

CULTURAL RESOURCES COMMISSION
REGULAR MEETING
AUGUST 4, 2016

*** 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 Janet Six, at approximately 10:00 a.m., Thursday, August 4, 2016, in the Planning Department Conference Room, first floor, Kalana Pakui Building, 250 South High Street, Wailuku, Island of Maui.

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

B. PUBLIC TESTIMONY - At the discretion of the Chair, public testimony may also be taken when each agenda item is discussed, except for contested cases under Chapter 91, HRS. Individuals who cannot be present when the agenda item is discussed may testify at the beginning of the meeting instead and will not be allowed to testify again when the agenda item is discussed unless new or additional information will be offered. Maximum time limits of at least three minutes may be established on individual testimony by the Commission. More information on oral and written testimony can be found below.

Chair Janet Six: At this time, we'd like to ask for any public testimony, and we'll allow public testimony later if people enter the room? So we're onto agenda C, item, Public Hearing.

Chair Six read the following agenda item into the record:

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

Nomination of the Crozier Residence to the Hawai'i Register of Historic Places, 2246 Main Street, Wailuku, Hawai'i, TMK (2) 3-4-014:008 (A. Kehler)

At the close of the public hearing, the Commission shall provide its recommendations on the following: (1) whether the property meets the criteria for nomination; and (2) whether the State Historic Preservation Officer should nominate or reject the proposed nomination. The Commission may provide recommendations on this item pursuant to Section 2.88.070, Maui County Code

Chair Six: I think Annalise has a presentation for us.

Ms. Annalise Kehler: So, today, we're looking at the nomination for the Crozier Residence, it's at 2246 Main Street, in Wailuku, and this is just an overall USGS map of Wailuku showing the location of the property. This is the tax map showing the

boundaries of the property. This is the 1928 Smart Track Map, which was a residential housing development that this house was originally built as part of. And then is a larger subdivision map of Wailuku, from 1940. There's a number of a residential housing tracks by 1940. There was a lot of development from the '20s, between the '20s and '40s in Wailuku, as in the way of residential housing. And these are just examples of ads that they used to have in the newspaper for these housing developments. The one the left is for the Royal Grove, it's a Waikiki subdivision, but it's just to give an example of what these housing ads used to look like, and then the one on the right is from 1920, and it's for a Amori Tract, which is another contemporaneous residential development in Wailuku. I couldn't find any for the Smart Tract, but they're probably out there. I just didn't have access to the later issues of *The Maui News* at the time.

So the Crozier residence is considered a craftsman bungalow style, and on the left are some examples of craftsman style houses that you used to be able to pick out of magazines from the '20s, and on the right are some local examples of craftsman style architecture. The two on the top, in the middle, those are Oahu, and then one the bottom is Olinda. And these are taken from old house catalogs. They're just elements of the craftsman style, so we have doors and windows that are typical of this style, porch columns that are typical of this style as well as the brackets, and the elements, the craftsman elements in the Crozier house are the gabled front porch, the round porch columns, the square porch columns, the natural stone piers, the divided light bungalow windows, and the wood brackets. And then the plan, the Crozier house's plan is pretty similar to the typical bungalow plan that you would find the 1920s on the Mainland. It has a front porch and rectangular plan, sort of asymmetrical.

So the Hawaii Register, you make nominations on the same form that's used for the National Register of Historic Places. The difference between the National Register and the Hawaii Register is that the Hawaii Register is overseen by the State Historic Preservation Division, and the National Register is overseen by the National Park Service, and the Hawaii Register is officially listed by the Hawaii Historic Places Review Board.

So when you're looking at a property to determine whether or not it's eligible for the Hawaii Register, you use the National Register criteria for evaluation, and that involves examining the property's age, its integrity, and its significance. So the age has to be 50 years or older. The integrity, it has to maintain most of the seven aspects of integrity, and I've included in the staff report the National Register Guidance, there's seven aspects - let's see if I can find them - location, design, setting materials, workmanship, feeling, and association. And then there's significance, there's Criterion A, B, C and D. Criterion A is for properties that are associated with important events, Criterion B is important people, and Criterion C is architecture. And then D, which is not typical for

buildings, it's more for archaeological, and that's just that a property has the potential to provide important information about prehistory or history.

So the Crozier residence nomination, it's 87 years old, it was built in 1929, and it retains some integrity. It has sustained some alterations, as it says in the nomination, it was altered in the mid-'50s, and that involved enclosing the front porch and adding the windows on the front porch, and covering the wood tongue and groove siding with asbestos siding, also the exposed eaves, the fascia, there's not a fascia covering the exposed eaves, but overall, the property does convey the bungalow style and that's still evident in its porch, piers, and columns, and brackets, and other craftsman elements.

So in reviewing the nomination, the property does appear eligible, however, it really showed follow -- the nomination should follow the guidance that's provided in the National Register Bulletin 16A, that would -- read through of that really benefit this nomination because although the property does appear eligible, the nomination doesn't make a strong enough argument for why, why is it significant. It says that it's significant under Criterion A for its association with the Smart Tract Development, but there's not enough history on the Smart Tract Development and its relation to that house.

And CRC action, so there's two specific things that the CRC is asked to comment on, and that's established in the county code, and it's whether or not the CRC believes the Crozier residence meets the criteria for nomination, and then whether or not the CRC believes that the Crozier residence should be listed in the register. And your comments, along with the Mayor's comments, will be forwarded to the Hawaii Historic Places Review Board, and they will consider your comments in their review of this nomination.

Chair Six: I have a question. It says some of the alterations took place in 1960, which is over 60 years ago ... (inaudible)... historic?

Ms. Kehler: Oh yeah.

Chair Six: I mean it's kind of a weird --

Ms. Kehler: Yeah.

Chair Six: Hybrid house.

Ms. Kehler: Yeah. It is. It is a very interesting house, but the nomination needs to articulate those changes and why they're significant.

Chair Six: Will they have to change the house back or just -- they just --

Ms. Kehler: No. No. It's -- there are plenty of houses that are listed that have sustained changes that are over 50 years old, and that's fine. It's just that the nomination should say why those changes have achieved significance.

Mr. Ivan Lay: I have a question. ...(inaudible - not speaking into the microphone)...

Ms. Kehler: Oh, none. So listing on the National and Hawaii Registers places no obligations on property owners unless they are receiving the county historic tax credit for their property taxes, and I think it's a ten-year obligation to keep it the way it is, and the idea is that the tax credit will offset the main ...(inaudible)...

Mr. Lay: One more question. How is it -- how's it identified? There's some areas on Maui that have gone under historic ...(inaudible)... how does one find out about that?

Ms. Kehler: So the county, we have three historic districts, and they're identified in maps, and they're on the internet, and we have copies of the maps, and then the state also has a list of houses and districts that are on the Hawaii and National Registers.

Mr. Lay: Another one. Did they apply for the tax credit?

Ms. Kehler: I'm not sure. I would assume that that would be their next move. I don't see why not. I mean I would if I was listing my house.

Chair six: So my understanding is you think the house is worth nomination? Let's just say you believe, I'm reading the significance section, you think that they need to strengthen that before they submit it? That's your expert opinion?

Ms. Kehler: Yeah. I think that, based on the guidance, you know, the National Register Bulletin 16A, it doesn't -- it should fall more in line with those requirements. Right now, the way that the nomination is, it doesn't really meet those requirements.

Chair Six: Do you think it could with the rewritings?

Ms. Kehler: Yes.

Chair Six: That's what I was wondering. Because I, definitely, feel that it's important to preserve these houses if we can because so many are torn down, even if the person gets a tax break, great, 'cause it incentivizes them to not demolish and put up something that wouldn't be as, I guess, historic so --

Ms. Kehler: I agree.

Chair Six: I'm very much in favor, personally, of going forward with this, but I would be interested in hearing -- do you have specific things you think they should address?

Ms. Kehler: In the staff report, I sort of laid out like specific issues and section 7 and 8, of the nomination, that should be addressed before the property is officially listed.

Chair Six: Yeah, okay. Got it.

Ms. Kehler: I can go over them if you want, point by point, or if you have any questions about it.

Mr. Lay: ...(inaudible)... the history part was incredible, Crozier and having ties to Spreckelsville, but if we -- it doesn't try to get the tax thing ...(inaudible)... goes to a shambles, and being in a historical spot, and then I have difficulty with that. I mean if it's going to be a historical spot, I want to depict that area --

Ms. Kehler: Yeah.

Mr. Lay: But you're saying that it is ...(inaudible)...

Chair Six: The house is -- are they going to sell? Is it in the family?

Ms. Kehler: It's in the family still.

Chair Six: They're keeping it now? No?

Ms. Kehler: Yeah.

Chair Six: Yeah. 'Cause I mean from the photos, it looks like it's, I mean compared to a lot of the plantation houses we've all seen, it looks like it was in pretty good shape.

Ms. Kehler: They recently did some exterior work to it, like painting and stuff.

Mr. Frank Skowronski: Question?

Chair Six: Yeah? Of course.

Mr. Skowronski: Do you know who the owners are?

Ms. Kehler: I don't know them, personally.

Mr. Skowronski: Do the owners support this action?

Ms. Kehler: Yes. They contracted the architect to prepare the nomination.

Mr. Skowronski: Okay. Do you have a document or some sort of affidavit from the owner that this would proceed?

Ms. Kehler: Oh, well, I mean if they hired the architect, then yes, they --

Mr. Skowronski: So they would be taking -- they would be the point person on this?

Ms. Kehler: As far as what?

Mr. Skowronski: It's the owner's initiative --

Ms. Kehler: Yes.

Mr. Skowronski: To go seek this register?

Ms. Kehler: Yes.

Mr. Skowronski: Okay. As a point of -- just for point of information, suppose this proceeds and it gets on the state or the federal register, what are the implications on the property? Could they sell the property?

Ms. Kehler: Yeah.

Mr. Skowronski: Could they add a second story?

Ms. Kehler: Yeah. See, if they have the tax credit, it's a little bit different. They would need to keep it more in the keeping of how it appears now, but if they didn't apply for the tax credit, then they could freely do whatever they wanted to the property.

Mr. Skowronski: But if it made the register --

Ms. Kehler: Yeah.

Mr. Skowronski: Could they make improvements to the asset?

Ms. Kehler: Yeah.

Mr. Skowronski: So they could put a second story on it?

Ms. Kehler: Yes.

Mr. Skowronski: They could add to the rear of the property?

Ms. Kehler: Yes.

Mr. Skowronski: They could change the roofing material?

Ms. Kehler: Yes.

Mr. Skowronski: They could change the exterior material?

Ms. Kehler: Yes.

Mr. Skowronski: Why bother?

Ms. Kehler: Well, a lot of people apply for the Hawaii Register so they can get the residential property tax credit.

Mr. Skowronski: So their -- their impetus largely is for a tax break?

Ms. Kehler: I can't say yes or now. I don't know.

Mr. Bailey: So that's a good point. Probably because when I read in this -- I don't believe -- I believe they're leasing the property. Is that correct? According, I think when I read through this whole thing, they're leasing it, so they're not even home residential tax break. But I guess my comment on this falls with, Annalise, on it has potential to be there but it doesn't too, and I guess when I look at the facts in this paper, there's some notable places in Wailuku that has state and national registry already, and if you look at them one obviously is a heiau, and you got a couple churches or religious features, we have a theater, a bridge, the Bailey House Museum, Wailuku school, and then a residence that was actually an old Wailuku inn, and I don't see this fitting that criteria with all the notable national registry, so what's the difference other than Crozier, then a lot of other houses in this Wailuku area? I mean he did notable things for a company, but he didn't necessarily do notable things for exactly a community that can be split on Wailuku Sugar and what they've done, so those are just some of the things that I looked at through this summary.

Ms. Kehler: Yeah. I think the -- I think it's important to list homes that make up the character of a town, and this home does. I think that the nomination just doesn't justify the significance of the home. It should explain why it's important as a part of the Smart Tract.

Chair Six: Well, one of my parts I had an issue with is the development of this area tells the story of early urban society relatively free of racial bias.

Ms. Kehler: That's -- yeah, and in my comment I said that that was conjectural and that should probably be --

Chair Six: Although I thought the history section, I'm always fascinated by the history, and I totally hear what Timothy's saying as far as it doesn't have -- it's not as monumental architecturally --

Ms. Kehler: Right.

Chair Six: But I think -- the reason I think they are incentivizing is to try to keep people to have the integrity of these homes, and we see what's happening in Lahaina, and so I don't necessarily see that as a negative, I see it as a motivation for people to do this. It's interesting that once they have that, they can pretty much do what they want, so that's interesting. I would have thought they would have had to keep things in the same kind of similar construction style or materials that look the same. No?

Ms. Kehler: The only -- like the only encumbrance on a property is when they're receiving that tax credit, so if you're receiving a tax credit, then you need to keep it in the -- so there's a set of standards that the Secretary of the Interior Standards for Rehabilitation, you have to keep the changes within those guidelines.

Chair Six: Even if I put a second story on it, it would have to be in the craft style. You cannot change the total look of the house.

Ms. Kehler: Yeah, there's guidelines for doing additions. It's preferable to do a one-story addition on the back of the house; if that's not feasible, then you do a stepped back two story that you try to have minimal impact on the original form of the building.

Ms. Michele McLean: Chair, if I could comment on that. I think there is a minor distinction between houses that are listed and ones that are not when it comes to alterations. Up until a year or two ago, any structure that was 50 years old or older was reviewed by SHPD for any types of renovations. That law was changed so that it did not apply to single-family homes unless those homes were listed. So it used to be that anything 50 years old or older, that building permit would go to Annalise as well as other commenting agencies. Now it's only -- and that was all single-family homes. Now it's only single-family homes that are listed. So for this particular residence, whereas a few years ago, any changes would have come to Annalise anyway, now this would come only if it is listed. So it doesn't mean that they can't change it, but there would be a

different level of scrutiny for the changes that they would want to make, it's not exactly the same as if it's -- as if it weren't listed.

Mr. Skowronski: But that hinge, that difference between the different state of scrutiny is contingent on it being listed on the register.

Ms. McLean: That's correct.

Mr. Skowronski: Okay. So this is more of information. We're obviously going to be seeing these occur in the future, so this is sort of like my first test case on this. So if it's registered and the neighbor is not registered, then the neighbor has more opportunities to enhance their property than this particular person. Is that a fair --

Ms. McLean: I would just the only difference is that SHPD would review the proposed changes and would make comments, you know, so there could be a difference but not necessarily. It just depends on the nature of what they're proposing to change.

Mr. Skowronski: Well, I'm looking at it from the standpoint is there's not going to be, again assuming, going to the end, assuming that it gets on either the state or the federal register, there's no problem with adding or repairing or doing physical improvements or enhancements to the structure provided it gets through SHPD?

Ms. Kehler: Yeah.

Mr. Skowronski: Okay. There's no problems with change in ownership?

Ms. Kehler: No.

Mr. Skowronski: There's no problems with change of zoning?

Ms. Kehler: No.

Mr. Skowronski: There's no --

Ms. Kehler: Oh, wait. Well, I mean again, with the tax credit, it's a residential tax credit so if you --

Mr. Skowronski: Residential tax credit?

Ms. Kehler: Yeah, so if you change it to commercial, then you're not going to get the tax credit anymore.

Mr. Skowronski: Okay, but I mean if someone else comes and purchases the property, okay, does that person have more or less of a chance of improving that property than if he bought -- he or she bought the adjacent property?

Ms. Kehler: It would be the same.

Mr. Skowronski: It would be same?

Ms. Kehler: Yeah.

Mr. Skowronski: Okay, so if someone comes in and buys six of these parcels and gets the zoning the changed and puts up One Main Plaza B, is this register going to affect that action?

Ms. Kehler: No.

Mr. Skowronski: No. So the course of action here would in no way, shape or form, as far as you're concerned, add or subtract to the property value?

Ms. Kehler: If anything, I think it would help because it would reduce your property taxes by a lot.

Chair Six: And some people see a value in purchasing historic properties. I mean on the East Coast, it's a big thing to buy something that's historic.

Ms. Kehler: Yeah. Absolutely, and this house has -- I mean on the interior and on the exterior, it has incredible features that new homes just don't have.

Mr. Skowronski: I would agree with that, but I'm trying to establish the actual register of the property and how, if at all, it affects, not only this property, but other properties that we're going to see, how it affects their value. Does it increase their value, decrease their value, and I'm not talking about, you know, property taxes. Property taxes are minimal value when compared to buying the parcel, changing the zoning, and taking it into different usage. Okay, does the registry of this parcel make it more or less valuable to its sister property across the street, next door, in the same tract or abutting it in any way, shape or form?

Ms. Kehler: No. I'm not sure. I would have to look into that. There have been a number studies. There's an economist, his name is Donovan Rypkema, he does studies about registering properties and how it affects property values, and historic districts and how they affect property values, and overall, what I've read is that

districting does help increase property values. I don't know about individual properties and how it relates to the property values next door.

Mr. Skowronski: Is this parcel in a historic district?

Ms. Kehler: No. It's adjacent to a county historic district but it is not in a district.

Chair Six: Are other houses in the neighborhood of similar -- would they be eligible or is it just this is a really unique house in the middle of a neighborhood with cinder blocks?

Ms. Kehler: So there are about three other houses that are really beautiful, they have a lot of integrity, but they do not have some of the craftsman features that this one does. They don't -- they don't have these rock piers and the columns. That's a real characteristic of craftsman, and this is a vernacular interpretation of the craftsman style. None of the other three have this particular feature.

Mr. Bailey: Just a question.

Chair Six: Yes, of course.

Mr. Bailey: So now with that knowledge that you just shared, especially with the post and pier because he probably had all these workers bring the rocks to his house and get it custom, so I see that as a criteria for it being -- I'm still not convinced, looking at the seven aspects, and A, B, C and -- or A, C, and D, of the national registry. When I look at this criteria, I'm still not convinced that the house falls under that because I see, like in B, it says, "that are associated with the lives of persons significant to our past," okay, so it's still questionable. He's significant to Wailuku Sugar. It's debatable when it comes to -- especially on the Hawaiian side of things. Then you look at other criteria considerations. When you look at a religious property, obviously not; building or structure removed, not. Then I look at a question of he's birthplace, but it says he's born in New Zealand. It's not a cemetery. It's been reconstructed. The only other one I can look at is the property achieving significance within the past 50 years. So I'm still not convinced that all these evaluations and the criteria, and even in the seven aspects, the location is not in a historic district, the design was a 1920 kit home, it's not like it was favored, you know, it was crafted, but that rock pillar, that's obviously a craft. So materials aren't anything out of the ordinary. They came from a kit home. They were pre-fab somewhere in the Mainland. The workmanship is in question. And then the feeling, the feeling is still in question too when you look at that criteria. So I don't know. I'm just sharing thoughts that it's still questionable. I'm not convinced and just having rock pillars really being the only change from other houses. I'm worried that we're going to change this criteria evaluation a little bit and open our doors later for a larger problem

and discussion that might come through unless we put something in the suggestion saying that this is significant because of those rock features.

Ms. Kehler: So if I could just clarify. So integrity asks the question, overall, does the property look pretty much the same as it did when it supposedly achieved its significance, so location, is it in the same place that it was historically constructed? Yes. Design. Does it have the design as it did? Does it have the same plan? Does it have the same roof line? Has it been added to? Does it remain the same setting? That's the overall appearance of the property. Does it look the same? Does it have the same fence? Does it have the same landscaping, you know? Things like that. Materials. So, obviously, this house, in 1950, was changed somewhat. It was with the addition of the transit siding and the enclosing of the porch. Other than that, it retains a lot of its original materials.

Mr. Bailey: That deck in the back was there?

Ms. Kehler: That was added but, generally, you don't -- unless it's changed to something that visible from the public right-of-way, it doesn't -- it has a minimal effect on the overall design.

Chair Six: Frank had a question.

Mr. Skowronski: This particular structure is sort of cursed in that its real significance is the inside. The interiors are phenomenal. The quality of space and the quality of light on the inside of this structure with huge, very, very tall ceilings, and the introduction of those windows set very high allows incredible amounts of light, and the finishes, the crown molding, the indirect lighting, it's the inside of this structure, you know, the windows sort of enhance that, that's the true significance here. The outside, unfortunately, has been changed to try to -- try to keep the structure viable over the past almost century, and -- or more than a century, and so you have to anticipate or give the owners credit for keeping the place going and trying to put new modern materials that are weather resistant, moisture resistant to keep the place up because -- and they've made changes, you know. That gable roof hanging over in the bungalow style would have had a much larger roof overhang with more articulated fascia on it, so that roof has changed in the front; that's not the original roof line or roof end, the eave end. So, you know, you have to give the owners credit for that, but it's a hard case to make that this is of the same quality as other assets in the island that have already achieved the status of registration. I steal as many ideas out of this house as I possibly can in my own work, mostly the interior's, but as far as significance is concerned, that's going to be a tough sell, and that's largely personal, I can't really speak to the exterior because when I look at it, I see all the changes and all the additions that were made. I mean that's my

hang up. I'm forensic about these things. But, you know, I wince when I see the exterior.

Ms. Kehler: To be clear, a house or any building doesn't have to appear as they originally appeared as long as the changes have been made within the building's period of significance, and that's the key is the period of significance, and do they contribute to the significance of the property. Whether or not that is true for this property, the case needs to be made in this nomination.

Chair Six: I just wanted to say a couple things to address Timothy, very respectfully, historic districts are sometimes arbitrarily drawn in a certain time period and so 'cause the house is outside of it, like just like the Jodo Mission is outside of the Lahaina district, and important cemeteries and Alamihi Fishpond and all kind of things, so I don't want to hurt, you know ...(inaudible)... against this house because it's lies slightly outside the historic district. Technically, there's we call an archaeology of Barnum and Bailey Syndrome, where we always celebrate famous people, famous events, and we leave out the common person that we call the subaltern, and so a lot of revision of stuff that we in the '70s, '80s was to put in people that were more voiceless and people that don't necessarily -- there's histories that's celebrated. I totally get that some of the Native Hawaiian descent wouldn't be thrilled about a plantation house as much as someone who perhaps has ties to that lineage, and a lot of people do, so I can understand, from a subjective point of view, that, as an architect, he doesn't like the outside, and as a Native Hawaiian, he sees the people who probably carried those rocks from the Iao Stream or someone that built the -- is a unique qualification to make it significant, but I do want to argue, for thinking about these smaller places, and they have a history, even though it might not be my history, or a history -- I mean I'm a plantation person that studies plantations and see them as a ...(inaudible)... capitalism and a pernicious, you know, environment so I don't see them, but there are a lot of people that tie their heritage so I always be careful not to disparage things that are outside my particular realm of, you know, influence, but I do want to say that I, having lived in Hawaii since the '70s, seen so many of these houses disappear and along Front Street, turn them into these big concrete prison looking mansions that I really try to support, even in an attempt, and I think if you have a historic district, it can have an added value, it can also have other implications, but I think that we have a hard time seeing some of the value in something that might not be from our own particular --

Ms. Kehler: And just to add to that, if you look at the Honolulu City and County, they have hundreds of houses -- residential properties that are listed in the Hawaii Register. Tax credits are big thing over there, and they're really utilizing that and taking advantage of that, and you don't necessarily have to be associated with someone of high importance to be eligible for listing in the Hawaii Register.

Chair Six: And even the kit homes, I know it's not craftsman like we think of Amish craftsman or hale building craftsmanship, it's not, but it is so indicative of that period of mass fabrication, Fordism, manufacturing of things, and distribution of the ... (inaudible) ... of things, so to me, the kit homes, you know, have a -- have a place in history, they're not that glamorous, but they are an interesting part of history.

Ms. Kehler: This is also a very vernacular Hawaiian interpretation of a bungalow house, in employs single-wall construction, which, as we all know, not many homes on the Mainland employed that during this period of time, and also it's just a very smaller scale than what you would see on the Mainland.

Chair Six: So, Timothy, you're saying that the owners are leasing this someone or there's someone leasing that's putting in the application?

Mr. Bailey: It said it was leased. The current owners lease it.

Chair Six: So they're leasing it out. So somebody's renting it from them.

Mr. Bailey: So it says, on page 14, for the -- the house became a place for many, and the house -- are leasing it now. Page 14. On the third paragraph.

Chair Six: Right. Yeah. She's showing it to me right now.

Mr. Bailey: We can get deep into all the non-residential taxes and all these things which --

Mr. Skowronski: Well let's -- can we -- just a couple more minutes on the tax issue. If it makes the register, then they get a 100% break in their property tax or a significant -- what percentage do they --

Ms. Kehler: It's a flat -- it's a flat rate, so I think, right now, it's \$300 a year.

Mr. Skowronski: How much?

Ms. Kehler: 300

Mr. Skowronski: And they would be saving all of that? Oh, no, no. That would be --

Ms. Kehler: That would be their total property tax bill.

Mr. Skowronski: Right. Do you know what they're paying in taxes right now?

Ms. Kehler: I do not.

Mr. Skowronski: I would encourage or suggest that or I'd be interested -- let's do it this way, I'd be interested in hearing from ownership as to why they would like to do this, have their, it's none of my business what their financial situation is, but it would be nice to know the scale of savings that they're anticipating, and again, I'm more interested -- I'm not so much interested in the significance, I'm interested in the economic implications of what the registry does to this particular property as opposed to adjacent properties zoned comparably in the tract, and whether the ownership has realized that. Does the tax break only apply if owners live there?

Ms. Kehler: I'm not sure. It is -- all of the details are laid out in Chapter or Title 3 of the County Code, I believe. I would have to print -- I think in a previous staff report or mailout, I had included that part of the code that talks about residential real property tax for historic houses. I can include that in the next --

Mr. Skowronski: Keep in mind that one of the -- one of my issues, more than anything else, is that if this parcel were sitting in the middle the tract, it's completely surrounded by residences of the same ilk, I would think more highly of what they're trying to do, but the cats out of the bag. The Planning Department as allowed One Main Plaza to occur, which was part of the tract, and this particular parcel sits right next to -- right next to that building, so now it's historic reservation or its historic significance, unfortunately, is imminently compromised by what was allowed to be built next to it.

Ms. Kehler: If I may, One Main Plaza was not part of the Smart Tract. If you look at this, you see the map, there's numbers on the parcels that are part of the Smart Tract, this was separate. There used to be a -- this was not residential, it used to be a hotel, and then it was a garage. If you look at the Sanborn Maps that were provided in the nomination, it shows the evolution of that lot and what it -- yeah, so by 1950, it was a garage, and then prior to that, it was a hotel.

Ms. McLean: Chair, if I may and I don't know if Jen wants to chime in on this, what's being asked of you today is to offer recommendations on whether the property meets the criteria and whether the nomination should be rejected or accepted. What the owner's motivation might be, I don't know that that's something that goes into your consideration of those items before. The idea of listing, I think it's a fine balance where we do want to encourage properties to be listed so that people make that effort and that investment, not so much a financial investment, but just the emotional investment to protect and preserve that site, and in return, you get benefits for it, but you don't get restrictions that come along with it because, otherwise, people wouldn't do it, so it's how do you incentivize it in a way but not discourage it. So it's -- certainly there are not many properties in Wailuku that are listed, and that really unfortunate 'cause there are

so many places, you know, we could do a one-block circuit around here and identify a number of places. I'm not trying to influence your decision making on this property whatsoever, because you've made very important comments, but I'm concerned that we're getting way beyond the criteria for listing, so I just wanted to offer those remarks. Thank you, Chair.

Ms. Oana: Chair?

Mr. Lay: Chair, if I can?

Chair Six: Of course. Yes. Absolutely.

Mr. Lay: Okay, for me, if they're doing this for the tax break or tax credit, they're doing this for the wrong reason. If they're getting the tax credit to maintain and uphold that look, I can see where that comes into a benefit for them because, like I said, for me, you're fixed in the area and you're keeping it there, when the people pass by, it looks like a historical site, not where changes can be made or, like you said, the columns and the eaves and everything like that, we have to have something that says they can't change that. I mean 'cause that's the reason that's being listed there is because of that, the others ...(inaudible)... behind it too, but if it's the look we're looking to upkeep and uphold, then we have to make sure that we do uphold and upkeep -- they do upkeep it. To me the tax break should actually come before it to ensure that that is followed. Right now, we're saying go ahead, go, build it, and then if you get a tax credit, you're going to maintain that or, you know, we're going to give you this historical site, but if you get the tax credit, then you have to maintain it. To me, they have to give an obligation that they're going to keep it looking like a historical site.

Chair Six: Well, they've owned it since 1956. These aren't new owners. It's not like someone just came in and bought 'em and going to pull a fast one. This an old Japanese family, second generation, probably worked in the -- he was a ...(inaudible)... garage but, you know, probably plantation descendants, and I think that kids are leasing it, the kids live in Wailuku, but I would think that the fact that it's been 60 years that this family's had 'em, and if they haven't made crazy modifications, look at Dream City. You look at the 1972 pictures, and you look now, everybody -- it's, you know -- so I totally understand and if it was a brand new owner, I would be totally questioning, totally monetary, and could be, like you said, 'cause if it helps maintain it, they may be doing it actually 'cause they may actually have the reverence for and they may be doing it for respect for the family. You don't -- I mean I know -- and we all wanna be more cynical 'cause that's usually the motivation is money, but I wanna also kinda think maybe some people want to do the right thing, like incentivize that, and it might spread throughout the area and we won't have these ugly cinder block things that are on Front Street.

Ms. Kehler: Whatever the motivation might be, I think it's important that these properties are listed. They tell an important story of Hawaii's history, and of Maui's history, Wailuku's history --

Chair Six: Even if it's a negative history. I mean even if it's not a positive --

Ms. Kehler: And listing is a good thing no matter what your motivation is. It's good for the community. It's good for history.

Ms. McLean: And if the property is listed and then they make alterations to it, it would lose -- it would get taken off.

Ms. Kehler: Yeah.

Ms. McLean: It would lose its eligibility.

Ms. Kehler: It would -- yeah, so if you -- there's a particular example I'm thinking of, but they had a registered property and they wanted to apply for the tax credit, and I took a look at the property and I said oh no. It's lost its integrity. It can't.

Chair Six: Yeah. I'm sorry.

Mr. Skowronski: This is where I'm confused. If they get the registration, then they can or cannot systemically change the building? Can they add a second story onto the building? Or make any -- I don't want to be specific about this.

Ms. McLean: They wouldn't be prevented from making changes to their building. The changes that they make to the building, may or may not end up disqualifying it from -- they could get removed from listing, they would lose the tax break.

Mr. Skowronski: They would lose the tax so --

Ms. McLean: Or they might be able to make modifications to the building that are still in keeping with it and would still allow it to remain.

Mr. Skowronski: So they get the registration, they're a landmark, they somehow get through a change of zoning, and they put up a shave ice stand there, do they lose the registration, do they lose the tax break because they're no longer residential.

Ms. McLean: I think they'd have to look at the whole -- well, on this particular one, its significance is as a residential structure, so if they change the zoning to business, then that would lose the tax credit.

Mr. Skowronski: Right.

Ms. McLean: In terms of the listing, you'd have to see if it changed, looking back at the criteria, has the setting changed, and if the setting is changed, they might be removed --

Mr. Skowronski: If in fact they want to change the zoning or get a special use permit, they're going to have to go through your department anyway.

Ms. McLean: Yes.

Mr. Skowronski: When your department reviews it, would they review this change of zoning or special use based on it being on a historic register or not being on the historic register? Would you weigh that registration one way or the other in your determination?

Ms. McLean: Potentially.

Mr. Skowronski: Well, if that's the case, then now you've compromised the value of the property.

Ms. McLean: I don't -- not if you're proposing a use that doesn't exist today. You're --

Mr. Skowronski: If this registration now changes the potential advancement or enhancement of the value of the property, then we're denying this property owner the exercises of his rights that his neighbor would have by not having the registration.

Chair Six: He's asking for it. They're asking for it.

Mr. Skowronski: They're asking for it?

Chair Six: I mean, yeah. I mean no one's imposing this on them. I mean I could understand if we were like your house is historic and you better not do anything to it. I'd be like -- I would say we can't do that but --

Mr. Skowronski: Right. Well, I want to make sure that that's not the case.

Chair Six: Yeah, I think that we have to take this by its specific case, the family's owned it for 68 years, they've maintained it, so I think all the points are really great that everyone's been raising, it needs to be addressed, but I think we need to stay on task with this particular house, the fact that they're asking for it, they've spent considerable money, I would image, to generate a report like this. If they get the tax break far out, 'cause it's an incentive, yes.

Mr. Bailey: So this is more clarifying so I get this. So if for some reason, don't worry I'm not going on the break, the tax break was a ten year -- so for ten years, they couldn't do anything, technically, but they'd have to go through the whole process of permitting and all that, so, realistically, if we looked at it, national registry, they got a tax break, that's ten years of pretty much guarantee the house going maintain itself. After that, do they reapply?

Ms. Kehler: Yes.

Mr. Bailey: Okay, and then it could be another ten years, but it's just giving this time line of significance on that. So looking at the comments that came in in the narrative, I think you've kinda nailed all the concerns that I had, take out all the insignificant parts of their process and move forward. I still go back and forth, I mean you guys have been doing this longer than I have, if it's really -- it meets that integrity of what's compared, so I'm just saying, I mean this is notable, so should they remove these notable historic parts 'cause, to me, it's not in that same realm but after you had mentioned what -- it's true, I mean if they want to preserve for 10, 20, 30 years, great. I'm for that. Drive up to lao and point out to my great-grandkids that, you know, those were the houses we used to live in before, so I get that, but I don't think it's compatible to --

Chair Six: I agree, and I think maybe they could even do a paragraph that says we don't have comparable houses in Wailuku to this because it's a new -- we're moving in this direction, these are the things that are currently listed, which are mostly associated with him, as a person or acts or architectural styles, and this is a move into doing more residential and cite Honolulu and cite maybe Lahaina and places that have because you can't do -- compare --

Mr. Bailey: Because the last one was 1998, it was the bridge. We're in 2016. I get it. But we have to -- if we're going to get set a --

Chair Six: Yeah, I agree.

Mr. Bailey: Criteria, then we shouldn't compare it.

Mr. Skowronski: This application for the registry does it -- is it important or is it a deal-breaker if this board does or does not take action on it?

Ms. Kehler: Well, what you're doing is you're providing comments for the review board to consider when they're making the determination on whether or not they should list it, and sometimes they'll get comments from the counties and they'll say, okay, we want you to consider these comments; make these changes; come back to us.

Chair Six: Yeah, so it's asking us whether the property meets the criteria for nomination, and as an expert, Annalise is the expert because I'm an archaeologist, this isn't my expertise, and Frank is the architect, and everyone has their own areas, so we're addressing that, and then, basically, I think we already know there's some comments that we want to say about whether we should reject -- nominate or reject the proposed nomination, so what we would say is, at this time, we would reject this because we would like these things addressed. Is that what we're asking? Or we accept it the way it is. Is that what we're saying in that part, Michele, Jen? Somebody help me.

Ms. McLean: You could recommend nomination with the following changes, and on top of that, you could offer additional comments, like the ones that you've raised today, you know, beyond the ones that Annalise mentioned in the staff report.

Mr. Bailey: So I mean the comments about Crozier and the history, that's just my personal opinion, you don't have to include those, but I believe that, I don't know, this discussion, what other people think, I don't think it masses what's stated in here and I think they should extract that just create a new criteria, not a new, a different criteria to 2016.

Chair Six: And one thing they can say is that these houses under represented.

Mr. Bailey: Yeah.

Chair Six: I meant the reason they're important is that they've been bulldozed and plowed under, you know.

Mr. Bailey: And it is a main street so --

Chair Six: Yeah, and so the fact that they're vanishing, as we saw the three on Lanai, there's only eight left on Lanai, so it's like, to me, if someone's willing to come forward. We are closing discussion but we do have someone in the audience and we could have public testimony. Anyone want to do public testimony on this item?

Ms. Walette Pellegrino: Basically, just listening but --

Chair Six: Alright, just wanted to put that out there 'cause no one was here when we called for public testimony earlier so I want to make sure.

Ms. Pellegrino: Can I just mention something?

Chair Six: Public testimony.

Ms. Pellegrino: Okay.

Chair Six: Is that okay? Come on up. Public testimony.

Ms. McLean: The testimony would be on this agenda item.

Ms. Pellegrino: Aloha. I'm Walette Garcia Pellegrino, interested in all things Maui and particularly Wailuku, and I have to tell, I enjoy coming to your meetings, I'm obviously not a member of the Commission, but I'm very interested in the work that you are tasked with and appreciate the efforts that you do make. And in listening to the kinds of questions that were raised today, I wanted to just share with you, and perhaps this has already been brought to you attention, but, you know, the Hawaii Historic Foundation provides a number of opportunities for education in this area because some of the questions that I hear you asking, potentially, could be answered at workshops provided by this group, and I know you had been part of their program a number of times, workshops, I have attended myself, so I just wanted to share with you that on August 15, at Maui Community College -- UH Maui College, there is a workshop on historic preservation standards that, again, may be of interest to you. It is free. It's open to the public. And I would be more than happy to leave this flyer with you. I think it's work your while because, again, many of the questions that I heard today could be answered here.

And regarding the Crozier property, you know, those of us who grew up right here in this little area remember the Crozier family well, so although the nomination has been based on the type of construction, craftsman type of housing construction, it really is important to understand the history of the Crozier family and the home. I mean some of us, in my age group, went to school with William Crozier, who was the grandson of the Mr. Crozier, who worked for Wailuku Sugar, the chemist, etcetera. There are lots of Croziers who still live on this island, and I actually contacted a number of them. They had no idea that this was happening to their old family home, which they had not owned in decades, obviously, and I wish that they had been here today because they could have given you a little bit more of the human interest side of their family as well. So, anyway, I just wanted to share that with you, and I'll be glad to hand it to you, Janet.

Chair Six: Thank you. Everybody can take look. You can even take a picture of it. Okay, we're going to close public testimony at this time. Is there more discussion on this? We feel we're ready to make some recommendations? Go ahead. Does anyone want to make a motion whether this property meets criteria for nomination, or do we want more discussion?

Mr. Lay: Motion to nominate the historical --

Ms. Oana: Recommend.

Chair Six: You recommend -- the property meets the criteria. Property meets criteria for nomination at this time? We have a motion to recommend that the property meets the criteria for nomination. Do we have a second?

Chair Six: I'll second it. Is there any discussion?

Ms. Oana: Wait. Who seconded it?

Chair Six: I did. Cannot?

Ms. Oana: Oh no.

Mr. Bailey: I'll second.

Chair Six: Okay. So we have a motion on the floor, and a second, to -- we would vote that property -- we'd agree that the property does meet criteria for nomination.

It has been moved by Commissioner Lay, seconded by Commissioner Bailey, then unanimously

VOTED: to recommend that the property meets the criteria for nomination.

Chair Six: So we recommend that the property meets the criteria for nomination.

Ms. Kehler: Okay.

Chair Six: Is there a motion whether we should nominate or reject this proposal as it is right now? Recommend. Okay, let me just say that again. Is there a nomination that we can recommend this item go forward -- the nomination?

Mr. Bailey: Nominate to recommend that this move forward to the State Historic Office.

Chair Six: With changes or?

Mr. Bailey: Yeah, with all the recommendations that --

Chair Six: State it is nice for me because I bungled it.

Mr. Bailey: Motion to move with recommendations out of the CRC to the State Historic Preservation office for nomination.

Chair Six: Do we have a second?

Mr. Lay: Second.

It has been moved by Commissioner Bailey, seconded by Commissioner Lay, then unanimously

VOTED: that the nomination is forwarded to the State Historic Preservation Division with the Cultural Resources Commission's recommendations as discussed.

D. NEXT MEETING DATE: September 1, 2016

Chair Six: Yay. Okay, on to criteria -- I mean agenda item D, criteria D. Next meeting date is September 1st. So are we going to keep the 10 a.m. time? Is everybody happy with that?

Mr. Skowronski: It works for me.

E. ADJOURNMENT

Chair Six: Okay, the next meeting is September 1st, and the CRC's adjourned. Thanks, everybody, for your help.

There being no further business brought before the Commission, the meeting was adjourned at 11:00 a.m.

Respectfully submitted by,

SUZETTE L. ESMERALDA
Secretary to Boards & Commissions

RECORD OF ATTENDANCE

Present:

Dr. Janet Six, Chairperson
Whitney Apo
Timothy Bailey
Ivan Lay
Frank Skowronski

Excused:

Christy Kajiwara-Gusman
Arleen Ricalde-Garcia
Owana Salazar

Others:

Michele McLean, Deputy Planning Director
Annalise Kehler, Cultural Resources Planner
Jennifer Oana, Deputy Corporation Counsel