the phonebook and find out the address. Front Street is Front Street, so I mean just passing during the nighttime, you know where Hard Rock Café is 'cause you can hear the music, right? So what I'm saying is I mean I go to drive down to Kihei and there's so many signs that I cannot find that one place I'm looking for, and I have to drive real slow and get honked at because I'm trying to find the one particular place I'm looking for. So what I'm saying is if we're putting so much into a sign, I mean I understand what you're saying because your Front Street area is huge, and I don't know what your sign looks like now, but I bet you everybody knows where that is except for the people that might come from off-island.

Mr. Eder: Which is about 80% of our business.

Ms. Mowat: But -- and you know what? All they have to do is ask, and half of the time, if they're going to get in a taxi, if they're going to get in a bus, if they -- they can put a GPS. It's not about the sign is what I'm saying. I mean what we're trying to do is prevent this clutter of signs and make it look a little bit more uniform, and if say we do get a variance and get a bigger sign, then who's not saying that somebody down the road, we're all thinking that the bigger the sign, the more people will see it, and they'll know, but there's other resources. And back to what Frank was saying, we have a mission, and our mission is to keep Lahaina the place that draws tourist, people like to come because of its ambiance, because of the environment. If it gets too commercialized, then they going

forget what Lahaina was; then again, there's people that live here. So that's my mana`o. We're not not supporting The Outlet, we're supporting every one of you, but we have to keep in mind that we have a responsibility to the community, to the historic preservation, and what our job is just trying to keep Lahaina that Lahaina, and not a business vying for one another, and bigger sign, and glittery sign, or the bigger sign will draw more people, I don't think that's true. I think if your product, if you use other ways of getting the public to know where you're at, you know, you'll be successful. So that's just my mana`o. We are -- I am supporting The Outlet, I may not be able to afford half of the stuff that's in the stores but -- so mahalo.

Ms. Arleen Ricalde-Garcia: Hello. For those people who -- who's here for the first time, I recognize a couple of people that have been to a lot of our public hearings in Wailuku, and it may sound as if we're being really stringent about the guidelines, but just FYI, we've had several hearings already, and we actually started out from scratch, and these guidelines have been modified, and it's evolved. It's evolved and we considered the modifications based on testimony. So it's been several meetings, and every time we've had to consider modifications, and this is what our fourth time already, and we really do consider everyone's testimony, and we've put them in place in the guidelines, and so that's why it's very extensive, and there's a lot of things in here that has been modified, even for flexibility, and that's why we keep reiterating case-by-case, which wasn't even there before. So just to let you know that we are in support, but we have to also try and keep within our own mission.

Chair Osako: I have a question for staff. Has the allotted space for signage been modified greatly as far as square footage of signage?

Mr. Hopper: Coincidentally, because of my statement, I just consulted with staff, because there's a provision in the county code, it's not in the guidelines, it's in the county code, it says, basically, "Within Historic Districts No. 1 and 2," it says, "wall signs shall be no larger than 12 square feet, marquee or hanging signs shall be no larger than 8 square feet." The guidelines can't go beyond that. That is the county code right now. That would require, I think, that would a code amendment, if that's something that, you know, the department or people want to look at, it sounds like that's something that maybe coming up later. When I spoke about the guidelines, I guess I mis-spoke on the potential to make that change cause you cannot go beyond what the county code says. The guidelines, in general, that are in here, yes, you can make changes to them as long as they don't go beyond the authority granted to the CRC by the code, and so in this case, the code says 8 square feet, 12 square feet, that's why you've got the total 20 square feet, and that's -- I guess Annalise has a comment to make too, but I kind of -- oh, no? But I wanted to make that clear that, in general, the purpose is, yes, the Commission can make changes to these, they can't go beyond the authority that's already granted to it, so I mis-spoke about

the alteration of the sign size because it says the, I think, the maximum total square feet is the most pursuant to code that can be allowed, certainly the county council can consider code amendments to allow larger than that, but this is actually a case where it says in the historic districts, one of the, frankly, few things that deal with sign size says or sign regulations that's actually in the code does set those limits, so I did mis-speak on that aspect of it.

Ms. Erin Wade: Thank you. I'm Erin Wade. I have done a lot of the permits in the past, but one of the things Annalise and I have talked about is the very next step after this is going to be changing that section of the code to incorporate the updated design guidelines, so that could be an opportunity to take a look at the sign size at that point. The other component, which has been challenging as staff, in that section of the code is for variances to signs. It requires CRC and -- or, I'm sorry, BVA and council approval, so that is very unusual.

Ms. Kehler: ...(inaudible - not speaking in the microphone)...

Ms. Wade: Oh, that is done? Okay. Okay, great. So that helps us. Thanks.

Chair Osako: So do we know if the code has changed the size recently or -- he says he's been in business 25 years or so?

Mr. Hopper: I'm not sure about the 25 years. It does say the sign requirements are left over from the prior code before the county code, so a substantial amount of time, it may even be 25 years, but I'm not sure exactly when this came in, but it says it's from the prior code, which predates the existing county code in its entirety so --

Ms. McLean: Relating to Hard Rock, in particular, and Erin and Annalise can clarify this, they had their original signs before the sign guidelines were adopted, and so the signs that they had were approved and they were grandfathered. When The Outlets purchased the property, and redeveloped the property, they had an SMA major and they did a comprehensive signage plan to apply to the entire property, and so that's when the new guidelines became effective and applied to Hard Rock, so your original signs were grandfathered, but when you became subject to the entire property's comprehensive signage plan, that's when you had to comply with the design guidelines. So that's what happened, particularly, to Hard Rock.

Ms. Salazar: Thank you for that clarification of what happened there. As I'm looking at this map that's in the -- what The Outlet sent us, I noticed that there is only one small location, which is The Outlets of Maui Information Center, and it's located in a very small building in the middle of The Outlets, so, you know, perhaps a discussion should happen with the

landlords or property managers who handles -- you know, to assist in support of the businesses there, especially maybe the ones that is not as visible to have the information center more accessible, for visible, probably be more out on the size of the outskirts -- of the outskirts of the other businesses on the outskirts of the street because, like the point was made well that you try walking around there, it's a big space, I know that, I agree, so when you have to go and hunt down the information center and you can't find it, well, that's interesting, and I see it's connected with Wyndham there, so that's probably the part where people come in and say, well, where do I find such and such a place, and they say, well, would you like a presentation at Wyndham, you know, so -- but so that would be a suggestion I'd like to make that you take back to the powers that be for The Outlets to provide a better or more than one small tiny location where people could get information and maps, maybe maps would be good of course, yeah, I just wanted to say that because H-6 is a small corner behind Michael Kors, across from Calvin Klein, and, yeah, I know someone locally from the other side that shops at Coach regularly so we can find it if we really want to find that store. Thank you.

Chair Osako: Okay, is there anyone else that would like to testify at this time? Oh, you didn't hear me the last time when I said -- anyone else? Could you sign up at this time, please, one more time?

Mr. Sne Patel: So thank you, guys, for hearing us. My name is Sne Patel, and I'm the current President of Lahaina Town Action Committee, and I just wanted to reiterate that the council is going to review on page, I believe it was, 9 about the unable to comply, and that wording, and that was going to be looked at in terms of changing that. Okay. And then one last thing is, you know, we talk about the ambiance of Lahaina, and I love the fact -- I love the fact that there's a huge historical component of Lahaina because it does draw people down there, they like to see, you know, kind of a older style of design and just, you know, not just so commercial. I know people enjoy that as they're walking around. The talking signs, the section about that, you know, in the code, here's the thing, we can make all of these rules, all of these guidelines, who is in enforcing it and how they're able to do it, that's the problem. And so when Theo talked earlier about the hawking, I mean right now, we have a disease in Lahaina with certain entities that are down there selling their product, and I'll just say it, it's the lotion shops, they've emerged, like there used to be one, now there's two, three, four. I heard that there's going to be another one down the street as well. And it affects my business. I also run the Peter Lik Lahaina Art Gallery, and people come into my shop already frustrated that they've been stopped four times to hand out a product, and sometimes they even put it on the people, and what they do is they put the lotion on, and they go inside to have to wash it off. They force them to come in their store that way. They prey on elderly. They say, oh, you need something for your eyes. Come inside. They put it on. These are not aestheticians. They don't have a license to do that. Who is governing that? How is that the ambiance of Lahaina? So for me, as a

person who manages a store, when I -- when people come into my store and I say, "Hi," they're already offended and say, "Oh, we're just looking." Of course they're just looking, but this what I'm talking about is it's not just one store, five stores on Front Street that have this tactic. And I just found out that they don't care that they're getting fined a thousand dollars a day. They're going to pay 'em because they're making so much money. It's the most profitable out of all of their organization, Lahaina, right now, is the most profitable because we're not taking action. New Zealand kicked this company out. And they're preying on people. They're, in a way, in terms of this community, I just want them to know, the ambiance is shifting, not just with signs, that's one component, but with people talking to tourists, or just regular people walking by, and it's basically baiting them to come into their shop and a tactic that I don't think we want to see. So I know signs is an important thing, but this, right now, is a huge problem, and once again, you can make all the rules you want, but how are you going to enforce it, and how is it going to hurt them in the bottom line where it forces them to not be doing business that way. So rules are great, but it's not working for these guys. So thank you.

Mr. U'u: You know, if you could, sorry, I can ask staff a question. How do we enforce, and I always believed in that, you know, we just have words on paper until we can enforce the words on the paper ...(inaudible)... how do we enforce, you know, I guess budget and whatnot, but how do we take care of this before -- because it's growing, it's growing, there's like a sign that it's growing it's massive self, and how do we take care of the hawking? And, you know, I hardly go to Lahaina, you know, it's not my thing, but I live on the other side, but the last time I did, I remember being, you know, I guess hawked, I have no idea the terminology, and it is, it is inappropriate to a fact where you wouldn't know you're in Lahaina, regardless of the building, regardless of the signage, regardless of the historic look, you wouldn't know you're on Maui, and I think that's a big issue that we need to take care of immediately and, more so, be proactive than reactive. It's too late that we are reacting, but I like -- we need to do something. I'm asking staff, you know, how do we enforce, you know, is it levels of, you know, levels of urgencies that need to be attended to with enforcement? Do we have the people in place, and shit maybe -- I'm sorry for saying that last word, maybe we can have a volunteer service and, you know, I would like to -- if they came to my town in Paia, I would like to clean them out too, you know. That's what I would want to do. And, you know, I'm asking. How do we nip it in the butt, sort of speak, not in the island?

Mr. Hopper: I can help answer the question. I just didn't know if there's any other questions for the testifier. I wanted to do that first. No? Okay. There's a county code section, again this is the code that says, "In Historic District No. 1, selling in public places, it is unlawful for any person or carry on or solicit business in any location on any street, highway, or sidewalk." As with any other county code section, the enforcement goes -- for most other county code sections, enforcement is through the issuance of a violation. A

maximum fine is \$1000 per day. There is a proposal in the charter to increase that maximum fine to \$20,000, but it did not pass. So the most someone can get fined is \$1000 a day for the violation of any county ordinance, and that has been in place since 1983. That hasn't gone up since then. That is the maximum fine. After the person's fined, if they continue to ignore the fine, which accrues at \$1000 per day, the next step would be to take legal action against the person, and that takes time because that has to go through the court, it may take injunctive relief, and that's the next step on this, to get a court order, basically, for that person to stop, basically, violating the county code, and they would most assuredly want a hearing or something to, you know, have their day in court to say what I'm doing doesn't violate the code. But it does say that soliciting in a public place, any street, highway, or sidewalk is prohibited, and the maximum fine is \$1000 per day, so if they continue to ignore that, court action would be the next step.

Mr. U'u: And again, it's words on paper. That's what I'm saying. What's the enforcement side and how we go about, you know, do you video? Who do you turn them in? What agency you look for to file a complaint, a consistent complaint? You know, that's what I'm asking.

Mr. Hopper: With Planning Department, and my understanding is it's been done, so I mean but if there's others and there's evidence of it, and the inspector can go and actually verify that for themselves, they can issue the violation, and it would be their testimony to establish that that business is the one who's doing that advertising and would be liable for those fines and subject to the court order. It would have to be to the Planning Department because they enforce Title 19, of the code, and the zoning inspectors, and, yeah, they're certainly short-staffed, but the zoning inspectors would be the ones to do that actual enforcement in conjunction with corporation counsel as far as the legal end and going and doing the -- getting the in conjunctive relief. But, yeah, they'd have to get evidence of the activity, but if the whole purpose of the activity is to be open to the public, the evidence should be out there, you'd need to connect that to the business, obviously, but that shouldn't necessarily be difficult 'cause that's the whole purpose of what they're doing.

Chair Osako: If I remember correctly from prior meetings, when we asked the question about enforcement, I think there was one inspector that did Lahaina and also parts of Kahului and Wailuku, and they had two more people in training, so very understaffed, and I guess for the people in business, you're talking about money, so, for the county, I guess it's money also to have enough staff to do the enforcement. I don't know what the specifics are as far as funding, but that's the answer we got when we asked about enforcement anyway. Okay, if at this time, if there's no one else that wishes to testify, we'll close the hearing for this item. Okay, this item is closed to public testimony. Yeah, we'll recess for lunch, I guess. We'll go through the amendments real quickly. Okay, yeah. Why don't we take a five-minute recess for bathroom break.

(A recess was called at 12:30 p.m., and the meeting reconvened at 12:40 p.m.)

Chair Osako: Back in session. We're going to go over the amendments real quickly, item by item.

Ms. McLean: Okay, Commissioners, we're on page 1, there was already that one change that we went over before the end of the first paragraph, crossing out "and possibly the Cultural Resources Commission."

On page 3, in the table, in the first line of the table, "Business Identification" sign, moving over to the right, to the column that's headlined "Permit Required," it says, "staff approval except roof signs, which require CRC approval," we would change that to, "which have CRC consultation." Change "approval" to "consultation."

Then in the next line, "Building Identification," in the column that's headed, "Size," it now says, "determined by CRC," we would change that to "n/a," not applicable.

And then in the column that's headed, "Permit Required," where it says, "yes - CRC approval," again we would say, "CRC consultation."

Building Identification sign, Size, it says, "determined by CRC," that would get changed to "n/a."

Then at the bottom of the page, in Table 2, the bottom row, "Roof," the last line says, "shall be simple in design, limited to plain font; requires CRC approval," and again, that would be "CRC consultation."

Okay, then moving to page 5, these changes relate to the Public Art where corp. counsel had a concern that those cannot be prohibited, so under Public Art, Murals, we can keep the language that says, "Murals are large sized images or graphics that do not contain commercial messages." Then that second sentence would be deleted, "Murals are not permitted in the Historic Districts," we would delete, and what you could add is something like, "The CRC encourages that murals conform to the character of the Historic Districts," something like that where it's not -- it's not a prohibition on them; it's just the CRC's recommendation, but that's not something that we would regulate because that's a free speech concern.

And that caption underneath that image would have to get deleted, where it says again, "Murals are not permitted on the exterior of buildings within the Lahaina Historic Districts."

And then in the paragraph below, the language that I suggested for Murals is, "The Cultural Resources Commission encourages murals to conform to the character of the Lahaina Historic Districts."

Ms. Salazar: ...(inaudible)...

Ms. McLean: Well, let me -- Bruce has the microphone. Can you pass that down?

Ms. Salazar: I was saying that the word "character," if we could find a way to be more definitive with that word, I don't have a suggestion right now, but give us a few minutes, because I remember there was once, yeah, when someone, I'll pick on good 'ole Wyland, he's a nice man, he could paint the whole side of a wall and of a whale, and we all know it's Wyland, and it's commercial in that, commercialism is conveyed not only through words, but through visual artistry, pictures as well, so can we look for a way to do more definitive with the word "character?"

Ms. McLean: Sure.

Ms. Salazar: Would you read that sentence again, please, Michelle?

Ms. McLean: "The CRC encourages murals to conform to the character of the Lahaina Historic District." But we can come back to that if you think about it, we can come back. Okay.

Still on page 5, in the paragraph relating to sculptures, right on the bottom right, that last sentence that reads, "Sculptures of important figures associated with Lahaina's past may be permitted, provided approval has been granted by the Cultural Resources Commission," that should get deleted in its entirety. Delete that last sentence in its entirety, "Sculptures of important figures . . .", yeah.

Okay, moving on to page 7, Roof Signs, again, this is the very last sentence, it says, "The placement of roof signs shall require the approval of the Cultural Resources Commission," and that would just modified to say, "The placement of" -- excuse me, something like, "The Cultural Resources Commission can be consulted on the placement of roof signs." Consultation.

Okay, page 9, in the section -- section VI. Historic Districts Rules of Thumb, on the left-hand side, it says, "The Cultural Resources Commission Recommends," and then it says, "The Cultural Resources Commission Requires," we would take out that second heading so that all of those bullets would fall under the heading of "The Cultural Resources Commission Recommends." And similarly, on the right side, it says the CRC discourages,

and it says the CRC prohibits, we would cross out the heading The CRC Prohibits so all of those bullets would come under the heading The CRC Discourages.

Then at the bottom, the section Case by Case, the last sentence should be deleted, and that's the sentence that reads, "At the discretion of the Planning Department, the CRC may allow flexibility from the sign guidelines of this document," this was also the section that was discussed earlier, the prior sentence currently reads, "Applicants who are unable to comply with the guidelines outlined in this document are invited to request a review by the CRC," and if you'd like to, that could be modified as you've already discussed, "Applicants who have questions about the applicability of the guidelines are invited to request consultation with the CRC." So that's just more consistent with the what the discussion was.

On page 10, section E relates to Murals, that would just have to come out where it says, "Murals are not permitted . . ."

And jumping all the way to page 16, and this is the last page where we have changes, at the beginning of that page, The Sign Review Process, the second paragraph should read, "The Planning Department may refer any sign to the Maui County Cultural Resources Commission for consultation." And continuing along, "Any proposal that deviates from these guidelines will be taken to the Cultural Resources Commission for input."

And the next paragraph, "Variances - parallel and perpendicular business identification signs exceeding the allowable sign area pursuant to Chapter 19.52.030, of Maui County Code, may obtain a variance from the Board of Variances and Appeals." That was the section that Mike read earlier that's in the county code already, so instead of "shall require both CRC and county council approval," it's "may obtain a variance from the Board of Variances and Appeals."

And we'd also like to ask if we can make formatting and grammatical punctuation type formatting and typographical changes. And that's it.

Ms. Salazar: ...(inaudible)...

Ms. McLean: Can you use the microphone?

Ms. Salazar: I was wondering, okay, now that we've gotten through that, I think I found the wording that can go along with character, with regard to murals, where there's some changes to the sentence. On page 5, on Public Art, Murals, and when you say the word "character," "characteristics that do not contain commercial messages." Oh, this says it up here already. Okay. This says it. Oh. Erin?

Ms. Wade: Regarding the murals, it might be best to just delete any reference to murals. In the other codes, in the other design guidelines in the small towns, we have a section on color and architectural style that says, "that buildings may be painted one main body color," which takes care of the mural issue, so maybe we don't refer to it at all, would be my suggestion in the sign component, so that as you do the updates for the design guidelines, it gets taken care of there 'cause it's more of a architectural style issue anyway that you don't want that kind of thing painted on a historic structure then it is a commercial sign concern. I would think that would just make it consistent with the way that we do it in the rest of the design guidelines.

Ms. Salazar: Sorry. So if someone should ask about it, then we need to -- they would need to be referred to that architectural -- or should we mention it and refer it in here?

Ms. Wade: So the Architectural Style Book right now isn't that specific for Lahaina, which is why, you know, Annalise has been kinda working already to start organizing design guidelines for the rest of the architectural elements of the district, so those will be following, and that would be a convenient place to put it. I do know if Theo had stayed till right now, she would be really upset if we made a reference to supporting any type of a kind of mural in writing, in the design guidelines, so it would probably be better to just be silent on it than to provide some direction regarding it.

Ms. McLean: So that's up to the Commission whether you want to take out the references to murals all together or if you want to modify it. I think maybe the cleanest way to do it would if there's no other discussion to move to approve the amendments as we went through and relating to the section on murals to delete it entirely, and that could be your -- your motion, if there's no more discussion.

Ms. Salazar: Okay, I'd like to make a motion that we -- to approve as stated but with the amendments to remove and the alterations of the language and to remove -- delete the section regarding murals.

Ms. Mowat: I second.

Chair Osako: It has been moved and seconded that we approve the new design guidelines with the changes and the deletion of reference to murals.

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

It has been moved by Commissioner Salazar, seconded by Commission Mowat, then unanimously

VOTED: ***to approve the Lahaina Sign Guidelines with the proposed amendments and the deletion of any reference to murals.***

Chair Osako: Motion carries.

- 2. Amendment to Section 12-531-7(11), Standards and Criteria Relating to the Duties and Authority of the Maui County Cultural Resources Commission, to replace the existing Lahaina Historic Districts sign guidelines in their entirety with the “Lahaina Historic Districts Design Guidelines, Sign Guidelines”. (A. Kehler)**

The Commission may make its decision after the public hearing

Ms. McLean: Congratulations. Related to this, there’s also the one housekeeping measure, if you will, this is actually amending your rules to add this new document in place of the old document.

Mr. U`u: I make a motion to approve the amendment to the section in the entirety and to replace with the Lahaina Historic Districts Design Guidelines.

Chair Osako: Okay, it has been moved and seconded to approve the design guidelines? That’s already been done. Oh.

Mr. Hopper: Just to clarify, this is actually in your rules, standards and criteria, these are changes to the rules, I thought I had mine, but they’re -- but it was part of the public notice. It’s actually the draft section. Yeah, it’s changing the administrative rules of the Commission to indicate that it is adopting new guidelines, it’s replacing the old guidelines and, basically, just updating by reference to the date of March 2015, the new guidelines. The amendment is in Subsection 11 of 12-531-7 to delete the reference to the current sign design guidelines and replace it with the ones dated March 2015. That’s just clarity for the record so that when the vote happens we know what we’re voting on, but this was in the public notice.

Chair Osako: It has been moved and seconded that we approve the draft amendment.

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

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

VOTED: *to approve the Amendment to Section 12-531-7(11), Standards and Criteria Relating to the Duties and Authority of the Maui County Cultural Resources Commission, to replace the existing Lahaina Historic Districts sign guidelines in their entirety with the "Lahaina Historic Districts Design Guidelines, Sign Guidelines," dated March 2015.*

Chair Osako: Motion carried. Okay, at this time we'll break for lunch and, if everyone concurs, we'll have them do their presentation while we're having lunch. Yeah, five-minute recess while they set up.

(A recess was called at 1:00 p.m., and the meeting reconvened at 1:08 p.m.)

Chair Osako: The meeting is back in session while we're eating, and they're going to do their presentation.

F. NEW BUSINESS

Munekiyo & Hiraga, Inc on behalf of the Hawai'i Department of Transportation requesting comments on the Draft Preservation Plan for Bridges within the Hāna Belt Road Historic District, Federal-Aid Project No. BR-0360(12), for state-owned bridges along Route 360 (Hāna Highway), Hamakualoa, Ko'olau, and Hāna moku, Maui, Hawai'i.

The Commission may provide comments on the draft preservation plan.

Ms. Kehler: So, really quickly, I just wanted to go over a few points of the staff report. This is a preservation plan for the bridges that are within in the Hana Highway Historic District, but it's only those state-owned bridges along Route 360, and, let's see, okay, so it starts with Hoalua Stream Bridge, in Huelo, and then it goes to the Kawaipapa Bridge on the Hana side, and there's 43 bridges and 12 culverts that are part of this plan. And then there's a number of comments from staff, but the main ones are just kind of about doing AISs in the beginning of the project, before construction or implementation of the plan happens, just to make sure that there aren't problems later on down the road, and then minor things like diacriticals. One question staff had was regarding structural treatment recommendations, it's unclear in the plan whether or not the recommendations are the result of an engineering study. And then another recommendation was to include photos of proposed crash-tested rails so we could see what sort of visual impact these would have on the bridges. And then the other thing was the routine maintenance program. There's little things that can be done to bridges that don't affect -- they don't have a negative effect on the historic integrity, like clearing them of biological growth and debris, and then also,

another consideration would be the removal of excessive asphalt overlay on the bridges, exploring that option to the fullest extent possible would be good because not only does the asphalt add -- or decrease the railing height of the bridges, it also adds to the load of the bridges, and so that was a major consideration that should be considered. Okay, and that's -- that's it.

Mr. Hopper: I just wanted to clarify the Commission's role. They're being asked for comments here. Is there any permit or anything that the department has to grant, no SMAs, anything like that? Just curious.

Ms. Kehler: No. This plan is not a construction plan, it's just a plan, and then we're not granting permits, no. This is not. So it's a comment on a plan.

Mr. Hopper: Okay.

Ms. Kehler: Yeah.

Mr. Hopper: So basically comments to the state. They're seeking comments as part of their due diligence and --

Ms. Kehler: Yes.

Mr. Hopper: And so your comments will be forwarded as a body to them in addition to the staff comments? Right?

Ms. Kehler: Yes.

Mr. Hopper: Okay.

Ms. Kehler: They have the staff comments.

Mr. Hopper: So the staff comments where the department made, and then you guys can separately make comments - you can echo them, or I suppose you can add additional comments if you'd like.

Ms. Kehler: Yes.

Mr. Hopper: Okay.

Ms. Charlene Shibuya: Thank you, Chair and Commissioners. We appreciate you allowing us to present while you're eating lunch, and we promise not to give you indigestion. My name is Charlene Shibuya, I'm with the planning firm of Munekiyo &

Hiraga, and on behalf of the State Department of Transportation, I'm here with a team, to present this draft preservation plan, as Annalise said, it's a preservation plan and not construction plan at this point. And with here I have Historic Architectural Specialist, Tonia Moi, Virginia Murison and Alison Chiu, and then I have a structural engineer, Mody Aihara, from Nagamine Okawa Engineers, Inc., and then we have Katie Folio, she's the archaeologist from Cultural Surveys Hawaii, and of course, we had to bring Ferdinand Cajigal, the Maui District Engineer. And to kinda not to speed up things, but I'm going to just turn it over to Tonia, and I think some of you remember that we came in -- came before you last summer to -- on the onset of the project to get early input and now this is the second phase where we're trying to get comments for the 75% draft report. Okay, so, Tonia, I turn it over to you.

Ms. Tonia Moy: Thank you, and sorry we have to do this during your lunch, but so we handed out to everybody our slide presentation, which is not a slide presentation, but now a handout, so if you can kinda take a look at it, I'll just let you know how it's laid out so you can kinda following along, if possible, and this is the slide presentation that we gave to community groups, so we've been out to Hana, we've been out to Kaupo, we've been out to Hana many times. But anyway, so this is the same presentation that we've been giving for the past month or so. So if you look at it, it's four slides on one sheet, and there's tiny page numbers in the bottom right corner, I don't know if you can see it, but so it goes left right, left right, left right, then down to the bottom left right, and then flip the page, it'll be left right, left right, just so you know, 'cause this is what I'll be following. Yeah, that's one. Correct.

So I'm going to just give kind of an overview of the project, and I'm going to, you know, to help speed things up because I know you guys are familiar with the project, and Annalise did a summary for you and all, so I'm going to give an overview of the project, and after I'm done, Virginia's going to talk about -- she's going to describe the features of the bridges, and Alison will recommend -- Alison will go over our recommended treatments that we've developed over the past half-a-year or little over half-a-year, and Cody, the structural engineer, will talk about the structural issues and how we're handling that, trying to keep the historic preservation aspects and keeping in mind the whole time we're talking about public safety.

So I know you guys have been given the executive summary, which is the, you know, actually that's the key to everything. The whole report is like, you know, 500 pages, and we don't really expect people to read everything, but if you look at the executive summary, we have a chart and that one goes through every single bridge, and the recommendations for every single bridge, and that's just the summary, you know, the whole report will have much more than that, but just if we could get your comments on that, that's kind of the crucial part for us, and once we get everybody's input as to how we treat each bridge, then

we can go back and populate everything. So yeah, I think that's it. Yeah. It looks like that big, but, yeah, that's it.

So I'll skip the next slide, which is talking about who the project team is, but as you can see, we have civil engineers, traffic engineers on the team too so they can -- they helped us with how to handle the approach and, you know, water issues, and traffic issues, and all that stuff. Slide no. 3 is just telling the overall project purpose, and mostly, I'll just summarize it by saying that DOT has to go through federal funds to get their bridges done, federal funds means Section 106, Section 106 leads to historic consultation, so they are just wanting to make that goal smoother as they continue on, so with this as a plan, if we have everybody's kind of buy-in early in their plan, then the next construction step to go easier, to go faster, should go cleaner, you know, the community will have had some buy-in already, so that's the whole idea behind this plan. And again, it's not a construction plan. It is, you know, a preservation plan.

So the purpose of this meeting that was, you know, we talked to the communities 'cause it's important to get the community feedback; Hana, it's important to like how does the traffic affect them, so we went, you know, early on, and we went back again to go over what our recommendations are.

So the schedule on the next page shows that, like last summer, we did go around to the communities, we met with you guys, some have changed since we came, but, anyway, and I guess the two things that came to mind that they really were very adamant about is keeping it one land, keeping it -- keeping it very rural, no big highway, no, you know, no straightening out of the road, and that kind of thing, and the other thing that they were kind of keen on is to put back the Hawaiian names or put back the names for every bridge. So also, we gave you a handout that have the -- you know, we've done some research, we tried to get the names of most of the bridges, or from people we knew or contacts that like Charlene had, local contacts, but and so we've been handing out to the community too to get their feedback on that 'cause we feel the local community would be the best ones to give us, you know, if we have it right, basically. So if any of you know also, we would love feedback on that sheet that has all the Hawaiian names.

So, currently, of course we're going through the concept and drawings, and you folks have the summary so that's -- and we're going to come back next summer around -- with the final report and, hopefully, we'll have addressed all the concerns that everybody had.

And then I'm going to skip the next slide because it just talks about where the district is, and you guys know that, Annalise went through that, and then there's a big sheet which just has the names of all the bridges, I'm going to skip that. So we're going to go onto slide no. 10, and, you know, it was -- this is the specific project objectives, and this is more for

like people who haven't been -- who haven't known what the project is before, but just to -- a really quick summary is we're trying to make it acceptable for both public safety and for historic preservation, and that was the goal of this whole preservation plan. We had to weigh both for each bridge.

And here's the next slide, page 11. It kinda gives you an idea of how -- a summary on how to use the report, so the whole report, which is really big, it's basically two parts. The first part kinda tells you the why, like the regulatory, the, you know, Secretary of Interior guidelines, what we're following, and then some of the structural guidelines. And then the other chapter 6 we have in there, it's called "Related Issues," because the other really key thing that was bothering most of the Hana residents is the traffic, or the tourists, so, you know, actually they came up with some really good ideas on how to handle that, like putting a note in the tourist driving manual, like having a brochure go in there that would say, you know, like courtesy and etiquette, driving etiquette, and actually SHPD talked about having funding it through CRC to do a brochure for it, but anyway, so a lot of people are, you know, kind of really interested in that, but that's a related issue, it's not really a bridge issue, but it's something that came up over and over again, so we developed this extra little chapter that just kind of brings all the community concerns into one spot.

And then the second section will be where each bridge is going to have like the -- what the recommended treatment is of it, how, you know, it'll say get an AIS before you do anything; it'll say, you know, like this particular bridge is too narrow, it might have to be widened on one side; this is the design you should do for it, etcetera. So that's going to be more for like the designers so that they can each, you know, when they do a construction project, they can grab a section and, hopefully, kind of run with it.

So now I'm going to turn it over to Virginia, and she's going to kinda give you an overview on how we were sort of thinking on each of the bridges and the features.

Ms. Virginia Murison: As we approach the analysis of each of the bridges, we were finding that there are certain bridges that are just exceptional, they're exceptional because of character defining features that are unique to that bridge that they're particularly in tact, or they're ...(inaudible)... example of a type of bridge, so of the 43 state bridge and 12 culverts that are recognized in the historic district nomination, we have -- we have created 17 -- we designated 17 bridges and 1 culvert as exceptional, and I'll be going over and summarizing just the types of exceptional bridges we're talking about. All of the remaining 26 bridges and 11 culverts are designated as contributing, which they are in the historic district. And then there's a point of clarification, the 12 historic culverts that we continually refer too are really just short bridges. Federal Highways defines the bridge as a span of 20 feet or more, and there are 12 historic culverts that are shorter than 20 feet, but they look just like

miniature bridges so -- there are other culverts that Cody will be addressing that are more modern structures.

We also were -- I'm now on slide no. 13, page no. 13. As we evaluated each bridge for condition and safety, we were guided by some recommendations and principles. One is to maintain a 16-foot minimum width to allow, in event of a really difficult situation, to allow for two vehicles to squeak by each other, it's not intended to make it a two-lane bridge, but we felt that the recommendation from DOT was 16 feet would be the safest minimum. Our railing and approach guardrails are required by code to be 27 inches; actually, the historic ones, and you mentioned the asphalt removal, which is definitely a key component in our recommendation, the original railings are actually 42 inches, but some of them net out at 30 inches or less because of some there's so many layers. And also, as a bridge is rehabilitated, DOT wants to strengthen it to carry a load limit of 40 tons. It won't be posted. The highway won't be posted for that. But the intent is not to post it for that to not encourage giant cement trucks and so on, but to make it feasible and safe for emergency vehicles and other vehicles.

Of the 43 bridges, there are 31 that represent open picket design, and there are 5 culverts that are open picket. All of the open picket designs are 16 feet or wider, and we're going to get to some specific recommendations about railings, but -- and that will relate to the 16-foot width. Four of the five culverts will require widening because -- and the details will be addressed in a later slide. None of the historic railings meet safety standards for crash testing, and Cody will go into a little more detail about crash testing. So of the open picket exceptional bridges, we have a non-slide 15, and each slide, each of the subsequent slides here has a very short summary of the, on the far right column, the bridge number and name, and then the -- a summary of the proposed action, it's not all the details of it, and on the left, it indicates the quantity. So there are four curved bridges. Each bridge, again, exceeds 16 feet. Bridge no. 14, I'm sorry, I have to go back to the chart, and my ...(inaudible)... is not very good, Palauhulu Bridge is currently striped for two lanes but we're -- one of our recommendations is that that will be re-striped as a one-lane bridge, it's currently used as a one-lane bridge.

Then there are three of the exceptional bridges, there are three that are arched bridges. The most longest and most extensive of which is the Waikani Stream Bridge, and that is an exceptional single stand bridge. That actually connected the two halves of the road when it was finally completed in 1926. It is the only picket railing bridge where we are requesting a width exception. It is 18 feet wide. What we are trying to do is to preserve as many of the historic railings as possible, and so a recommended approach for doing that is to install a crash tested metal rail, simple and open as possible, we're still working on that, that will protect the historic railing, allow it to remain in place, and allow the roadway width to be 16 feet. In the case of the Waikani Bridge, it would be slightly less

than 16 feet, so that's the only open picket bridge where we're requesting a width exception.

There are two open pick distinctive -- bridges with distinctive piers. Kapaulu Stream Bridge rest on this amazing lava rock outcropping mid-span, and Honomaele Bridge, no. 42, rest on a solid concrete pier wall, which dates back to a 1906 bridge. The bridges we're looking at in this were constructed between the years 1908 and, basically, 1930. Both bridges are just barely wider than 16 feet, so to place this crash railing inside would significantly reduce the clear driving width, so this is beginning where we're going to be recommending that if they're 16 feet or wider, but not wide enough for the crash rail, that a, not a matching, the closest match that we can get to, open picket railing, that meets crash testing criteria would be used on these bridges, and there are a number of those.

Page no. 18, the Waiokamilo Bridge, Stream Bridge, and an adjacent culvert, which just again looks like a mini bridge, are the only bridges on the Hana Highway with a Greek Cross design. They were actually built earlier, and then widened in 1937. And in 1937, DOT was using this Greek Cross design, so there are other examples in Hawaii, but no other examples on the Hana Highway.

And the final exceptional bridge with the open railing is the last bridge, which is -- we're calling "a Post World War II Bridge." It's the only Post World War II Bridge on the highway. It was constructed in 1947. And culverts, which you can see barely to the right, there's two added culverts, were added in 1991. Interestingly enough, because of the added culverts, the National Register Nomination considers that a loss of integrity and, thus, they're designating this bridge as a non-contributing structure, and that may be something that the community and CRC wants to consider revisiting.

Then of the 31 open picket bridges, the remaining 20 area designated contributing. And the chart on page 20 goes over some of the features of the bridges. Most of them will have the railing replaced; 4 bridges are wide enough, again, to allow the protective crash railing; and then there are 4 culverts. The details are summarized in these charts. And again, all of these are further detailed in your executive summary, which will be greatly expanded on a per-chapter basis once we have all the input and do the final report.

The second category of bridges are solid parapet bridges, and I'm on page 20, well, 24 is just a title. There 12 solid parapet bridges and 7 culverts; of these, 6 bridges are exceptional for the reasons that are going to be described. According to the historic drawings, these were all designed between 1908 and 1914, and at that time, the road was actually a wagon trail, so most of these are right around 12 feet, or slightly wider, which means that they don't come anywhere near meeting the 16 foot width. And as with the open picket railing, these solid railings do not meet current safety standards for crash. The

3 of the 6 exceptional solid panel bridges are exceptional particularly because they have a date panel, and it's visible as you approach the bridge from the makai -- driving from the makai direction. In order to preserve that date panel, we're proposing, and there'll be a little more detail in the next section, that the upstream side, which is not visible as you approach it, be the widened side, thus preserving the date panel on the downstream side, the historic panel.

Bridge no. 19, we're calling "The EMI Bridge." It's the Kopiliula Bridge, and it's the one that has the East Maui Irrigation cranks for the ...(inaudible)... and the foundations are interwoven with the dams for the EMI systems, and this bridge is currently 14.5 feet wide. It has significantly stout structure of the railings. It's a unique bridge in that regard. And this will be the only solid parapet bridge where we're requesting a width, and in order to satisfy the safety requirements, the speed limit of that bridge will be posted down -- down posted another step and the exception for the width.

Another solid, I'm on page 27, the Mokulehua Bridge is the oldest bridge on Maui, and it's the third oldest bridge in the islands. It's the first reinforced concrete bridge, which was built on Hana Highway, and the piers actually date, you can kind of see when you see it in a larger picture, they're slightly short of the deck of the bridge, and they were built for a wooden truss bridge even earlier, we don't have the exact date of that. So this is the only triple span solid parapet bridge on the highway, and the recommendation is to widen it to the least visible side, preserving the visible side and the piers.

There's one solid parapet distinctive pier bridge, and the intermediate support is the CRM, concrete rubble masonry, wall, it's the only concrete masonry pure wall along the highway. And again, the recommendation, now the photograph you see here is the upstream photograph, this would be the one case where the upstream parapet and the pier are intact; the downstream side has been altered, it's actually next to a state park rest area, and so the, in this one case, we're recommending that the downstream side be the widened side.

Again, of the solid parapet, of the 12 solid parapet, there are 6 contributing, in other words, non-exceptional but contributing bridges, and 7 contributing culverts. Four of the six bridges will require widening. One bridge, Nuaailua, I'm sorry, is a hybrid. The upstream parapet is a older parapet, and the bridge was widened in the '30s, and the downstream parapet is an open picket. We're referring that as bridge no. 12. There's nothing particularly distinctive or intact about that bridge, so we're recommending that railings be replaced.

And then there's one bridge, Honomanu Bridge, which is bridge no. 11, this one is structurally indetermined. The deck and superstructure are in poor condition. The damage

to the parapet has been recorded. And it was rehabilitated in 1978, but the calculations are indeterminate. So that is the only bridge on the Hana Highway where we're recommending to replace, basically, replace in-kind.

And with that, I will turn it over to Alison for a more detailed description of the treatment recommendations.

Ms. Alison Chiu: Hi, okay, as Tonia mentioned earlier, you guys have the executive summary, which has all of the team's recommendations along with the photos of each bridge, and short description and significance statement. Each bridge will later have a detailed chapter where it will have all the existing conditions and the more detailed team's recommendations and the character-defining features for each bridge will also be detailed in that section. So I'm just going to go over a couple of the team's approaches to these recommendations and kind of our reasoning behind them so that you can understand how we were looking at things.

So I'm looking at page 34, which is labeled "Treatment of Charter-Defining Features, Railings, Preserve historic railing in place." Wherever possible, we hope to retain the existing historic parapets. We do feel that these bridges are a really important part of the Hana Highway character and that the historic parapets, which is what everyone of course sees as they drive along the road to Hana, are very important character-defining features. DOT has requested railings that meet current safety code, so we're looking at a couple of different options. In order to retain the existing parapets, we can add the interior crash-tested rail that meets code, as Virginia mentioned. The interior rail will also provide protection to the historic railings so they won't be damaged in the event of a crash. And we also wanted to avoid altering the view of the historic bridges. So by adding the crash-tested rails to the interior side of the bridge, we hope to keep the same view plane of the historic parapets as people drive along the winding road. Our team is still researching inappropriate interior rail that would meet the code but is also as compatible as possible within the historic district.

On the next slide, page 35, some of the bridges, as you know, are very narrow. With the addition of an interior crash-tested rail for protection, we would need a set amount of spacing between the original railing and the crash-tested railing on each side to account for deflection of the railing in the event of a crash, and we need to meet the 16-foot minimum width criteria for a one-lane bridge, which means that some of these narrow bridges may need to be widened slightly to accommodate the required dimensions.

So for the bridges that have the original dates inset into the concrete parapet, they say like 1911 or 1912, the top-right diagram illustrates the recommendations for these bridges. So if you're looking from left to right, on the upper right-hand corner, we have the original

makai parapet, which remains in place, and then there is the required deflection space, according to code, and the drawing isn't to scale, so just for clarification, it's not a walkway. And then we have the interior crash-tested rail, which is shaded on that sheet, it says "Crash-tested Rail/Parapet," and then the one-lane road portion, which measures 16 feet wide, from the crash-tested parapet to the mauka parapet, which is shaded, which would be replaced in-kind with a solid crash-tested parapet.

On the bottom right example shows a situation where both historic railings are kept and the interior rails are added with a slight widening to accommodate for the cars. So this is our team's proposed option for the historic culverts, which are relatively short, they're less than 20 feet long, and which we believe can be widened slightly without any damage to the historic rails. This way we can keep the historic parapets and we can ensure that the structures are safe for everyone traveling along the road.

For the next slide, which is the replacement of picket rails with a compatible design. This is the second option that we're looking at where the railings would need to be replaced to meet code. We would like to use a similar design compatible with the rest of the bridges within the historic district.

So this diagram in the photos show the location of the existing rail and an example known as the T-411 railing, which has a similar profile. It's slightly more rounded at the top of the openings, but it's very similar to the open picket rails in both size and proportion. Some of the bridges are currently at or near the 16-foot width as they are right now, so if we add the interior rail, it will make the lane narrower, so the benefit of using the replacement in-kind option is that it eliminates the need for the road widening.

And, similarly, for the solid parapet bridges, which could be replaced in-kind with a solid vertical railing to match the existing.

And then on the following page, the approach wall. The current approach walls also, which abut the ends of the bridges with the lava rock, these also need to be strengthened for safety, but we want to do it in a sensitive manner, and we'd like to retain the look and the feel of the lava rock cladding because it's a very -- it's a character-defining feature of the historic Hana Highway. So shown here are a couple of examples of the approach walls that meet the safety code, they measure 27 inches high, and they're adaptable to the Hana studding by cladding them in lava rock, it would be very similar to what's current there now. And the options that we've shown in your handout, so far for the railings and the approach walls are all just potential options that, based on our team's visits to Hana and our research, can both meet the safety criteria as well as compatibility with the historic setting. So this is definitely like one area where we want to encourage public and professional feedback to help us refine these recommendations for the community.

And I will turn this over now to Cody, who will discuss and conclude with some of team's structural considerations.

Ms. Cody Aihara: Starting on slide 39, we have an example of a bridge section in which, one, we're recommending for bridges with the excess amount of asphalt, to have that removed back to the original as-built conditions, and then a lot of the bridges currently are either between 10 tons to I think we have one that's kinda close to 20, but all in all, we're trying to achieve a 40-ton capacity so a lot of the structural components of bridge will need to be upgraded. One example we're showing here is we would input new girders between the existing ones, and when we do this, we would like the future consulting team to keep in mind the depth of beams so when the cars are driving from the exterior, you don't see it protruding below the existing ones. We would like to keep the look of the bridge as much as possible intact. So one option is this new concrete girders being installed between the existing ones to help with the additional load increase capacity.

On the next slide is one option we're proposing for bridges with exceptional CRM abutments. A lot of the CRM rocks have either no mortar between them or, over the years, they have dissolved, and because of that, it has no structural integrity in terms of forces, and because a lot of these bridges in Hana are exceptional in terms of status because if anything should happen, emergency vehicles will not be able to travel over there so, therefore, design criteria ends up being kinda extreme, on the extreme end for these bridges, so, therefore, in order to keep the historic characteristic of these abutments, we will stress that the future construction team, in the construction documents, have the contractors record, number, photograph the rocks as they are disassembling them, rebuild the concrete, the actual structure abutment behind it, and then reconstruct the historic -- I mean historic craftsmanship rock wall in front so, therefore, when you look at it, it will still have the historic character as it originally was. So that is something we understand can be done, but, of course, the cost issue comes into play, so again, this is a plan, this is not a construction document, so it's just something we can suggest and try to infer that the future team does consider when they prepare the construction documents.

The next section is hillside bridges. In addition to the historic bridges along Hana Highway, the following slide shows a rough vicinity map. There are 7 hillside bridges. What the DOT mentions -- means by hillside is that these bridges were cantilevered off of the mountain side to widen the roadway, and when they did this, in these 7 areas, you can't really see them when you're on the roadway, on the following slide, I have a picture of the approach to hillside bridge no. 4, it still maintains that guardrail look as you're driving across it, but on the other side, you'll see that there's a protruding thicken slab and, in some places, piers that they drove in to just support the additional loads. Since these bridges were built between 2001 and 2004, they were built for the current code standards and, therefore, no

added -- additional construction needs to be added to these bridges so they're just in the report for the completeness of the highway.

Additionally to these hillsides and the historic, we were given as-builts for the entire historic highway and there were these smaller culverts. The total culvert count that we were able to find were 45. There are hundred out there, it's just, unfortunately, we could not find them, so that's why we have called the "Found Culverts." Of the Found Culverts, there were 19 reinforced concrete pipes, 20 reinforced concrete or rock box culverts, 5 corrugated metal pipes, and 1 that we have -- we do not know what the inlet structure is, so that's kinda what that picture on the bottom shows is where the pipe inlet is supposed to have been, but when we went there, we only found the rock parapet walls. So for these structures to be in compliance with the safety code, we'll be also reconstructing the approach walls with the lava rock cladding so it'll still meet safety codes.

The following slide shows some examples. The top two are examples of box culverts that we found the MP numbers, means mile point, so as you're driving from the 0 Mile Marker, as you enter Hana from the Kahului, and you will be able to find these structures, or if you jump off the side of the road, you'll find these structures; if not, you'll just see the parapet wall above the top.

With that, the following slides, no. 47, so we presented a 75% draft report, I'm not sure if everyone was able to see the CD that contains this executive summary. We do have 4 copies that are printed out so if for some reason you were unable to download it from our FTP site, or unable to read it from the CD, the 4 areas are the Maui District Office, the Hana Council District Office, the Hana Public and School Library, and the Hana Cultural Center and Museum.

The following slide, as Tonia mentioned and everyone's been reiterating, we really need the comments from your community feedback 'cause, you know, us, who are so intent to, you know, look at our computer screens and totals of these, we don't really know how it functions in everyone's daily lives and how it impacts the communities that they're set in, and so we've provided Paul Santo's and Charlene's information. If everyone could, send your information by April 6, I believe that's a Monday, we'd really appreciate it. We are preparing the pre-final report right now so we would like to ensure that we get all of your comments and everything incorporated. When that pre-final report is submitted to DOT, we will also submit the report again to everyone for your review, and we'll be coming back for a third round so we can make sure that anything we may have missed or maybe misinterpret, we can go back and address before the final is issued again ...(inaudible)... and with that, thank you for having us here. Any comments or questions at this moment?

Mr. U`u: By the way, thank you guys for giving the presentation. I thought it was a very thorough job you guys did on what was presented to us. I not going lie, I never read 'em all, I glanced at it all, but the only -- the only concerns I would have, and I will state it, is the names, and how do you find some of the names that were not given? You know, I noticed some, I think to my knowledge that, there are no names. If there were no names, you know, what do we do? Do we rename it, you know, or is there a name that's lost over the years or -- and my, for me, the spelling will be key in pronunciation of the word. We don't want to lose the history of what's there so --

Ms. Shibuya: Did you get this sheet with your handout? Yeah, and can I just add that, you know, we, I say "we" because I used to work for DOT but I don't work for DOT anymore, but I worked on a project that they just widened a box culvert near the baseyard, and that one actually only had the date, and didn't have a name, but Ward Mardfin, you know Ward, yeah? He gave us the stream name and what we did was we added the stream name on top of the bridge parapet.

Mr. U`u: That's awesome. And I'll pass the mic, but I think you guys did an incredible job, and I know the help of Fred, it'll get done fast.

Ms. Mowat: My question was also with the names, and I'm just trying to read the chart, so on the top, you know where they have the titles, yeah, they have 1990 Hawaiian Heritage Censor Report, that, I'm assuming, is research of material that has -- and then FAI research?

Ms. Moy: Oh, that's the name of our company.

Ms. Mowat: Oh, okay. Okay. Okay, and then the Cultural Surveys research, that would be going to community and asking kupuna and for --

Ms. Katie Folio: We're just doing the literature review, contacts, which is our contribution to this document, whatever we could find during that process we contributed to that.

Ms. Mowat: Was there any consultation with the community?

Ms. Folio: Not for the literature review at this point but we'll be ...(inaudible)...

Ms. Shibuya: Sorry. Our company was handling the community outreach but what we did was, you know, in the first round of meetings, we actually met with like Hanalani senior citizens, Nahiku Community Association, Kaupo, Kipahulu, as well as the Hana Cultural Center and Museum board people, and we also -- I met with this gal that was flagged out as, you know, an expert on stream names, so we've given them this material to look at and

then -- and, of course, Ward Mardfin too 'cause he's done a lot of research, so we've been consulting them throughout and, hopefully, this list, you know, if they have any comments, they can refine it, so it's kinda -- we've been taking all the input and we've been documenting every meeting summary, extracting issues and concerns, and it's going to be part of the report as far as responses.

Ms. Mowat: I'm really -- I'm thrilled that you considered putting the names of the bridge and the year, so you're putting the year that it was built? But I remember -- huh? Not the year that it was built?

Ms. Murison: ...(inaudible)... or its been rehabilitated.

Ms. Mowat: Oh, okay. The reason why I ask is I think we went through a hearing one time where for years and years the street name was spelled wrong, so when you spell the Hawaiian -- when you spell it wrong, it could mean whole different meaning, so it really is important and so but I'm really happy with this and thank you for the presentation.

Mr. U`u: One more question since the mic's here. The structural integrity of the bridges, of the bridges current, you said it doesn't meet the crash-test dummy test or something, what have you. I don't see any damages to it, so is it nobody hitting it or am I mistaken?

Ms. Aihara: There are some that have been replaced and patched over the years, but if anything, most of it just falling, you know, the reinforcing is starting to corrode and when it corrodes, it tends to expand, and that's when you see a lot of pickets and, you know, losing the side of it, so that being said, you know, there is some kind of water infiltration and cracks, so again, for those bridges that we are retaining the historic railings, we're going to bring it back to as-built conditions and then put the crash-test in front of it.

Mr. U`u: Okay, one last question. The structural integrity of the girders and I guess the structure coming out of the ground, how was the integrity, being it's old, is it still structurally sound for the most part?

Ms. Aihara: It's structurally sound for what it's being currently used for. And again, that's with all the restrictions and everything that DOT has to place on it. So the concern right now, especially when you ask for federal funds, is that you need to bring it to current standards, you know, so one standard being for a bridge that is not posted is 40 tons, according to current code, so the issue that Hana has is that 10-ton restriction restricts like fire trucks, certain ambulances and such from going to Hana, so that's the biggest thing on DOT's side is to increase the load capacity, not only to be for code, but mainly so emergency vehicles can get into Hana, and so that's where the thing where if Hana community, which they've already voiced it, says that they don't want to see the posting

increased from 10, DOT has not problem as long as it's on record that the community wanted to keep it at 10 posting and still have it within the DOT records that, okay, 40 tons is long the highway so, therefore, variances can be issued in the event that, for some reason, a truck does need to get in there with a higher load capacity.

Ms. Moy: Also, DOT actually inspects the bridges every two years, right, every two years they go through an inspection to make sure that it's structurally sound for what it's being use. And I also wanted to make sure everybody knew that this is not going to happen, the construction's not going to happen in even the next -- how long you think, Fred? Like this is just like a plan so it's going to -- it's not going to happen for a long time and by the time we get through the whole road where it's all 40 tons, it's going to be, I don't know, like 40, 20, 30, 40 years, some decades, decades.

Mr. U'u: So we just hope the codes no change then, correct?

Ms. Moy: Right, more stringent, right. But, yeah, so that also, you know, we're trying to ensure that the future team does have the ability to have the flexibility of changing, if necessary, yeah.

Mr. Skowronski: Which bridge is being replaced?

Ms. Aihara: Bridge no. 11, Honomanu.

Mr. Skowronski: Before 40 years?

Ms. Aihara: That bridge is not going to fall down like in the next, you know, year or two. We are inspecting it regularly. But the reason for that bridge being replaced is that its historic integrity has been compromised. When they did the rehab, I'm not sure what year Virginia mentioned, if you were to take off the asphalt, you would actually see pre-stressed concrete planks, it's not -- no longer being supported by the original concrete slab and girders, so what happened was instead of ripping out the original bridge, they just span between the piers and abutments these pre-stressed concrete planks and then asphalted over it. So, okay, that's one issue. Another issue, because you can't see it, you can't inspect it, so we don't know the structural integrity of how those planks are; we just know they exist as built. And if you were to look under the bridge right now, you can see that water is going through, so you that water infiltration has been going through it so that's another concern, so instead of trying to, you know, do core testing and doing all these things to hodge-podge to death to save it, you know, especially when it's not the original bridge, we've decided that this bridge probably may be better suited for replacement.

Ms. Ricalde-Garcia: That sounds a little concerning. Shouldn't that be a priority?

Ms. Aihara: The DOT is aware of this, and it is still in a good -- like Tonia mentioned, there are bridges that, federally, you're required every two years to inspect, but bridges that are like that, critical and crucial, there are shorter spans, so I believe the bridge is actually on a 12-month cycle versus a 2-year cycle, so the DOT is on it, is aware, is watching and monitoring, and nothing has, I guess, increased or, you know, it hasn't deteriorated anymore than it has for the past several years, so it's still in the same condition, it's just that this being a preservation plan, you know, and we're going through and looking into great detail at each of these bridges, it would benefit the bridge to be back to its original condition. So when this bridge is replaced, it will be replaced according to the original design, which is the concrete slab with the four girders, it's just going to be strengthened for the current code, but it will still look original to how it is, yeah.

Ms. Salazar: Well, thank you so much because I gotta say, I really loved reading this. I got to know Hana better. I got to know the roadway better. And I got to enjoy the color photos that shows so much, and I just really want to commend the work that you folks have done. I can tell you've done it with a lot of aloha in your hearts and in your hands. I do have -- so mahalo for that. We enjoyed your presentation. It's pretty -- was fun listening. What a nice way to move on with our day. So if these are state bridges, are there any county bridges?

Ms. Moy: Yes, past Hana Town, there's county bridges, but they actually already have a preservation plan.

Ms. Salazar: Okay. Thank you. And --

Ms. Moy: It would need updating.

Ms. Salazar: I just had a couple of notes that I wrote because I noticed that some of the -- because of the names, some of the names, two places, I believe it was, had no name, the two bridges that are unnamed, and then the conduits are not named -- the culverts are not named so -- two of the culverts are named?

Ms. Murison: Two of culverts are named, and 2 of the 12 culverts, and 3 of 43 bridges are unknown: Unknown 1, Unknown 2, and Unknown 3. The historic drawings actually have names on them.

Ms. Salazar: Then why don't -- I'd like to comment and recommend that you take those names that are on the historic records and name the bridges with those names so that they have a name -- so they will have a name. And I also want to recommend that the names remain with no diacritical markers on the bridges. If there want to be any reference or study done with diacritical markers, that it's in a separate brochure, on a website, what

have you, because I've been really witnessed many times when diacritical markers are used incorrectly, and it does change the meaning, and so perhaps that's what would be in the reference material about the name that people can think what different things or different meanings a name has as it is so because we have kauna, we have different ways of pronouncing, like even this one, Waiakamo`i, I looked at the diacritical, the correct way, if I was to put the diacritical markers for mo`i, you have the line or the kahako over the o and the i, the mo`i, because that is how you say that's the king, otherwise, the way it looks right now it's going to be pronounced Waiakamo`i, not mō`ī. So I really support that there be no diacritical markers on the name and on the bridges because, one, it's going to be literally carved in stone, it's not where you're going to be able to, oh, click, take that off, it's not -- so on your website, on research material that'll be accessible by the public can do things like that, but there's always going to be another discussion, well, they shouldn't have put that there 'cause I know I say that. I see diacritical marker kahako over the letter "a," the letter "a" in English was a in Hawaiian, a e i o u, and it doesn't belong there, I know that, so it's just, oh, here we go again. So because I call those people "diacritical happy." You know, they just mark it up anyway. So that's my recommendation I'd like to share.

Ms. Shibuya: And I just kinda wanted to add a comment. It's interesting that you mention that because when I spoke to Kau`i Kanakaole, she's like a researchest in all the stream names and stuff, and I had point, yeah, I asked her, hey, can you take a look at this list and, you know, check if these diacritical markers -- she said a lot of the old Hawaiian maps or the old maps don't actually have diacritical markers.

Ms. Salazar: Because they knew their language. When the first printing came to Hawaii, let's remember that the first printing, the first newspapers contained mo`oleleo, history, and genealogies, and there were no need for diacritical markers - why? Because everyone spoke the language, everyone knew what they were talking about, and in the context that the words were being used, you knew how to pronounce it so --

Ms. Moy: You see it in English, right?

Ms. Salazar: And one more point why, I want to add because this occurred to me, you know when we go to a country, they don't make their language suit us as the visitors. They make it how it is and we can read it or not. And if we need help, we go ask. When I've gone to Japan, they don't change that kanji for me, you know, I'm going to have to figure it out, learn what it is, and, you know, hopefully know how to pronounce it right. But that's how I feel about it. Thank you.

Ms. McLean: The agenda indicates that the Commission may provide comments, and so it's your folks' call whether you want to give specific comments or just let your discussion stand as your comments to he state.

Mr. Hopper: If there's a -- to distinguish comments from the body versus individual comments, you could have the chair say if there's no objection, then those will be forwarded to the I guess consultant as the comments of the CRC, and then if there's no objections, they can all be forwarded. Now how that's done, I don't know if a planner's going to be writing down all the comments that were made, or if you just want to look in the minutes and see what was made as comments, but normally if they're from the body, there needs to be consensus from the body that the chair ask for and that's indicated by no objections from any of the members.

Chair Osako: Are there any additional comments? No? Shall we accept the comments made by the individuals on the Commission as from the body? Do I hear a motion?

Mr. Skowronski: So moved.

Mr. U`u: Second.

Chair Osako: It has been moved and seconded that we accept the comments made by the individual Commissioners as from the body itself.

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

VOTED: to accepts the comments made by the individual Commissioners as comments from the CRC.

Chair Osako: Motion carries.

Ms. Moy: So we will always do formal answers to all the comments so we'll do one for the staff comments and we'll do one for -- and Charlene is like an extremely great note-taker so I'm sure she has every single one of your comments written down. Thank you very much.

G. NEXT MEETING DATE: April 2, 2015

Chair Osako: Okay, after that, item G is next meeting date, April 2, 2015, except for us. I guess need --

Ms. Salazar: So is it at this time that we can bring items up for a future agenda? Okay. I would like us to look at two areas or to begin the process for inclusion in historic -- as historic districts, the expansion of Lahaina Historic District to take in, for example, The Outlets, to actually look at how we can expand the Lahaina Historic District, and also,

number two, to look at, because we discussed this at our CAMP, is Paia Town a historic district? Okay, I'd like to look at, as a body, to look at promoting that we include the plantation era in the Paia -- for Paia District to become a historic district. So those two matters.

Ms. McLean: That probably won't be on the next agenda. It'll take some time, but -- okay.

H. ADJOURNMENT

Chair Osako: Is there anything else? Okay, I guess the meeting is adjourned.

There being no further business brought before the Commission, the meeting was adjourned at 2:12 p.m.

Respectfully submitted by,

SUZETTE L. ESMERALDA
Secretary to Boards & Commissions

RECORD OF ATTENDANCE

Present

Warren Osako, Chairperson
Bruce U'u, Vice-Chairperson
Bridget Mowat
Arleen Ricalde-Garcia
Owana Salazar
Frank Skowronski

Excused

Kristy Kajiwara-Gusman
Janet Six

Others

Michele McLean, Deputy Planning Director
Annalise Kehler, Cultural Resources Planning

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Erin Wade, Small Town Planner

Michael Hopper, Deputy Corporation Counsel