

**CULTURAL RESOURCES COMMISSION
REGULAR MEETING
JANUARY 5, 2017**

*** 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 11:03 a.m., Thursday, January 5, 2017, 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: Alright, at this time, is there any public testimony? I will allow for public testimony at the end if need be. So we have some New Business.

Chair Six read the following agenda item into the record:

C. NEW BUSINESS

- 1. Jordan Hart of Chris Hart and Partners on behalf of KBHL, LLC requesting approval of plans to demolish a former office building located at 180 Lahainaluna Road, TMK (2) 4-6-009:044; and a former dwelling and located at 165 Panaewa Street, TMK (2) 4-6-009:038, Lahaina National Historic Landmark district, Lahaina, Hawaii; SM1 2013/0008; EA 2013/0002**

The Commission may approve or deny the demolition plans pursuant to Subsection 19.52.020.a, Maui County Code

Chair Six: So, at this time, is Annalise going to present or?

Ms. Annalise Kehler: Yeah.

Chair Six: Okay. Sorry about that. Too much coffee.

Ms. Kehler: I'm just going to go over the staff report really quick, and then go over -- just recap the contents of the historic documentation that was prepared for each property. So the plans to demolish the subject buildings are part of a larger redevelopment project for the Plantation Inn. The project involves consolidation of several parcels, construction of a two-story guest building with 14 rooms, creation of separate 9-stall and 14-stall parking lots with driveways, construction of accessory hotel improvements, and installation of landscaping, required infrastructure and utility systems. So the project's environmental assessment was previously reviewed by this Commission at its March 6, 2014 meeting, and the Maui County Planning Commission approved a special management area use permit, and the permit number is in the staff report, it's SM1 2013/0008, for the project on June 23, 2015, and the attachment for the approval is Attachment 1, in your staff report. So while the overall project received approval from the Planning Commission by means of a special management area use permit, the plans to demolish the building require additional approval from the CRC, pursuant to 19.52.020.A, Maui County Code, and that part of the code is Attachment 2, in your staff report.

So now I'm going to get into the analysis of the project. The subject buildings are located within the Lahaina NHL, and they meet the definition of significant, as established in 19.52.020.H, Maui County Code. That part of the code is Attachment 3. This is substantiated in correspondence from the State Historic Preservation Division, dated November 17, 2016. That correspondence determine the buildings are eligible for listing in the National Register of Historic Places, and that letter is Attachment 4, from SHPD. So according to SHPD, 180 Lahainaluna Road, built in 1950, and 165 Panaewa Street, built in 1932, are eligible under Criteria A and C as representative examples of plantation architecture and as physical representations of Pioneer Mill Co.'s importance in the development of Lahaina. So Attachment 5 has photos of each property.

As stated in 19.52.050.A, Maui County Code, there are only three instances in which the CRC may approve the demolition of significant buildings in the NHL, and then I list out the three below. There's also an attachment to that excerpt of the code in Attachment 6, of the staff report. Although the subject properties were determined to be National Register eligible, SHPD indicated, in the same November 17, 2016 correspondence, that the buildings do not contribute to the significance of the NHL. This is evidenced in the following excerpt: "Though eligible, the buildings do not materially contribute to the Lahaina National Historic Landmark to the Lahaina Historic District." SHPD's determination that the buildings are non-contributing resources satisfies one of the three criteria in which the CRC can approve demolitions pursuant to 19.52.050A, namely the third criterion.

The CRC requested the applicant prepare Historic American Building Survey documentation to mitigate the demolition of the two buildings. HAS documentation

includes large-format black and white photographs, written histories, and measured floor plans. In addition to the HABS documentation, SHPD requested an intensive level survey for each building. These documents were accepted by SHPD on May 26, 2016, thus satisfying the applicant's mitigation commitments required by that agency.

So the department, in consideration of the correspondence issued by SHPD saying the buildings do not contribute to the NHL, and the extensive level of documentation that was prepared for each building, the department recommends approval of the plans to demolish the buildings located at 180 and 165 -- or I'm sorry, 180 Lahainaluna Road and 165 Panaewa Street. So that's -- that's the staff report, and then I'm going to give a presentation about the history of each property, and this came the document, the HABS, and the Intensive Level Survey documentation.

So like I said before, HABS is -- it's a method of documenting historic buildings, and it's a national standard of documentation, and then the Intensive Level Survey, which is what SHPD required, is a state standard of documentation, and both are often required by governmental agencies as mitigation, they have slightly different formats, but similar content, including photos, a written narrative, and a floor plan. And so as part of the written narrative, you would include an architectural description as well as a history of the occupants of the property and the construction of the property.

So these are some of the photographs of 180 Lahainaluna Road. It's known as the Ishikawa-Agena House, and the floor plan is also on this page. So the front of the house is at the top of the floor plan, and then in the back, where there's tile, that would be an addition, and then on the left-hand side, there's an addition and it involves an enclosed carport. So the 1950 date was attributed based on historic maps. Real property tax records indicate that the house was built in 1940 but it appears that it was probably built in the '50s, so you can see the approximate location shown on a 1935 map and in a 1936 field book. During that time, it was still open land owned by Pioneer Mill. And then there's a Sanborn Insurance Map, from 1950, that shows that the house still hasn't been built, and then a 1947 aerial, and then in 1975, you see the house showing up. And the 1950 date also comes from the title history from real property tax. The Ishikawas purchased the property from Pioneer Mill in 1950, and so it was assumed that the house was probably built sometime around the time of the purchase of the land. And so the house was originally built by Toshio Ishikawa, and through this documentation, it was discovered that he was a member of the 442nd Regimental Combat Team, and this is a photo of the Lahaina volunteers, and I think it was assumed that he's probably in this photo somewhere, we don't know which one he is, and then this is his specific company that he was listed in in military records, and while he was fighting in Europe, so he's a second generation Japanese, his father's first generation Japanese, and there was records found that indicate he was interned, he was sent to Sharp Park, and then from there, it's unclear where exactly he was permanently stationed for the duration of the war. And then

eventually it was purchased five years later by the Agenas in 1955, and I believe the report indicates that the Ishikawas moved to California. And I'll read you just the summary page of the HABS documentation on the history of the house.

So it's the Ishikawa-Agena house, at 180 Lahainaluna Road, is a one-story plantation vernacular-style building. Although recorded in real property tax records as having been erected in 1940, the dwelling does not appear in aerial photographs taken as late as 1947 or in a Sanborn Insurance Map that was prepared in 1950. Consequently, the dwelling appears to have been built after the latter year presumably by an independent contractor. The house is slightly altered by intact example of post-World War II late plantation period housing that was produced by Lahaina carpenters, most of whom were Nissei. Located 0.2 miles southeast of the former site of Pioneer Mill Company Sugar Mill, near the boundary of fields 0-3 and 0-4 as well as .31 miles mauka or uphill from the Lahaina Courthouse, the building site appears to have been sold as a vacant parcel to Toshio Ishikawa and his wife, Kikuyo, in 1950, who then hired an independent contractor to build the house. It was later sold to Masaru Agena and his wife, Betty, in 1955. Although the Ishikawa's ownership of the dwelling was brief, the family had operated a taxi services as well as open one of the town's first service stations, and its history includes internment of the patriarch along with the service of Toshio Ishikawa in the 442nd Regimental Combat Team.

In contrast, the Agenas were members of the workforce at Pioneer Mill and Baldwin Packers. In 1984, the Agenas sold the property to James and Randolph Coon, and the house was later occupied by a succession of owners and tenants until the house was acquired by Kaanapali Beach Hotel in 1999.

The proposed demolition is part of -- well, we already went over that. Okay, moving on to 165 Panaewa Street. I'll read you guys the summary of that history.

So the Agena house is a one-story plantation vernacular building. The dwelling is a Hawaii Sugar Planters Association standard plan that appears to have been built in 1932 by Pioneer Mill Co. As such is a slightly altered example of plantation period housing that was produced largely by Japanese carpenters who were employed by Pioneer Mill during the third decade of the 20th century. So it's located near -- it's .25 miles away from Pioneer Sugar Mill, and it is also near the boundaries of field 0-3 and 0-4, which you can see on this map here, the 1935 map, and it was originally constructed as part of Pioneer Mill's Store Camp, it's also known as Lahaina Store Village, and it was built along with five other dwellings. The camp, according to this historic narrative, the camp was originally built in 1916 to house employees of the Lahaina Store, and that store was built -- it's located, it's still there, it's 744 Front Street, and it was also built in 1916.

The Agena house was acquired by Clarence and Patricia Agena in 1950, and it served as their residence through the 1990s. The building was occupied by a succession of owners and tenants until it was purchased by KBH, and I'm not sure when that purchase happened, but this is a map, on the right, a field book that shows the house as an original, but it shows the house there as being plotted as part of Pioneer Mill's labor housing. And you can see the home on a 1947 aerial and a 1975 aerial. So this is a photo of the -- of Clarence. He was -- he worked at the store, at the Pioneer Store for a long time, and he was really well-known in the Lahaina community, and he's in a book, I forgot the name of the book, but they called -- apparently, he was known in Lahaina as the Mayor of Lahaina, yeah.

So that concludes my part of it, and I'm going to turn it over to the applicant so he can give his presentation.

Mr. Jordan Hart: Good morning, Chair and Members, my name is Jordan Hart. I'm a land use planner with Christ Hart & Partners in Wailuku. I've been working on this project for some time. As Annalise mentioned in her presentation, we prepared an environmental assessment. We did receive a finding of no significant impact on our final environmental assessment, and we did receive an SMA major permit for the project. I do want to thank Annalise for a very thorough presentation. She really covered a lot of the historic content of the HABS study as well as, I believe, some of the material that I she did do research on her own, so it's pretty comprehensive, and so I don't really think that my presentation can be much more abbreviated. I'm just going to emphasize some of the land use components, and then some of the steps that we did through the process in order to propose an -- propose demolition in the Lahaina National Historic Landmark District.

So just to introduce the project team, Kaanapali Beach Hotel is the owner of the Plantation Inn, KBH LLC; Dee Coyle is project manager for this project; my name is Jordan Hart, from Chris Hart & Partners; also, Mr. Glenn Tadaki, who's no longer with Chris Hart & Partners, did a significant amount of work on this project. Brandis Sirach prepared the HABS Level 3 surveys and the ILS surveys for this project.

So, basically, this is the Ishikawa-Agena residence, and then this is the Agena residence. This is Lahainaluna Road here -- oh, I'm sorry. Lahainaluna and then Panaewa. Sorry, I was disoriented there for a second. The parcels are .15 acres in size and .20 acres in size. The state land use district for the properties are urban, it's in the urban district. Parcel 44 is in the hotel district, and parcel 38 is in the business commercial district for the community plan designation, and then for zoning, parcel 44 is HM Hotel, and parcel 38 is B-2, and as Annalise mentioned, this is part of a redevelopment of the existing Plantation Inn; they're basically going to expand the existing hotel to provide additional rooms and amenities. One of the critical things to bring up, I think, in discussion of this is that the new development is consistent with *The Architectural Style Book for Lahaina*,

and that's a really critical component of the Lahaina National Historic Landmark District, you know, the district is identified as threatened, and part of the information that's discussed in why it's threatened is basically that there's new development that's being done or has been done in the Lahaina National Historic Landmark District which has been unpermitted or didn't go through proper review process and so those new developments are not consistent with the period for the district which is what undermines the district itself, and so this project and its development plans were presented to the Urban Design Review Board and in the context of the Lahaina -- *The Architectural Style Book for Lahaina* and found to be compliant with that historic style. This is the historic district map and the Lahaina National Historic Landmark District. As you can see, we're outside of the Districts 1 and 2, but we are in the Lahaina National Historic Landmark District. This is kind of a zoom-in of the parcels, 44 and 38.

And so, basically, when we met with the Cultural Resources Commission back in 2014, there was a series of recommendations that were provided, which I'll go into towards the end of the presentation, but the primary one with regard to the demolition, the proposed demolition of the structures was that an Intensive Level Survey and historic -- or a HABS Level 3 Survey be prepared and submitted to the SHPD, and so SHPD did receive those and reviewed those documents and find them to be complete, and then at this point, the Department of Planning has completed their correspondence with SHPD and is providing a recommendation in support of the demolition.

These site photos you've seen; these are just color versions of the same. Anyway, what I was just going to go through is these are photos that Annalise showed you, so I was going to show you site photos and floor plans but Annalise's presentation was complete and so that wasn't really necessary for me to do, so what I'll just do is basically, let's see, I will get the CRC comment letter to us on the project and kind of follow-up on some of the other items that we were asked to take care of in addition to the HABS Level 3 study. Let me see if I have that.

Do you have that? Perfect. Thank you. I was expecting to rely on the powerpoint, which is a bad idea, obviously. So the first comment was that we prepare the ILS and HABS Level 3 studies, which we did do, and they were found to be complete. The second recommendation, there was basically -- there was a Hayden mango tree on Lahainaluna Road that was in the location of the proposed driveway, so there was a request that we basically get grafts of that mango tree if it's going to be removed, so Dee has made sure that that's been done. They took six grafts. They gave two to the Lahaina Restoration Foundation; one to an employee; they have three grafts remaining for that tree. If the tree is to be removed, that it basically be used for cultural practices that occur at the Kaanapali Beach Hotel; that is the intent for the removal of that tree for that wood to be used for cultural purposes. Recommendation no. 4 was that cultural protocol be observed prior to the removal of the tree. That is going to be done. And then there was just a general

comment about demolition of residences within the Lahaina National Historic Landmark District and that there was a need to address that, and so we've addressed that through the HABS Level 3 mitigation, which has been reviewed by the SHPD with their acceptance of that, and we're here to basically do our final step and revisit with you to confirm that we've taken those measures and request approval of the demolition permits.

Chair Six: I have a questions, Jordan.

Mr. Hart: Sure.

Chair Six: On no. 10, it says you're going to have all the work be approved -- archaeological monitoring plan because this is an area that -- I'm not really fond of the word "unlikely event that subsurface historic resources, including human skeletal remains" because Lahaina had a lot of people living there for a long time, back when it was Lele, so I think that we need to -- I just want to make sure, as the archaeologist, that you're going to have -- you're going to do that no. 10.

Mr. Hart: I saw that comment in my review before the meeting, and I agree with you that the comment about "unlikely" was probably unnecessary, but we do have an archaeological monitoring plan and it will be done as part of our SMA major permit approval.

Chair Six: It's just a comment. You know, it just seems so ironic that the Plantation Inn wants to take down plantation era buildings, I understand, and you want to make artificial plantation era buildings, which is just, to me, interesting, and I know that you're working for the hotel.

Mr. Hart: I am.

Chair Six: I just want to put that out there that just seems, you know ...(inaudible)...

Mr. Hart: And I do recognize your frustration, and I do understand, you know, the comments that were made when we visited the CRC the last time around, and, you know, there is the opportunity for the County of Maui and the CRC to revisit the rules for the Lahaina National Historic Landmark District to address subsequent periods, and I do think that the Long-Range Planning Division is doing work and research in preparation for that, and, you know, at the time that we are in now, this is kind of some of the things that you can do and different owners want to make different uses of properties so that I do think that, like I said, designing the redevelopment consistent with Lahaina style book -- *Architectural Style Book* is really important, and I do also think that if you look at the Plantation Inn now, it's not historic because it's not old enough, but it is not in a Mickey Mouse kinda fashion, and they do try to make it an intact environment and feel, and I

know that sometimes there is redevelopment projects that you'll see them around town, so I've seen some in Paia recently where, you know, they follow the design guidelines but they don't really look very nice, and I don't think that that's the goal at all of our architect Steven Heller or the Plantation Inn. They do want to create an intact feel that's consistent with the intent of the Lahaina National Historic Landmark District.

Chair Six: No, I do appreciate the effort that's going into that instead of just putting another cinderblock structure in Lahaina and kind of removing that ...(inaudible)...

Mr. Ivan Lay: I have a question.

Chair Six: Sure.

Mr. Lay: Are we opening it up to questions when we past the presentation?

Chair Six: Are you done?

Mr. Hart: I'm concluded on my presentation.

Chair Six: Yeah. Yeah. We're opening it up, sorry. Any questions for --

Ms. Owana Salazar: Go ahead.

Mr. Lay: Go ahead.

Ms. Salazar: In the microphone. Don't forget.

Mr. Lay: So, Jordan, is anyone living there right now?

Mr. Hart: Yeah, so there's been renters just because they haven't been able to do something so they've been -- they've been -- the Ishikawa residence has occupants in it now.

Mr. Lay: They're notified about what possibly could happen also?

Mr. Hart: Yeah. For some background, the Plantation Inn has been working on this project for quite some time, over a decade plus, basically, there was -- basically what had happened was that there was initial plan for renovation of the property, but it was decided that they really didn't have the -- the land area to make a comfortable feel, so what they did is they purchased additional properties in order to make, you know, a much nicer finish product as far as a completed hotel that people can enjoy and not be a claustrophobic

property, and so that's why we're discussing these two additional residential properties, but everybody's been aware of what's been going on for quite some time.

Ms. Salazar: Well, it's kind of a with a heavy heart that I'm looking at this because it reminds me of when we went to Lanai to look at those two homes over there and then it was just sort of, oh yeah, take them down, you know, when they could have been renovated, and I don't know what's become of them since then but -- and then we have this tree, two trees that -- does anyone have any idea how old the trees are? They must be very, very old to have been ...(inaudible)... the way they are. And how much more time before something else happens in Lahaina and we could possibly lose the historic district - what is it called? Is it a rating or a classification -- designation, thank you, and the next thing you know, poof, you know, and so I don't really feel that great about it even though so much has been put into it and the funds and so forth. Go ahead, I'm sorry.

Mr. Hart: I really, you know, regarding the threatened status of the Lahaina National Historic Landmark District, I really encourage all of you that are sitting on this board to just go and look at the -- it's just basically three sentences that are put down of why the district is threatened, and, you know, the district is basically -- it's the basically 19th century missionary and whaling era that the district overlay was created to preserve, now I understand that time has gone on and other eras are also important to the community, but in the context of the rules and designation that the National Park Service is looking at, it's that period, and so these plantation era homes aren't accommodated by that -- that overlay, and I think that what I'm hearing is that, you know, people want that to be accommodated in the future, and I think that Annalise is, like I said, doing work and there was studies that I saw of inventory on the plantation era homes and potential other eras that could be incorporated into the Lahaina National Historic Landmark District as well as reorganization of the boundaries, I think that's all really relevant because there is -- the people who did the original overlay did some great work and it was a great start, but it's up to everybody to keep on updating those things as we identify properties to be preserved, but at the present time when you have a landowner that has an existing set of rules and properties and they'd like to proceed, you know, it is -- it is alright. And I do want to also emphasize that these are not materially contributing, and the reason for that is that they're not the most exceptional plantation era homes, and I think that there are much nicer examples of plantation era architecture that are out there, and I don't think that these are going to be exceptionally an issue considering the mitigation that's been done and the documentation of where they came from, what they consisted of and --

Ms. Salazar: Can we put up the photo that shows Lahainaluna and Wainee and Panaewa, please?

Chair Six: I have a question. These properties were acquired by Kaanapali Beach Hotel in 1999?

Mr. Hart: They're different dates.

Chair Six: Different dates. Okay. They've owned them for a while though, correct?

Mr. Hart: Right. It's, like I was saying, they've been pursuing this project for -- well, and just to, for everybody's understanding, in the Lahaina National Historic Landmark District, you have to do an environmental assessment in addition to a special management area major use permit, and then you have to have the CRC review demolition permits and things like that, so it's pretty much -- it's a pretty involved process in addition to the change of plans that did occur.

Chair Six: Yeah, I remember when they came, I mean because -- when they came before us and they showed some pictures of the buildings, which seemed to be in disrepair, and so I was just questioning if it's demolition by neglect by owning -- buying these buildings, not maintaining them, and then saying -- I know they're not saying that they're hazardous, but I don't understand like how they don't contribute. I'm just -- I totally hear you. Why we're celebrating whaling on top of the Kingdom of Hawaii and missionaries and when they have more, you know, there's all these different layers that need to be identified and recognized, so I think that -- I want to thank you for bring that to -- maybe we need to relook at some of these designations and what we're celebrating and why we're celebrating these particular groups and not others so -- but I was just kind of wondering how long they owned the buildings.

Mr. Hart: It's -- I would say roughly less than 20 years or so, and it's not demolition by neglect, and, as Annalise noted, there are health, safety, and welfare hazards for the justification for demolition, and the justification for demolition in this case is that they're not materially contributing, and again, it's just, you know, the technical part of it but it's really important to the landowners that the reason they don't contribute is because they're out of era for the district.

Chair Six: They're not -- essentially, it was whaling.

Mr. Hart: Right. Right.

Chair Six: Either is the Plantation Inn.

Mr. Hart: No, and that's why I was saying that it's really up to the community to identify the criteria that's important to it, and then put those on the books for all the landowners to be aware of.

Chair Six: Thank you.

Ms. Salazar: But clearly the Kaanapali Beach Hotel purchased the properties in order to expand --

Mr. Hart: Absolutely.

Ms. Salazar: The hotel and just wait until the time when they could push it forward, you know, and do all this, you know, good work, I'm sure, but I'm just having a difficult time with it myself. I'll put it right out there because of what we already saw happen in Lanai and then it's like, okay, it's just up to you guys now, meaning us, the CRC, and so all this work has been done, the push is there, so, you know. You know what I'm saying.

Mr. Hart: I do know what you're saying, and I also -- I also don't think it's just up to the CRC, I think it's up to everybody, you know, it's up to the whole community, the town itself, these various towns, it's up to the council, and the Planning Department to basically, you know, update as time goes on, and so it's a community effort, so I think that you have also resources out there in the community as far as nonprofits that are interested in doing these kinds of things.

Chair Six: Of course, yes.

Ms. Michele McLean: Thank you, Chair. I just wanted to make a couple of comments, if I could. First, the reason this is before you is authority that's in Chapter 19.52, and actually that authority was given to the CRC only within the past few years. It was, I think, just before Annalise started or maybe right after you started, in relation to the historic districts, the authority just used to be with the Maui County Historic Districts, and not the National Historic Landmark District, so that's a relatively recent authority that was given to the CRC, so the fact that this kind of review didn't take place before, could be one of the reasons why other structures in the district were lost because this kind of review didn't take place before. And underscoring what Jordan said, we have talked for a quite a while about proposing to amend the boundaries of the National Historic Landmark so that it really does focus on the areas where we need to concentrate preservation efforts because there are a lot of very modern uses in the district; that's a big part of why it's threatened. So that's something that we can continue working with Annalise to do and, ideally, it would make life easier for everybody is there was boundaries near the boundaries of the County Historic Districts 'cause then we wouldn't have to say is it in this one or that one; they would all be together in the same area. And to the extent that we can possibly change the focus of the districts, I think that's a great effort.

Then on the flip side of that, this was difficult for us to review because we feel a lot of the same things that you've expressed, we do also though have to follow the criteria that's in the law and that's why we did recommend approval of this today. And also something

else to put on the Planning Department is part of the reason that they needed to acquire additional land is for their parking requirements. There are a number of businesses throughout the county that are hamstrung from expanding or even changing their use because they need to comply with current parking requirements, and so you simply need land to do that and that's an unfortunate part of our parking code that we're working on trying to put some flexibility in there, but for any type of business, the Plantation Inn being one of them, to be able to expand and modify uses, they need more land to provide parking onsite.

Chair Six: I think there's a song about that. I want to ask you, how do we go about -- excuse me, how would we go about working with either the County Council or whatever entity to amend and change these districts or modify them because it doesn't even include Jodo Mission, it doesn't include Alamihi Fishpond, I mean a lot of very important sites, and the way it's broken up and I, personally, am not thrilled with whaling and I don't think we shouldn't really stop the Whale Day and all that kind of celebration, and plantation is important, but there's so many layers there, so how would we go about -- do we have --

Ms. McLean: I think Annalise can talk in more detail than I can.

Chair Six: I think it's just a fantastic idea.

Ms. Kehler: So I, last year, I had a survey done that looked at all the buildings within the current boundaries that were built 35 or more years ago, and we did a resource count, and then we also did an extensive historic context, beginning from pre-contact to tourism, and I've submitted that to the National Park Service, and they're reviewing it. So the thing with -- sorry, with an NHL, it's a long and complicated process to begin amendments, so the first thing, before you even write anything, you have to go to the board of the NHL and talk about it, and they have to decide, you know, like what areas of history you should talk about or you shouldn't talk about, and my big concern with, you know, the survey was making sure that we talk about Lahaina's pre-contact history because it's grossly --

Ms. Salazar: Neglected.

Ms. Kehler: Neglected in the original nomination, and that's apparently, according to the Park Service, it's a very common thing that happened in the '60s and '70s with NHL nominations was that they really focused one little piece of place's history, and there's so many other portions of the history, I mean -- and really you can look at the spectrum of the history all the way up until it was nominated in the '60s and look at everything that's in there at the time of its nomination.

Chair Six: In the 1960s when they're writing this, right, 75 years ago, right?

Ms. Kehler: Yeah.

Chair Six: So the plantation was still running and it didn't seem a part of history.

Ms. Kehler: Exactly.

Chair Six: It was part of present.

Ms. Kehler: Exactly.

Chair Six: So just for me, as someone who's studied plantations, I'd just hate to see the loss of these buildings. I totally understand the client's and the property owner's need for expansion, but again, like Owana, I'm always sorry to see these buildings go. And I wish someone from the SHPD was here 'cause I would like to just understand a little bit more about how they just don't feel these fit because the buildings seem different to me, the 1950 structure versus the one that is in the historic camp, the earlier, which seems to have more of a history to the plantation, obviously, the 1950 house does too, so they seem to be kind of from two different eras also so -- so any other comments or questions? So any public testimony? Okay. So what are we supposed to do now, boss?

Ms. McLean: Well, I would suggest that we ask Annalise to repeat the department's recommendation, and then the Commission can decide where to go from there.

Ms. Kehler: Okay, the recommended motion is in consideration of the correspondence issued by SHPD saying the buildings do not contribute to the NHL and the extensive Level of historic documentation prepared for each building, the department recommends approval of the plans to demolish the buildings located at 180 Lahainaluna Road and 165 Panaewa Street.

Chair Six: Yes?

Ms. Salazar: I'd just like to reiterate what one of our former Commissioners said, and that was Bruce U`u, that this Commission is here to make sure that places are preserved and not destroyed for commercial, I'm not quoting him directly, but he made it very clear, especially when it was my first meeting when the Westin Pioneer Inn was here about signage, and he just really spoke up and I just appreciated it so much 'cause it set the tone for myself, as a Commissioner, for this wonderful Commission who I'm so grateful is here because we get to really make a difference when this like this come about, so we are here for that purpose; that is we are serving.

Mr. Lay: Motion to accept the department's recommendation.

Chair Six: Do we have a second? Second. All in favor say aye. All those opposed?

Mr. Lay: Can we have discussion?

Ms. Salazar: Take a better count.

Chair Six: Yeah. Okay, we're in discussion.

Mr. Lay: So from what I've seen before, we have two houses on that -- in that area, and I guess they do reflect that area, but it's been a long while, it's been over 70 years and this house, these two houses, although they are part of our history, what we're shown now days does not give us a feeling of that era. It doesn't. For me, it doesn't, and I'm just speaking about myself. And with the proposed inn that's coming in, it has a little touch of a past, it's accommodating for employment, for a hotel in central Lahaina, which I think will be accommodating to a lot of people there instead of having to go to Kaanapali in this rush area, they can be in a more centralized area in Lahaina where they're close to restaurants and shopping areas, so I think it's a good thing, it's a nice change compared to an empty lot with two houses on it that are -- age has come across it, it's 70 years, 65 years old, so I'm for this change, this more improvement, that's how I feel because what I see now is an older era but it's not kept the way I think I would like to see it as far as a representation of that past.

Ms. Salazar: Okay. Go ahead.

Chair Six: I would like to disagree with a couple points you made. I mean we're not here to make a better place for tourism. We are a Cultural Resources Commission and we are supposed to protect the cultural resources, and for me, that is also -- it includes, even if it's not in the National Historic District's language, it includes plantations. To take and demolish history and to put a parking lot to accommodate more tourists is not, I don't believe, the duty of this Commission, so I respectfully disagree. I do understand that a lot of these houses fall from neglect and it cannot be restored, but when we did a tour a couple years ago, we saw some fantastic unbelievable renovations of these homes which keep that feeling and while the plantations aren't always the most positive aspect, it is part of the legacy of this island and a lot of people are descendants were not all native Hawaiians, a lot of Mainlanders, but we do have that. We need to respect that too as well as the pre-contact and also business and jobs. I understand your feelings. Yes, Commissioner Salazar?

Ms. Salazar: Jobs will be created. It's up to the landowner or the property owner to do the proper renovations. I do know that, now that's we've had some training and I would like to share with the new members on the Commission, that in a renovation circumstance of an old or historic property, the owner can renovate, at will, interior. It's the exterior that

must be maintained for the look. So they could go and gut the kitchen, put in a dishwasher, you know, the double refrigerator, all that, and it's all okay, just the exterior must be maintained, and that creates jobs. That does create jobs. And I would remind everyone that Waikiki went one house at a time, maybe two; from a single-story to three-story, and then the thirty stories. So, you know, we really gotta keep in mind what we're doing here, that's what I'm keeping in mind, so I want to just remind everyone that this was a big eye-opener for me when we learned that, you know, when we went and visited these different historic properties, and we saw the pictures of what they were before, and we visited some that had not been done, it was just above Prison Street, and then we went to the ones that did get renovated right on Front, on the other side of Lahaina, and it was amazing, it was just really beautiful, and it does create jobs. We can't just think --

Mr. Frank Skowronski: This project was reviewed 22 months ago, and what was the outcome of that review, Annalise?

Ms. Candace Thackerson: So I brought this project before this body during the review period for the draft EA as well as the SM1, and the demolition was included in the scope of the project, and this body did recommend approval of a finding of no significant impact subject to the comments that were provided in the letter, subject to the applicant doing the HABS Level 3 Study; the applicant obtaining grafts from the mango tree and offering to people who would like to perhaps replant it in their yards; that, when they do remove it, the wood will be used in cultural, native Hawaiian cultural practices and maybe perhaps for the Kaanapali Beach Hotel's Makahiki Festival; that when they do remove the two trees, that native Hawaiian protocol would be observed and --

Mr. Skowronski: But at the --

Ms. Thackerson: Yeah.

Mr. Skowronski: At the 2014 meeting --

Ms. Thackerson: Yes.

Mr. Skowronski: We've had this discussion?

Ms. Thackerson: Yes. I reviewed the minutes for that. It was pretty much --

Mr. Skowronski: And at that meeting, we've set a precedent that these buildings do not have this historical significance?

Ms. Thackerson: Yeah, that was what this body concluded at that meeting after seeing the state that the buildings were in and the deterioration of them, and at that time, the

body had decided that so we took your comments forward to the Planning Commission, which approved the draft EA, approved the final EA FONSI, and then later approved the SM1, subject to your comments that they included in their permit with your approval.

Mr. Skowronski: But my point is that the client has proceeded based on our approval in further developing the project.

Ms. Thackerson: Yes.

Mr. Skowronski: So whatever resources they've dedicated or whatever input they've proceeded on, were based on this body's precedent of saying that they can go forward. What is the client and what is the applicant to do now that we're risking countering that original determination? How are we hanging them out to dry? I mean we've -- I empathize that the district should be expanded. I empathize that these are marginal representations of the plantation style. But this project has already been reviewed by not only this body, but the Planning Commission and SHPD. So I don't understand how this body continues the precedent and continues their directives in now possibly changing horses or switching their approval process. I don't understand why the project is being reviewed a second time if, in fact, it was reviewed the first time and deemed to go forward.

Ms. Thackerson: At the time that the applicant applied for the SM1 and EA, this body didn't have approval for demolition permits that are located in the National Historic Landmark District, only in the County Lahaina Historic Districts. Since then, since they've come in for the demolition permits, this body now has authority over the demolition permits.

Ms. Salazar: And thank goodness for that because of some other buildings that got demolished that never came before this body, I'm speaking of the post office, the building that the county themselves took down, I mean so we're really --

Chair Six: And one other -- one other distinction in 22 months, we have different council members.

Ms. Salazar: This is true.

Chair Six: Who may see things differently I know ...(inaudible)...

Ms. Salazar: Also -- also, prior to that, from that time until now, we not only have different Commissioners, but we probably had not done some of that field work that enlightened us to the fact that the reason why these buildings don't look like they contribute is because the property owner hasn't been doing any malama too. They haven't -- they just let it go because they figure, in time, it'll naturally, you know, look like it's neglected, take it down,

make it -- but they gotta know. I mean they know that, this is what we have learned since that time, that it can be done and that kind of money can be spent wisely to preserve and not just go into further development in a lookalike.

Mr. Skowronski: My look at it or walking around these buildings, both of these buildings have been significantly added onto since they're original construction. So the idea that somehow the client, the applicant should have improved or kept the building up, would necessarily say that they should have been applying for demolition permits to excise the additions that were made previously to the building that now compromise its plantation style status. These -- both of these buildings have had been added onto. They're no longer as they were originally structured, and to ask the applicant that they should have kept it up by taking parts of it down or whatever is now putting a burden on the applicant to actually do the right thing with these structures. They're in very bad shape.

Ms. Salazar: I'm mentioning that -- I'm mentioning that it was an option.

Mr. Skowronski: It was an option but now they're caught between rock and hard place because they have proceeded on the --

Ms. Salazar: I understand.

Mr. Skowronski: Required path and now they're risking having that path compromised because they have a certain number of approvals in place and ready to go by approvals, and now we're looking at a relatively new assignment of authority to compromise that progress. Put yourself in the position of the applicant, what are they going to do if we turn them down?

Chair Six: Commissioner Bailey?

Mr. Timothy Bailey: So in all fairness of being thorough, because we all have our viewpoints, a very common viewpoint for me is kinda what you stated, Chair, you know our Kingdom of Hawaii does still exist but that's not relevant to what we're looking at, so the relevancy that I'm looking at here is, you know, in our section 19 -- in your little black book that we all read thoroughly, the -- you know, our Cultural Resources Commissions shall not issue a letter of approval under three circumstances, so in all fairness, I don't think that we're sabotage something here, but in our previous discussions, we have been looking at expanding the historic districts, that's her inventory, we've been looking all over from Wailuku to Kula to Hana to whatever, and I think that it'd be premature or un-thorough of us because the only area that see here in Attachment 6 is that the building or structure is of low priority. SHPD has already said that they do qualify for historic buildings but they are not significantly within a historic district, which would allow them to kind of move forward. Well, we just talked about, the last few years, of trying to expand and

inventory and see what is going to classify this because by approving something without being thorough right now, I'm not saying that we deny it, but we could cause a ripple effect that would just bypass our whole mission and objectives of trying to get an inventory of our historic districts. When I first joined the Cultural Resources Commission, being native Hawaiian, I thought that's what this was all about. Obviously, working with the Park Service and understanding the Department of Interior and how all this works, we have to be compliant and thorough, and I look at all of what we have here in our sections, and section A, it says, "For any building or structure within any historic district established in this article," and there's only three means of being able to approve this, I don't think we're being thorough enough, and we would contradict ourselves in what we were trying to do only months ago, and that's the reason why I'd oppose this project. I'm sure we can ask for another 90 days or whatever it would take for us to move forward on our inventory and of historic districts, but I'd hate to be, you know, the stroke of a pen saying that, yeah, just go ahead and remove these buildings without doing our job. So that's my comment.

Chair Six: And I'd like to make a comment as well. It seems like these properties were acquired for a specific reason. They didn't value them as historic buildings. They were acquired so they could have an expansion, they need to required parking stalls so that there would be a place for visitors, whether they're locals or tourists, coming to Lahaina, and they had them for a long time, and what I remember is being shown pictures of buildings in disrepair and kind of they were leaning more towards they're hazardous, they didn't say that, but like that they were falling down, and that's why I mentioned demolition by neglect where you intentionally buy a property, you just don't maintain it, and as an archaeologist, you know, that house that has that addition, that has that addition, is still valid because that's over time. If you go anywhere, there's a castle, then they built another part, and they built another part, and that whole thing is still considered part of the original building. So I'm not saying every house in Dream City that went from a small cinderblock to a giant -- but we do have to look at that as part of the history, and they people do add on and they do change over time, and at the time they're making those changes, they're not thinking historic, they're thinking my house, I got a grandbaby or I got someone, I gotta put this on, but I wish people could see a value in these places, and I wish that, this is my personal belief, that they could be rehabbed and they could be rented, and people could have an authentic plantation experience in a beautiful plantation home, but I understand there's a need for parking. I do understand that it's not so simple as in my little vision. But I just want to thank Commissioner Bailey for his comments and everyone else. Is there more discussion on this?

Mr. Hart: Would it be alright for me to say a few ...(inaudible - not speaking into the microphone)...

Chair Six: Absolutely.

Mr. Hart: Thank you very much. One of the things I do want to say, you know, there's a question about what the reason for the lapse between our first CRC visit and now, and, basically, the CRC provided us with a series of recommendations on what we needed to do in order to mitigate the impact of these developments or these demolitions, and so that is what we completed. We didn't have a HABS Level 3 and Intensive Level Survey when we were at CRC last time, and so we prepared those and those were analyzed by SHPD, and that's, you know, that was what SHPD used to determine whether or not they were materially contributing or not. And so, you know, in kind of addressing Commissioner Bailey's comments about, you know, the camp training that occurred and being based in the rules and how you're making decisions, I do agree that it is really important to found your decisions on the existing rules as they are especially if you're proposing to develop them further, and I support developing these rules further and, you know, whatever the rules are going to be five years from now, ten years from now, these projects that I'm going to be coming to you with are going to be complying with those future evolved rules. In this context, the Plantation Inn purchased these properties and this was permitted to be done at the time that they purchased them, and even with the evolution of the rules, you know, there's ways that they could have not been approved and there's past that they could have found to approval and part of it is whether or not they materially contribute to the district, and so it's really important that the CRC recognize, you know, what is the Lahaina National Historic Landmark District, not County of Maui Historic District 1 and 2, but the Lahaina National Historic Landmark District and kind of that's, you know, the district application here that went to the National Park Service and there's a checkbox when you say what is the period of significance for this district, it's the 19th century, and so, you know, these are not 19th century homes, they're 20th century homes, and so that's why we're outside of the period of significance. Now, I understand the desire to make future changes to the county's rules, and that's appropriate, but if you have a landowner, like it's easy to not put a face to a corporation or a hotel, but imagine if you're the landowner and, basically, you purchased a property that, under the county rules, you can demolish and rebuild your house, and you come before, you know, a county-appointed body, and they say, you know, separate from the rules, we're going to tell you you can't do it because, you know, we have concerns about future changes to the county law that we want to make, and it's just, I understand the goals going forward, but as far as at the time that this entity purchased these properties, was at the CRC the first time, went to the Planning Commission, and is now here before you with the correspondence from the State and the County of Maui, you know, they're within their rights to use these properties in these ways, and the mitigation that they needed to do and the documentation they needed to do has been done. So I think that that's really relevant to add into this conversation of how they are or are not contributing to the Lahaina National Historic Landmark District. Thanks.

Mr. Skowronski: I'll refer the Commission to the letter of the 17th of November of 2016 from the State of Hawaii, from the historic -- State of Hawaii, Department of Land and

Natural Resources. In their comments, they're saying that the repairs are impossible. They're also saying that the structures, as it exist, is a deterrent to the historic district. And they're also saying that the buildings are of a low priority and not worth retaining, and I'm looking at those recommendations from the state that are backed up by a series of recommendations and actions taken by the county that support that, and now it appears as though we are questioning all three of those comments, and I don't -- I haven't heard anything or I don't see anything that the directly contradicts those three comments.

Chair Six: I don't see where you said that the buildings can't be restored. Where does it say that? I'm on Attachment 4.

Mr. Skowronski: Attachment 4.

Mr. Bailey: It's just stated in the code. I don't see --

Chair Six: Yeah, it's just stated in the code. That's not their opinion.

Ms. Salazar: Oh here.

Chair Six: Those are the three things they can do, right?

Mr. Skowronski: Right.

Chair Six: So what they're choosing is number 3.

Mr. Bailey: But have we had a letter from the Public Works saying that it's unsafe?

Mr. Skowronski: Well, I'm not suggesting that they're unsafe because they must be occupied now, and they must have some sort of permit that's makes them ...(inaudible)...

Chair Six: Those aren't their recommendations. Those are the three things that that would cause it to be, and they're choosing number 3, which is saying the structure's low priority and its retention would not materially contribute to the integrity of the historic district, and I know -- so, you know, not trying to be obstructionist, but I hate these arbitrary lines that say here's where this is and here's where that is, and it's not anyone's fault in this room or the guys all are working around these crazy divisions of what's the national and what's the county and we're just put in a position, my personally, you know, of making tough decision, and 22 months ago, we didn't have the authority to -- so we said -- well, we could say save the mango tree, use the wood, do what you can because they were presented ...(inaudible)... memory that they were in really bad shape.

Mr. Hart: They are, and I wasn't really expecting to go into all of that just because we did, you know, have the recommendation from the State Historic Preservation Division that these are not contributing and we did have the recommendation for approval from the department, so I kind of thought this was going to be a revisit with the Commission about, basically, we gave you an assignment, a task to do, and, you know, you report back to us on where you are on those tasks, and we were going to say we've done all of the ones that we can to date, and we're going to -- we're recommitting to completing the remainder of the tasks. So I wasn't -- I didn't think it was going to be necessary to talk about the state of the structures. Another thing to bring up is that we didn't choose the option of demolishing the houses because they're not contributing, we agree that they're not contributing, but the State Historic Preservation Division determines that they're not contributing, we agree with that determination, but that's not our choice that we pursue it that way, it's that's what it is.

Chair Six: Yes? You have a comment?

Mr. Bailey: So I've looked at the project specific condition and the clarification part, and what I'm looking at is number 7, so you guys have complied with everything, but it says, "Full compliance with all applicable governmental requirements shall be rendered," so that all governmental requirements, and my question I guess is the existing buildings that are there, if I'm not mistaken, we're saying that these need to be demolished to fulfill the parking for those existing right now, or is it -- so that's why I was a little confused. There's two buildings there already, right, that are non-historic and I'm assuming they are. I don't know. I'm not from Lahaina and I don't --

Ms. Salazar: I think I see your question. I understand --

Ms. McLean: The structures are -- that are proposed to be demolished are non-contributing.

Mr. Bailey: So they are just to be parking lots to fulfill -- there's two, in that photo, there's two other ...(inaudible)...

Ms. Salazar: They want to add more rooms.

Mr. Bailey: Was that rooms and hotels?

Ms. McLean: I don't believe the two properties that we're talking about now will have hotel rooms on them.

Mr. Bailey: 'Cause it says a two-story, 14-room hotel is to be built, and then there's 14 stalls, and then 9, but I was under the impression that they had tear these down to make parking for the existing buildings that were there.

Mr. Hart: No.

Ms. McLean: For the proposed expansion.

Mr. Hart: There's an expansion. There's a full expansion of rooms and parking.

Mr. Bailey: So there's already enough parking for the existing?

Mr. Hart: Under the -- yeah, the existing hotel is compliant with all county --

Mr. Bailey: Okay, so this is just to --

Mr. Hart: If I could add too, basically, what that means is that if you break any county rules or state rules in developing your project, you're in violation of your SMA major permit and then the county can cite you on that basis as well as any other violations that you've carried out so, yeah.

Ms. Salazar: So to clarify, these two lots or the properties is to expand the hotel rooms. How many more rooms?

Mr. Hart: Fourteen.

Ms. Salazar: Fourteen more rooms and then additional parking.

Mr. Hart: That's right.

Mr. Lay: Chair, can I ask a question?

Chair Six: Yes. Of course. Of course, you may, Ivan.

Mr. Lay: I'm asking for a point of order. Right now, we're jumping back and forth. People are giving comments but being cut short in completing their comments. So if we can have -- give the person that floor so they can complete what they want to say, you know, you begin with a sentence but what it ends up to be something totally different and right we're cutting them short, they're not being able to complete what they have to say. So point of order if you can direct, you have the floor, go ahead, and then we can go to the next person. I think we can run through this more smoothly, and as far as taking notes and

everything, it's gotta be impossible at this point because everyone's talking at the same time.

Ms. Salazar: I disagree. Everyone is not speaking at the same time.

Mr. Lay: The Chair.

Chair Six: Yes, point of order, but I'm always guilty of it so I'll say I'm probably the one that does it the most. I just get excited. I would like us to give everyone a chance to speak so if there's anyone that has any comments? I would have loved to have the SHPD architect here to explain just how he made this determination 'cause it's a very simple line here, and I just would have liked to see maybe have, from SHPD themselves, just how they came to this understanding of noncontributing, I know it's not from the 19th century on this. Sorry.

Mr. Hart: Yeah.

Ms. Salazar: I have a question. May I? Thank you. I'm just wondering if I heard Commissioner Bailey correctly, when he was previously commenting or noting that -- about how we're expanding, working on expanding our -- the districts, and were you possibly suggesting that we revisit this again in so many days or was that what you were possibly -- did I hear correctly?

Mr. Bailey: So just for clarification, just to be thorough, I'm looking at what's highlighted and, you know, we've been the Commission and the recommendation came out to approve it, and I understand all that, and the way it's supposed to all into play it looks like, yeah, we should move forward and approve it, but I'm just not convinced on the building or structures are low priority and it's retention when we have not looked at how we're going to further our historic districts; now, we could pass this in legally on the law because we haven't done that yet. So that's just a consideration when we're going for our vote is, basically, what I'm bring out. There's nothing we can legally stop it because it's out of the district, they even said, SHPD said it's out of the Lahaina District, but I understand the houses are eligible for historic, so that's where the conflict is. That's where I have a hard time going back and forth, even though it doesn't fall in the district, they are eligible, and that's where I have a hard time.

Chair Six: Yeah, this is a very complicated piece of property. Yes, Jordan?

Mr. Hart: So I had to do a lot of review and have a lot of conversations in preparation for this, and I had a conversation with Alan Downer about, you know, the eligibility and, you know, basically, anything is eligible and so I don't think that that's a good threshold because, basically, it just means that you can submit those documents for consideration,

they may be rejected, but, you know, you can submit anything or almost anything, so I think that that's not a very specific criteria. But, you know, having this applicant be deferred in anticipating of changing the rules on them, I don't know if that's really appropriate, as just a statement on that, and then with clarification on there's the County of Maui's Historic District 1 and 2, and then there's the Lahaina National Historic Landmark District, maybe we could back to that slide, so we are within the Lahaina National Historic Landmark District, and then, basically -- so there's some criteria on why you would take a building to the CRC for demolition if it's not in the Historic District 1 or 2, but it's in the Lahaina National Historic Landmark District, and so it's basically -- I believe it's any -- the criteria for significance, let me try and find that code section, but it's, basically, anything that's --

Ms. McLean: Yeah, Chair, if I may, that's in your handout, Attachment 3, "For the purposes of this article, buildings or structures of historic significance shall be those that are more than 50 years old and that are deemed by the state to be eligible for listing in the National Register of Historic Places, based on federal criteria." And so their letter did indicate that by this definition that they would -- these are structures of historic significance, that's one category. They go on to say that they are no contributing to the National Historic Landmark District. So those are two different things.

Mr. Hart: Right, and it is --

Ms. McLean: One puts them before your authority, and the other gives you the opportunity to allow their demolition.

Chair Six: So if the National Historic District is based on the 19th century and you're building a plantation era inn, how's that work?

Mr. Hart: It's called the "Plantation Inn" but the *Architectural Style Book for Lahaina* is consistent with the Lahaina National Historic Landmark District and so that's the architectural style that's consistent with the National District --

Chair Six: Isn't it the 19th century whaling theme?

Mr. Hart: That's right. That's right. And missionary type theme. So -- but there's also native, you know, Hawaiian architectural styles in there too but that's really the relevant point is that we're talking about land use designation layers, and the land use designation layer that this property is in, these two properties are in, which brings us here, is the Lahaina National Historic Landmark District, that district has a period of significance, these structures are not from that period, so they don't contribute to the integrity of that. Now, if you want to propose a change to that, that's welcome. You know, we can do that in the county, and it's appropriate with the change that's going on in the community as far

as plantation era phasing out and us going to, you know, the bed and butter right now is tourism, and so that's relevant to address, but if you're here now, and you purchased properties and you've gone halfway, 99.9% through the land use entitlement process, and these things that you're proposing to do are permitted, you know, I do think that this applicant has done all the documentation and taken all the steps that a normal reasonable applicant should have had to do in order to proceed through this process. The concern over the overall trend of Maui County for not addressing plantation era and incorporating those into our historic architectural resources is a separate discussion over the longer term and isn't -- isn't the specific obligation of this project, and I also think that if you do make your decision in that context, you're kinda going off the path and you're basically saying I recognize that the Lahaina National Historic Landmark District doesn't accommodate the plantation era, but because these are plantation era structures and I think the plantation era is relevant and significant, I'm going to basically determine that these do contribute to the whaling and missionary era and deny the demolition permit, and that's just not really appropriate.

Chair Six: How does a parking lot contribute? I mean I'm just -- I don't understand, what you're building, how it's contributing. I understand that these buildings done fall under the 19th century whaling and missionary, but I'm just so perplexed, and it's just my own conundrum, it's just my own trying to get my hear around how taking down historic buildings and making parking lots is contributing to this historic district.

Mr. Hart: I want to re-encourage everybody to just take a few moments to look at the threatened status for the Lahaina National Historic Landmark District and just the three sentences of why it's threatened, it's not threatened because of the demolition of plantation era residences, it's threatened because of new development that's not in period, and so that's really critical to what we're talking about now because that whole issue is the basis of the decision making here is whether or not this proposal complies with what the rules are and the obligations of the landowner in this district are, and whether or not this proposal complies with those rules, and I really think that we documented that it does.

Mr. Skowronski: Just a question. The issue before us now is the demolition of the two structures. Is that correct?

Ms. McLean: Yes.

Mr. Skowronski: Okay. But the issue of the expansion of the hotel is not before us. Is that correct?

Ms. McLean: That's also correct.

Mr. Skowronski: Our previous review, we've approved the addition to the hotel, have we not?

Ms. McLean: You commented on the environmental assessment.

Mr. Skowronski: Right.

Ms. McLean: And supported the issuance of a finding of no significant impact for the overall project.

Mr. Skowronski: For the expansion of the hotel. But the structure, the increase of the hotel for the 14 rooms as been reviewed by this --

Ms. McLean: Yes, it has. The entire project was review including the demolition of the structures.

Mr. Skowronski: Right, and so -- and we found that the addition is in compliance?

Ms. McLean: You supported a finding of no significant environmental impact.

Mr. Skowronski: Okay, so how do we approve the addition of the rooms and not approve the addition of the parking? How does that work? How do we draw that line?

Ms. Kehler: Can I just -- we didn't approve anything. You guys reviewed -- you reviewed an EA. Yeah.

Ms. McLean: Right, the Commission, as I said, I think, three times, supported the issuance of a finding of no significant impact, and when you talk about environmental impacts, that's a very broad term used in the development, it's social, cultural, economic, physical, environment, etcetera, and it was a couple of times mentioned that the -- this Commission's comments on that document related to the removal of the trees, the formal comments that were submitted related to the removal of the trees, not about the retention of the structures. So as I commented before, you know, it's difficult to be proceeding with this because we, you know, no one would be here if you didn't care about historic resources; at the same time, you have precise rules that govern your decision making, and if we don't like those rules, then we can change those rules, and if you have an applicant who's following those rules and you give them comments, and then some time later go off in a different direction, that's very difficult for applicants who are following the same rules that apply to you. I'm not saying I like the idea of these structures being demolished, but the rules are pretty plain, and if we don't like those rules, then talk to us about amending them, and we've talked for quite a while about expanding or changing the landmark district, that's a very, very long process, but one that we can continue to

pursue. In the meantime, the rules say what they say, and if we don't like them, then let's talk about changing them, but until they are changed, this is what -- this is what should be governing your decision today.

Mr. Bailey: Comment real quick?

Chair Six: Oh yeah. Absolutely.

Mr. Bailey: So, like I said before, I don't think there's anything in our authority to appear that would keep us from allowing it to be demolished and move forward, or approving the letter, but I just have that one question that the building or structures of low priority and its retention would not materially contribute to a historic district, I don't know if this Commission or even just a handful of people can determine that because Lahaina has a lot of people, I'm not from Lahaina and whatever happens happens, but I know my historic house that I live in in Kula, and I say, yeah, tear it down and they put up a Walmart, that's going to put the whole integrity Kula, so I'm just wondering if we have been thorough on number 3. That's the only question that I have, meaning for the betterment of Pioneer Inn, and also the betterment of resources and the community that's out there. That's all. I don't see any, unfortunately, public testimony here to say yay or nay, and the decision, without being thorough, falls upon us, and there's a lot of people that we know in Lahaina that are against development period, and, you know, you look at the buildings around that photo, now you put two more, and then this ripple effect, ripple effect, and that's what I'm just worried about is how do we have the power and authority to say it's a low prior; if that's the case, we can knock down all these low priority throughout the whole area so -- but I don't see why -- I don't see anything legally that we cannot approve it if you look at all our process here other than that question.

Mr. Hart: Could I address a few of those comments? In the context of public notification and the opportunity to comment and receive public comment, so we did an environmental assessment that's public at the Office of Environmental Quality Control, and then we do pre-consultation letters where we mail out to the neighbors within 500 feet, and then we had a hearing with the Maui Planning Commission to review the draft EA, and then we made revisions; we also got comments from all the state and county agencies and any federal agencies that were relevant, and we responded to those. Then we had another public -- it was a public meeting at the Maui Planning Commission meeting room here where we -- the Planning Commission reviewed the completeness of the final EA; then that document was republished with the OEQC online for all the state to review. Then we had a public hearing with certified notice of public hearing for the SMA major permit before the Maui Planning Commission. Separately, before that SMA major permit hearing, we also had a public hearing here with opportunity for public comment. So we went through all of those things, and then now we're here again, and this is a public hearing that's noticed with an agenda and, you know, there's nobody here.

Mr. Bailey: Yeah, no, I understand the process. I was curious on any opposition from any of the Hawaiian groups out there.

Mr. Hart: No, no, no.

Mr. Bailey: And I know how this goes, there's a lot of this slides through cracks, I've been involved with a lot of stuff, but that's all. I think we just call for the vote again.

Chair Six: I just want to -- I want to add one thing building on what Commissioner Salazar said is the only demolition that I've been involved in in my time on this was when Larry Ellison's property manager wanted to tear down three of eight 1920 plantation house because they just didn't have enough money to restore them, and this Commission recommended and they did follow through by building them exactly back the same way, tearing them down because it was demolition by neglect, they let those things rot, and they had lots of history and lots of family, and they did -- was supposed to be rebuilt in the exact same footprint and style, interiors could have AC, could be changed, but the exterior had to stay the same because Lanai had loss so much of its plantation heritage. So that was the only one that I've been involved in and we did not have the real -- we went over to Lanai and met with everybody and heard the story, but I'm always sad to see these buildings go. So, yeah, should we have a motion? Or any other further discussion or recommendations from anybody?

Mr. Bailey: Well, this amendment to the motion. It still stays ...(inaudible)...

Chair Six: Okay, motion on the floor.

Ms. McLean: Chair, if I may, that motion was voted on but the vote wasn't clear, it was - if the maker of the motion would make it again, then we can make sure we have a clearer vote.

Mr. Lay: Motion to approve the department's recommendation.

Mr. Skowronski: I second it.

It has been moved by Commissioner Lay, seconded by Commission Skowronski, then

VOTED: to approve the department's recommendation.

(Assenting: W. Apo; I. Lay; K. Ropa; F. Skowronski)

(Dissenting: T. Bailey; O. Salazar; J. Six)

(Excused: C. Kajiwara-Gusman)

Ms. McLean: Okay, so that's 4-3 vote, which means the motion fails because we need 5 votes to take action. I would think if a motion were made the opposite way, it would be a similar vote, so if we're not able to take action today, I -- we would defer, the Commission would defer the item. I would ask, if I could, following up on Commissioner Bailey's question, looking at Attachment 6 and the three reasons that this Commission could approve demolition, going back to the structures of low priority and the retention would not contribute to the integrity of the district, typically, we rely on SHPD and so it seems today that that's not enough for the Commission, so if we were to schedule this again for consideration, what more would we -- would you need in order to make a better in that regard? We can see if SHPD could be here. I don't know ...(inaudible)...

Mr. Bailey: I know in the EA and, you know, Federal Law you have Section 106 regardless, but I'd like to see comments from that, that -- of people there at least. I mean if the people are there, that live there, that have grassroots in Lahaina and, again, they don't show up to comment or there's a valid effort, I always feel that there's not a valid effort in trying to locate those people that really would be affected or feel -- if they're okay with it, I'd be fine. I just think that we were looking at, I don't know -- if we don't have any consideration of that being a historic district any time soon, then fine. It's compliant. But I think it contradicts what our mission and what our goal was last two months ago was to expand, and if we allow these things to just disappear, then there's no sense in wasting our time to go inventory and expand our historic districts so that's kind of more of the -- if they can find out that it doesn't look like the whole district in itself our however we're going to grid it is going to be eligible, then I'm fine with it, but --

Ms. Salazar: Perhaps a site visitor or having our meeting in Lahaina to allow more people to attend, this is on the other side of the island, it's a weekday, people work, and when I was talking about this upcoming agenda, I don't think that some of the Lahaina people I'm touch with, I don't think they were -- this didn't even come up. I don't think it was on their radar because of the agenda being more about -- I mean, you know, item number 2. I heard more from them for that.

Mr. Bailey: Forward this information to the Aha Moku Maui, Inc., which is located in Lahaina, and get more comments, and I feel comfortable just hearing what they have to say.

Ms. Salazar: And also to Waiola Church might be a good idea.

Mr. Bailey: It affects them more than it would affect me and I just -- I can't say yay if I know that it bother them.

Mr. Lay: Okay, now if we can get a representative from SHPD here, you know, run through what their criteria for preserving a house like that.

Chair Six: Moving on to the next agenda item? No.

Ms. Salazar: I'd just like to say thank you for your time and coming in.

Mr. Hart: Thank you.

Ms. Salazar: Sharing, giving us all this information and we appreciate it.

Ms. Thackerson: Before we move on to the next agenda item 'cause now that's going to be the department's job to draft a letter to the applicant saying that we're going to defer this until a future meeting, and then until certain requirements are met, so I just wanna double-check with this body that we have the correct comments from you, and then usually the body approve that that's the consensus of every one of the body or just that, you know, you guys would like us to gather comments from the neighboring area. Did you get the specific communities?

Ms. Kehler: Yeah, I -- so I wrote some things down. So we can -- we're going to request that SHPD attends or that they issue a statement explaining their position in that letter that they wrote on November 17, 2016; we're going to request or at least notify members or the community to see if they have any comments on the proposed demolitions and that includes Aha Moku o Maui, oh, I'm sorry, and Waiola Church.

Ms. McLean: And we can also pull out information from the final EA relating to the Section 106 process.

Ms. Kehler: I don't think there is any Section 106 because there's no federal funding, so I don't think there's a trigger for Section 106.

Ms. McLean: Oh, okay. Okay, then relevant sections from the final EA.

Ms. Kehler: Yeah.

Chair Six: Okay, so any comments or conditions for the letter? Okay, moving on to the next agenda item.

Chair Six read the following agenda item into the record:

- 2. Maui County Department of Planning requesting recommendations for historic and/or cultural property types, or areas with concentrations**

of historic and/or cultural resources, to survey for Certified Local Government grant projects (fiscal years 16 and 17) (A. Kehler) (Previously scheduled for the December 1, 2016 meeting. Commissioners: Please bring your documents.)

The Commission may provide recommendations for survey areas or resources pursuant to Subsection 2.88.060.A, Maui County Code

Ms. Kehler: So this was me just wanting to kind of poll the Commissioners about resource areas or types that they're interested in in surveying, and I went through the Maui Island Plan and the policy -- the Countywide Policy Plan, I went through the community plans, and I kind of pulled together common threads of resource types that showed up in -- that different communities valued in their community plans, and I found a lot of separate individual resource types, like different archaeological resources, different buildings, different structures, different objects, and a lot of these -- a lot of these resources are represented in what's known as a historic landscape, and I'm going to talk about that in item 2, of the Director's Report, about -- or I'm sorry, item 1, about nominating historic landscapes, but places like Keanae and, let's see, so Keanae, Halawa Valley, Kahakuloa, Kahikinui, those are sort of areas that contain these concentrations of individual resources that it would be nice to understand them in the broader context in how --

Chair Six: We have a request for a five-minutes bathroom break.

Ms. Kehler: Oh.

Chair Six: If this this going to be -- go on for --

Ms. Kehler: No, it's not that long. I just --

Chair Six: Okay. I'll wait.

Ms. Kehler: But you can -- you can ...(inaudible)... if you want.

Chair Six: No, she put the sign to me so -- go ahead.

Ms. Salazar: No, we thought maybe everybody would like to take a little --

Ms. Kehler: So, yeah, I mean, you know, surveying and inventorying is part of the Commission's duties and so I thought I would just ask you folks if there was particular resource areas or types that you're interested in, and I will say that there are a lot of archaeological sites listed on the National Register on Maui, but they're not understood

in a broader context, and so doing historic landscape studies would help us understand the broader context.

Ms. Salazar: So are we here to maybe add on to the list?

Ms. Kehler: Yeah.

Ms. Salazar: Okay.

Ms. Kehler: And then I've included each -- in each community plan just some of the resources that each community indicated as being important to them, and a lot of these are part of a larger landscape. And so if anyone has any areas that they're really interested in.

Chair Six: Well, I think Keanae is a great start, and Hamoa, Hamoa Village with the loko`ia down there.

Ms. Salazar: Why don't we just take it as the pages turn? Is that okay?

Chair Six: I don't have that.

Ms. Salazar: You don't have this?

Ms. Kehler: Yes.

Chair Six: No, I don't have that one. Thank you. See I didn't realize there was a list. Sorry. Sorry about that. It wasn't in my packet. So should we take a five-minute break?

Ms. Salazar: Oh, it's up to you.

Chair Six: You okay? Is everyone okay? Everyone okay if we keep going forward? Thank you. I did not get one of these.

Ms. Salazar: That was last month's. We didn't have that meeting.

Chair Six: Oh okay. That's when my tooth cracked the night before. Okay.

Ms. Kehler: So do we need bathroom?

Ms. Salazar: We're fine.

Ms. Kehler: Okay. So in Wailea-Makena Community Plan, I provided, and it's Attachment 2, some of the sites that they've identified for preservation or that they're interested in preserving, and it includes trails and government roads, fishponds, landings, near shore marine cultural resources, significant vegetation zones, plantation ditch systems, religious structures, old bridges, plantation camps, plantation era structures and homes, petroglyphs, and burials; literally, everything in there is part of historic landscape. And then there's specific sites that they've listed as being important. Lahaina-Pali Trail, McGregor's Landing, the Maalaea/McGregor Complex, the Maalaea Petroglyphs, Kealia Pond, the Naval Air Station at Puunene, Kihei Landing, Keolahou Church, Kalepolepo Fishpond, David Malo Church, Waiohuli Kai Fishpond, there's a Ko-a at Kamaole, Kihei Regional Park Complex, Kamaole House Lots, Palauea Complex, Makena Landing Area Sites, Makena Complex, Puu Olai, Moomoku, and the list goes on. Do you want me to go through it or --

Ms. Salazar: Thank you.

Mr. Bailey: Annalise, just out of simplifying, maybe it'd be worth just breaking them down into the traditional moku.

Chair Six: Yeah.

Mr. Bailey: Then you can -- you don't have to be specific in each ili or ahupua`a or whatever, just have the Koolau will cover, you know, your Keanae, Hana will cover your Hamoa sites, Kipahulu, Kaupo, Kahikinui, Honuaula, Kula, and then the po on Lahaina side, and then wherever it falls within the moku will probably be a little bit simplified.

Ms. Kehler: Okay.

Mr. Bailey: Because not all moku have plantation ditch and stuff, not all have --

Ms. Kehler: Right. Right.

Chair Six: And sometimes putting things in this complex and this complex makes them like they somehow weren't --

Ms. Kehler: Related. Yeah.

Chair Six: Related and they are ...(inaudible)...

Ms. Kehler: Yeah.

Chair Six: ...(inaudible)... Palaeua and then this, so I do like the idea of using the traditional land divisions and then --

Ms. Kehler: So surveying by looking at it like as from a moku perspective. Okay.

Bailey: So Olowalu would fall under the Lahaina Moku, yeah. Then it's a good inventory, and then history, can always reflect back.

Ms. Kehler: Yeah, some, yeah, certain community plan areas they listed more specific site or resource types, and then others listed specific sites, and so the resource type is helpful because, well, we can catch all, right?

Chair Six: I think it's really admirable that they're adding broader definition to architecture and things that are significant and having a historical landscape as opposed to a historic building --

Ms. Kehler: Yeah.

Chair Six: Taking it sort of out of context to the greater --

Ms. Kehler: Yeah, historical landscapes, and I'll talk about this more on the next item, but they're sort of an unexplored genre of National Register Nominations. Historically, we've always looked at things, like in these little microcosms and we don't think about how they relate to each other, and this is sort of a new -- it's been -- I think the guidance came out from the National Park Service on rural historic landscapes in the 980s maybe, and we're still working our way into incorporating the terms cultural landscape and ethnographic landscape, and so they're kind of used interchangeably, but the National Park Service likes still to use rural historic landscape, which does apply to a lot of, I think, to a lot of these.

Mr. Skowronski: Question?

Chair Six: Yes. Absolutely.

Mr. Skowronski: Can we address the Commissions?

Chair Six: Sure.

Mr. Skowronski: Unless I'm missing something, I don't find any reference to Haleakala.

Ms. Salazar: Thank you.

Ms. Kehler: That's a good one.

Ms. Salazar: Thank you. Chair?

Chair Six: Yes?

Ms. Salazar: When Frank is finished.

Mr. Skowronski: Is that because it's administered federal agencies or?

Ms. Kehler: No. No. It's free to survey.

Chair Six: Yes?

Ms. Salazar: Okay, thank you for that, Frank. I appreciate it. There's in -- I'd like to add something to the Lahaina. In my conversation yesterday with some of my Lahaina associates, they want to add on the cemetery that's behind the aquatic center, it's virtually in oblivion of tall tall grass and it's landlocked. They have been asking Pioneer Mill to provide access or allow access, homeless are camping in there and they're actually removing gravestones, similar to what was going on at the Wainee Graveyard, you know, but now it's this one so --

Chair Six: Is it a plantation era? It's obviously a post-contact cemetery.

Ms. Salazar: No, it's pre -- it's from before too, before plantation.

Chair six: I just want to make a comment, and I know that Commissioner Bailey knows much more about the Haleakala National Park, but when I worked for them as an emergency hire the summer before last, I was tasked with looking at some of the properties they already have under the cultural survey, I don't ...(inaudible)... complete, but they do have an inventory of numerous heiau and different, you know, both pre- and post-contact, including, you know, Park Service things, buildings that are over 50 years old, so that'd be a place to start there and then, of course, always could be added more, expanded as far as Haleakala and Oheo Gulch 'cause I had to go to both places and look at plantation stuff and look at -- I couldn't go to some of the places but I looked at aerial photographs from helicopters to see if it was deteriorating because they had to be stabilized, so they do have an ongoing inventory that they've been working for quite some time.

Ms. Kehler: So maybe it might be helpful if I just go out of order and go to the Director's Report and go over nominating historic landscapes. Would that be helpful? Or do you want to go with your recommendations now, and then we can move on?

Chair Six: And the recommendations would be to look by moku?

Ms. Kehler: Yeah.

Ms. Salazar: Yeah.

Ms. Kehler: To look at resources by moku and then --

Chair Six: Do we need a motion on that or just --

Ms. Kehler: Yeah, you can make a motion to recommend that the Planning Department --

Chair Six: Anyone would like to make a motion that we adopt --

Ms. Salazar: It was Tim's suggestion so why don't we ask Tim to make the motion.

Chair Six: Would you like to make a motion?

Mr. Bailey: Motion to look at the nominated inventory via traditional island moku.

Ms. Kehler: Okay.

Chair Six: Do we have a second?

Ms. Salazar: I second.

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

VOTED: that the inventory survey be done via traditional island moku.

Chair Six: We're going to look at it by moku.

D. DIRECTOR'S REPORT

1. Workshop on nominating historic landscapes to the Hawaii and National Registers of Historic Places

Ms. Kehler: So, like I said, we have a lot of individual sites that are listed in the National Register, but they're not really examined in their broader context, and rural historic

landscapes contain many individual historic and cultural resources, and so a rural historic landscape is just any area that's been historically used or shaped by people so, like I said, many rural landscapes can also be considered cultural or ethnographic landscapes, and so my presentation is just based on the information that's contained in this National Register Bulletin, which is guidelines for evaluating and documenting rural historic landscapes. So rural historic landscapes, when you're looking at that them, you look for evidence of human activity in the following processes: landscape, or I'm sorry, land uses, special organization, response to national environment and cultural traditions, and I -- there was a study done in 1995 of Keanae and Wailuanui, and it actually examined almost all of the processes and components listed on this slide, so it also looked at circulation networks, boundary demarcations, vegetation, buildings, structures, objects, clusters, archaeological sites, and small scale elements, which are just like water towers and foot bridges, and so this is -- this is the Keanae, just the inventory part of it that looked at each one of these things, and it describes, you know, taro cultivation and all kinds of stuff, and it's --

Chair Six: ...(inaudible)... when it was filled in by Chinese?

Ms. Kehler: Well, actually, what's interesting about this study is that it says in comparison to Hanalei, Keanae has remained pretty much unchanged since pre-contact time as far as the lo'i configuration. Hanalei was changed in the 1800s when it went into rice production, and they were kind of made bigger, and then one of the things that this study says is Keanae, it was filled in with rice, but nothing was really changed and one of the reasons is that if you were going to alter one thing on one lo'i, it would mess up the water flow for everything, everything was very interdependent on each other, and so they just left it like it was and just planted it in rice. I mean and even, you know, one place over, in Wailuanui, there's tons of untouched lo'i, not to mention all kinds -- I mean all kinds of stuff. The only -- so they looked at archaeological sites in this study too, and they mapped out all of the sites that have been listed on the inventory, they didn't find any new sites, or, actually, they might have, but, yeah.

Chair Six: Who did that?

Ms. Kehler: This was done by a bunch of people, I think, let's see --

Chair Six: I just want to read it; that's all.

Ms. Kehler: So the Planning Department funded it in 1995 through CLG money, which comes from the Federal Government. This is -- that's the cover of the study. It's called "Kalo Kanu o Ka`aina." And I think Group 70 and Cultural Surveys Hawaii, and I can't remember who else was involved, but if anyone's interested in it, I have a computer copy of it.

Chair Six: Yeah. I'd love to just to look at it.

Ms. Kehler: Yeah, it's a really good model study for how you would examine other cultural and historic landscapes. And even though it was done a long time ago, it really does all of the things that it says to do for examining landscapes in this bulletin. So, you know, historic landscapes, they can be nominated as sites or districts. Sites really apply to like open landscapes without any buildings or anything on it, it's like orchards, or something like that, and then districts would be the landscapes containing buildings, sites, structures. Keanae would be a district.

Chair Six: The only thing, and I know this is the national guidelines, is that in Hawaii, and I learned this from a lot of my -- working with a lot of native Hawaiians, is that we need to look up at the stars and so a lot of archaeoastronomy to understand some of the earlier -
-

Ms. Kehler: Yeah.

Chair Six: Contact, buildings --

Ms. Kehler: Yeah.

Chair Six: Even look at the skyscape.

Ms. Kehler: Yeah.

Chair Six: You know, as well as the seascape and the landscape --

Ms. Kehler: Yes.

Chair Six: As part of the --

Ms. Kehler: So if, you know, if this Commission wanted to propose that we prepared a nomination for Keanae and Wailuanui to nominate it as a historic landscape to the National Register, then we would look at that study that was prepared. And then another study that was prepared that's really good with that kind of stuff that you just mentioned is this on the right here, it was commissioned by EMI, and it was prepared by Kepa Maly. It's really good about pre-contact -- about understanding how the landscape was used and shaped and it's just -- it's very thorough, and it goes into a little bit more detail than the other study about pre-contact life ways and things like that. But yeah, this was mainly just to get everyone excited about landscapes.

Chair Six: I'm super excited.

Ms. Salazar: It is.

Ms. Kehler: The -- in the western United States, you know, they deal a lot with traditional cultural landscapes and so the Colorado Office of Archaeology and Historic Preservation actually has a survey form specifically for landscapes, and it could be easily adapted to do surveys here, you know.

Chair Six: Are you familiar with the book *Wisdom Sits in Places*, by Basso? He -- I think it was -- I think it's -- I'm not sure which Native American group, I want to say may Apache, by looking and working with them and their knowledge of the landscape and looking at place names, and not that we don't -- place names can be problematic, I understand that, but the idea of kind of that the landscape has different meanings depending on whose eyes are on that landscape and to try to incorporate, you know, what I see is much different than what someone else sees when they see it, or if you know the place names or you understand what happened at that place, it make it understandable. It's a really good book too.

Ms. Salazar: What's the title again?

Chair Six: *Wisdom Sits in Places*

Ms. Salazar: I like that.

Chair Six: It's Keith or Kenneth Basso, but it's just a great book. And I think it's important to record as much as we can if people will share about traditional knowledge --

Ms. Kehler: Yeah.

Chair Six: That is being lost.

Ms. Kehler: Yeah.

Chair Six: You know, as far as if we can.

Ms. Kehler: Yeah.

Chair Six: 'Cause landscapes are ...(inaudible)... and our seascape, you know, where you gather this and that and --

Ms. Kehler: Yeah.

Chair Six: How they've changed over time.

Ms. Salazar: Oh, one more item for Lahaina is Kahoma karst on there. Do we have that on that list?

Chair Six: Alamihi Fishpond, David Malo ...(inaudible)...

Ms. Kehler: Let's look at West Maui.

Chair Six: It's right by the Jodo Mission, mauka.

Ms. Kehler: So --

Chair Six: There's fishponds so that'd be Alamihi.

Ms. Salazar: Well, that's a fishpond. I was talking about the karst system that's underground and no visible that feeds the fishpond, yeah. And you said something else just now or?

Chair Six: Well, just the karst, if people aren't familiar with the karst, it's a soft calcium carbonate that's underneath the dirt that full of holes and pukas, which is why we get these great springs that come out where the loko i`a are, and if your amakua is a mo`o, there's a tradition of having people being interred, especially in Mokuhinia, in my research on the west side, and the karst, you know, extends --

Ms. Salazar: That's probably not the only location for that too so --

Chair Six: So just the Ewa karst is now being looked at as a cultural landscape because of possible internments as well as human habitation over time. And I know at Olowalu, when they were doing their research there, Fredericksen, Erik Fredericksen, they found several pre-contact burials in the karst, in the ...(inaudible)... caves, in the soft, so it's something that needs to be considered, just 'cause you can't see it, it doesn't mean it's not a cultural landscape ...(inaudible)...

Ms. Kehler: Yeah.

Chair Six: Tombstones.

Ms. Kehler: Yeah. One of the part of understanding that is really understanding how -- how things worked before.

Ms. Salazar: Yeah.

Ms. Kehler: Yeah. So it's, yeah, that aspect of a site is really important.

Chair Six: In my work is interviewing people who had seen Kihawahine, Foster Ampong, different people, you can learn a lot about the hydrology of the island because where the mo'o is and where the fishponds are, from a western perspective, it tells me about the hydrology, so Hawaiians have a way of understanding differently than myself, but it's a very important ...(inaudible)...

Ms. Kehler: Yeah.

Chair Six: Landscape, you know.

Ms. Kehler: Yeah. Yeah, that's why when you are surveying a historic landscape, it's really important to have multiple disciplines working on it at the same and working together. This Keanae study was a really good example of that.

Chair Six: Good job.

Ms. Kehler: So, yeah, if you're interested in nominating one, you would develop a historic context for the area or conduct historic research, and then you would survey the landscape, and that's when you go out into the field with these different disciplines and you look at each resource type and you say, okay, is it eligible? Under what criteria? And then, yeah, so and then, also, you know, you have to, for each resource, you would say the criteria, so building, structure, site - what's the other one? I can't remember but -- and then you give it the level of Criteria A, B, C, D, and then you select boundaries, and so, yeah, everything that it says has been done in this study, so a nomination could happen out of this very easily and, you know, it would involve having to go to the community and talk to them and make sure that everyone is onboard but --

Chair Six: And this isn't tangential to what we're talking about, but bringing it back to Commissioner Bailey's point that we were talking about, and you're obviously working on redoing and relooking at those Lahaina boundaries, so is it something that like doing Lahaina has a landscape and showing that these things are interconnected and you can't break this piece into that piece into this piece but to look at -- to do -- I mean to do a new survey area --

Ms. Kehler: Yeah I --

Chair Six: That show the interconnect of this --

Ms. Kehler: Yeah.

Chair Six: And the layers of people that have lived there?

Ms. Kehler: Yeah, so I'm waiting on the Park Service to get back to me.

Chair Six: You laugh. Top priority.

Ms. Kehler: But --

Chair Six: Anyway, I just was wondering ...(inaudible)...

Ms. Kehler: Yeah, I'm, yeah, we're trying to understanding the continuum of land use from pre-contact, you know, till now, so that's, yeah, part of Lahaina is that, yeah.

Ms. Salazar: Good job, Annalise. This is a huge --

Chair Six: You know, I think it's really worthy and I love that you were talking about the surveys of the high schools, schools that are being demolished or considered no longer essential. There's a lot of discussion about the Old Maui High going on now with this dollar-a-year lease being -- and so it's interesting more and more to kind of document the relationship these things had to the community and if they're no longer functioning in the same way.

Ms. Kehler: Yeah.

Ms. Salazar: So are we clear on what's going to happen here? We're good?

Ms. Kehler: Yeah, this part was just a presentation, and then I've got your recommendations for resource type or methodology for surveying resource types for the other item.

2. Workshop on lead paint in historic buildings

Ms. Kehler: And then the last item I have is just some information about lead paint in historic buildings because we had a question come up last time about whether or not there was any rules imposed on the State DOE for disposing of Puunene School Building C, and there is actually, interestingly enough. Yeah. Do you guys need a break?

Chair Six: Yeah. Can we take a five-minute break?

Ms. Kehler: Okay. She has to leave but we're on --

Chair Six: Are we done?

Ms. Salazar: At 2.

Chair Six: Okay.

Ms. Kehler: Okay, but we're on the -- we're not on -- we're on the Director's Report now so I don't know. Do need a quorum for that?

Chair Six: So can we just skip to E. and say the meeting date, the 2nd, and come back and continue so she can take off?

Ms. Keher: Yeah.

E. NEXT MEETING DATE: February 2, 2017

Chair Six: Okay, so we're just going to go to E., and the next meeting date will be February 2nd. What time are we doing this? Are we doing them at 11 all the time now? Okay.

Ms. Salazar: Well --

Chair Six: This doesn't have a time that's why I'm just asking.

Mr. Lay: Kaleo how -- you come in right on time?

Mr. Kaleo Ropa: I came about 10:30.

Chair Six: So we'll stay with 11? Is that good, Commissioner Lay?

Mr. Lay: Yeah, that's good.

Chair Six: Alright, so the next meeting will be February 2nd at 11. Oh wait, and one more thing, Frank wants to add something to the agenda for next meeting, so let's do that real quickly.

Mr. Skowronski: The building right across the street, Kaahumanu Church, is being repaired, to my knowledge. I've asked DSA if there's a permit. There is not. And it seems to be reflective of structural repairs, not just cosmetic repairs, so I would like to bring to attention of the committee that the church has got to be the most iconic piece of architecture in the county, and it is passably being destroyed by the weather, and there

are no resources -- it appears that there are insufficient resources by the ownership to do any of the repairs and that we need to address or investigate what is possible from, not only this committee, but also from the county to rectify or resurrect or preserve this piece of architecture and this church even though it's ownership doesn't have the resources or the capabilities of doing that. So on your way out, I would take a look at what's going on there because there's also the possibility that it's unsafe for use if, in fact, they're making structural repairs and/or the steeple is deteriorating because clapboards and finishes are being blown off during the weather and they're not being replaced, repaired, or refinished.

Chair Six: I know that they just redid Palapalaho`omau, out in Kipahulu. I don't know if they got a grant or funding for that, where Lindbergh's buried. They just redid the whole church. I'm going to look and see if there's -- if I can find out where they got their resources because that was another one that was the roof was -- so how do we put that on?

Ms. Kehler: So, yeah --

Chair Six: Just bring it people's attention?

Ms. Kehler: Is it do you want that as a discussion item or --

Chair Six: You want to bring the ownership in and talk to them or I mean what is it we want to do?

Mr. Skowronski: We've already indicated that we're actively trying to preserve structures from the 1950s. I think that we should use the same amount of energy in preserving structures from the 1840s.

Chair Six: I agree.

Mr. Skowronski: And the issue also came up that the buildings are being passably deteriorated to the point of destruction. It would be, I think, the kuleana of this committee to either draw attention to it or try to work something out where funds, grants, or other resources outside the capabilities of ownership could preserve this structure.

Ms. Kehler: We can talk about --

Mr. Skowronski: One of these days, we're going to be coming to a meeting and that steeple is going to be on the ground.

Chair Six: Who owns the property?

Ms. Kehler: The UCC.

Mr. Skowronski: The church. The parish.

Ms. Kehler: The Congressional --

Mr. Skowronski: And keep in mind that there is a preschool right next door and other structures in the near vicinity, so if, in fact, there is some danger of this structure, it will impact other ownership and the general public to say nothing of its historic significance.

Ms. Kehler: Right. Okay, so I have a couple of studies that have been done on it that I can share with you, we can talk about it at the next meeting, and then we can also talk about funding sources for them.

(Commissioner Apo was excused from the meeting at 1:07 p.m.)

Chair Six: Yes?

Ms. Salazar: A suggestion. To make it an action item, if we could possibly send a letter to the UCC to assist in the funding, and also perhaps to the County Council because they'll be going into budget with just new inaugurated and to help with money.

Ms. Kehler: So let's plan on agendizing this as a discussion topic next meeting, and then I'll talk about funding sources and things in the agenda so that we talk about that.

Ms. Salazar: Okay, I have --

Mr. Skowronski: Well, let me just ask a question. If they were a historic -- I mean if there's a historic building in the historic district that is being altered in some fashion with the benefit of a permit, do we have any recourse, legally?

Ms. Salazar: Wouldn't Commissioner Ivan know about that more?

Mr. Lay: You can direct it to the department who is --

Ms. Kehler: Well, maybe we should -- we can talk about this when it's agendized. I just don't know about --

Mr. Skowronski: Okay.

Ms. Kehler: Yeah. Yeah.

Chair Six: But I'm really glad you brought that to the attention of the Commission.

Mr. Giroux: Annalise, maybe just put it on a side that maybe a report back from the director as far as what their understanding of our duties and parameters are regarding this type of action because if it does actually fall directly under our purview, we don't want to be discussing it ...(inaudible)...

Ms. Kehler: Yeah, and it is in a County Historic District so --

Mr. Giroux: Because some reason you guys become the tribunal that maybe there's an enforcement action, maybe you're an oversight that you don't want to be making comments prior to getting all information from all parties, you don't want to be going piecemeal forward - just as a due process issue.

Ms. Salazar: Okay, so is that clear for the agenda item? Are you satisfied with that? You got that answer yeah?

Mr. Skowronski: Well, let's start someplace.

Ms. Salazar: Yeah. Yeah. Okay, the thing that I'd like to ask to be possibly on our agenda has to do with the Palauea Complex in Kihei, Makena, Honuauia Ahupua`a -- and we know that they're short on funding in order to hold up their end of the bargain, the developer had originally said that they're going to give was it one percent of each sale towards a fund, but obviously the fund is not enough money and it's not going to keep generating because the turnover of million and two million dollars homes is a lot slower, so what I want to propose for an agenda item is somehow if we can encourage the HOA or the homeowners association to adopt a measure into their - what's it called? Their bylaws to allow for part of their monthly maintenance fees to go into that fund so that it becomes an actively growing fund for the place that needs that attention, which actually gives them part of their reason why they bought because they were going to be around this significant historic place that's supposed to be preserved and, you know, taken care of by their funding but it's greatly limited because it's only upon a sale, and not on a month-to-month basis -- monthly because of, you know -- so I'd like to just see if we can encourage them to do that somehow.

Chair Six: OHA is the owner. OHA has ownership of it. They took -- 'cause Everett Dowling was trying to give it to the college and I worked on that project for like seven years, and OHA has it. We have it in here and they did have some money in the coffers but, you right, those houses don't flip over all the time, they're like 15 million dollar houses and it's like .05 percent.

Mr. Giroux: We should just put that on the agenda.

Ms. Salazar: Yeah, just put it on the agenda. That's all I'm asking. Thank you.

Ms. Kehler: Okay, I think --

F. ADJOURNMENT

Chair Six: Alright, meeting adjourned.

There being no further business brought before the Commission, the meeting was adjourned at 1:11 p.m.

Respectfully submitted by,

SUZETTE L. ESMERALDA
Secretary to Boards & Commissions

RECORD OF ATTENDANCE

Present:

Dr. Janet Six, Chairperson
Owana Salazar, Vice-Chairperson
Whitney Apo
Timothy Bailey
Ivan Lay
Michael Kaleo Ropa
Frank Skowronski

Absent/Excused:

Christy Kajiwara-Gusman (A)

Others:

Michele McLean, Deputy Planning Director
Annalise Kehler, Cultural Resources Planner
Candace Thackerson, Staff Planner
James Giroux, Deputy Corporation Counsel