

**CULTURAL RESOURCES COMMISSION  
REGULAR MEETING  
NOVEMBER 14, 2003**

**A. CALL TO ORDER**

The regular meeting of the Cultural Resources Commission (Commission) was called to order by Vice-Chair Erik Fredericksen at 9:05 a.m., Friday, November 14, 2003, HGEA Conference Room, David Trask Building, Room 207, Wailuku, Maui, Hawaii.

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

Mr. Fredericksen: ...(inaudible)... this commission, cultural commission, or Cultural Resources Commission meeting. Before we get started, I was asked to say two things. The first one is to make sure none of the folks that are here are parked in the downstairs parking lot. Is that correct? Cause apparently you might not -- your vehicle might not be there when you're done, so make sure you folks are parked in a place that says, you know, it's public parking, okay? The second one I've already failed that was you're supposed to speak in the microphone when you first start. Anyway, but so -- and I guess when we take testimony folks will go onto this side cause there is a cordless microphone over there.

Okay, let's see, before we get rolling, is there anyone here from the public that would like to give testimony on a particular item? And that's great, but before you do, just understand that once you've given, you know, said your piece, you can't say stuff again if you're going to be repeating it, okay? So anybody wants to say something go ahead and do it to it? Use the microphone please.

Ms. Barbara Long: Good morning, Commissioners and guest. My name is Barbara Long and I'm here today as a member of the Advisory Board of the Friends of Old Maui High School. I've given you a copy of the first newsletter, and I'm here to let you know that the old Maui High School, which is a Charles W. Dickie building, built in 1921, is scheduled for restoration, revitalization, and future adaptive reuse as the Patsy T. Mink Center for Vocational and Life Skills Training and, basically, today I want to let you know that there's an opportunity, if you're interested, to come out to the campus tomorrow, I know it's short notice. There's a campus clean-up scheduled, runs from 8 a.m. to noon, and because the building has some security risks, it's a good opportunity for you, if you can, to come out and kind of have free access to see what's happened to the structure, what needs to be done to restore it, so if you look at Page 3 of the newsletter, it tells you when and where and if you can't make then, I'm hoping that we can schedule a couple of us from the Friends of Old Maui High to come and speak with you in the near future to tell you what we're doing, what we hope to do, and how you can help us do it. So I hope to see some of you tomorrow and thanks for this opportunity.

Mr. Fredericksen: Yeah, I look forward to hearing more about this project in an upcoming Commission meeting.

Mr. Ezekiel Kalua: Good morning. You've gotta excuse us, we're so used to the three-minute time frame upstairs in Council so we try to do a thousand words a minute so I'll try and keep it real simple. First and foremost, good morning, Cultural Resources Commission, my name is Ezekiel Kalua, Executive Director for the West Maui Taxpayers Association. I'm here today to offer my support for the Historic District Approval for the Friends of Moku'ula. I could go on for hours about how significant a project this is but some of the key points that I want to let you know about today is that, number one, it's a community-based program that would bring much honor that is due to the people that live in Lahaina Town as most you know Lahaina is one of the original capitols of Hawaii itself and the Moku'ula project is the most significant, so significant it was the number one priority in the Mayor's Economic Summit several years ago. Besides the economic benefit to the community, it would be a significant key point in cultural revitalization and a historic precedence in Lahaina itself. So, as far as we're concerned, whatever it takes, however long it takes, and whatever support you need, you've got it from the West Maui Community. Thank you.

Mr. Fredericksen: Thanks. Was there anyone else?

Ms. Theo Morrison: Can I testify later?

Mr. Fredericksen: Sure. Anyone else from the public need to say something before we get rolling? Okay, let's go ahead and move to Item B, Approval of the Minutes, we've got two: September 4 and September 5, 2003 meetings. Everybody take a look at the minutes and see if anybody's got additions.

**B. APPROVAL OF THE MINUTES OF THE SEPTEMBER 4 AND SEPTEMBER 5, 2003 MEETINGS**

Mr. Kapu: Mr. Chair, I'd like to accept the minutes.

Mr. Fredericksen: Okay, need a second to that?

Mr. Whelchel: Second.

**There being no corrections made to the minutes, the September 4 and September 5, 2003 minutes have been accepted.**

Mr. Fredericksen: Okay, Item C.

**C. PUBLIC HEARING ON NOMINATION TO STATE AND NATIONAL REGISTER OF HISTORIC PLACES**

1. **Hawaii Historic Review Board's Request for Comments on the Nomination of Kula Hospital to the Hawaii and National Registers of Historic Places, Tax Map Key 2-2-004: 034, 100 Keokea Place, Kula, Hawaii 96790 (J. Higa) (Public hearing previously scheduled for November 6, 2003 meeting but that meeting was cancelled due to lack of quorum)**
  - a. **Public Hearing**
  - b. **Action**

## 2. **ADVISORY REVIEW**

- b. **KULA HOSPITAL requesting review of the replacement of the windows for Phase II at the Kula Hospital, TMK: 2-3-004: 034, Kula, Island of Maui. (J. Higa)**

Mr. Boteilho: Mr. Chair, we'd like to request that since we're discussing Kula Hospital, if we can move up the Advisory Review, No. b, Kula Hospital requesting review of the replacement of the windows, also so we can discuss Kula Hospital --

Mr. Fredericksen: All in one batch?

Mr. Boteilho: All at one time.

Mr. Fredericksen: Do any of the Commission members have a problem with that? Sounds fine with me unless someone else in the public has -- if that would be a problem. Okay. So we'll hear from staff.

Ms. Higa: We do have the applicant and the architect here that could go over the specifics of the project, but I just want to mention to those who were not here two years ago, we started this whole thing two years ago when it was brought to our attention that there was a building permit for window replacement for about a third of the hospital. At that point, we found out that two-thirds, 60 percent of the building had already -- had already changed the windows and they had not gone through and they were, basically, in violation of Section 106 of the National Historic Preservation Act and then so, as a result, the applicant is, oh, well the other thing is that in the second phase they were applying for Federal funds, FEMA funds, to do the construction and replacement of the windows for the last third of the project and, at that point, the historic commission, this Commission, the Cultural Resources Commission reviewed the design of the windows. In addition, as a, I guess because of the

violation, there was a Memorandum of Agreement between the applicant and FEMA on how they would mitigate the problem or the situation because they had already done some work so, as a result, one of the conditions was for them to do -- to list the site on the National Historic Register and so that's where we're at right now is they have completed a report and application to be submitted to the -- to be placed on the National Historic Register and the State Historic Register and that's what you would be reviewing.

The other thing is that they still have not done the construction for the last third of the building and haven't got their building permits yet and that would then trigger or allow them to continue the work after you have made your comments.

Mr. Fredericksen: Julie, in this application for the last third, if you will, of the windows, etcetera, is that going to be pending completed nomination for State and Federal Register? No.

Ms. Higa: Oh no, no, no, because actually, in the last meeting, the Commission already agreed, right? This Commission already agreed to allow them to continue the work because it was already done and there was some conditions attached though which was that instead of putting fixed windows in to replace the existing doors, the CRC recommended that the windows, I mean the doors be replaced with doors rather than fixed window, and so I think that's what they've done and the architect, Clifford Murakami, and Wayne Fairchild who's the Administrator of Kula Hospital maybe could go over that part because they have, I think, complied with the CRC request.

Mr. Fredericksen: Okay. Thanks. Okay, representative from Kula Hospital or maybe everybody go ahead and maybe go over there so you can have the microphone.

Ms. Higa: The other thing, I believe, just reading -- I went through the report that, and I wish Dawn was here cause I'm sure she would have had more to say, but in reading that, is it -- I just wanted to clarify, it was to designate the entire site, right, not just the building? Is that correct?

Mr. Wayne Fairchild: Yeah, the entire campus.

Ms. Higa: The entire campus will be designated, okay.

Mr. Fredericksen: Yeah, so the whole facility, all the structures that qualify.

Ms. Higa: The entire property is to be designated, not just that one building. That's correct, right?

Mr. Fredericksen: Yeah, that was my understanding of it when I looked through it cause there's -- it's the complex itself.

Ms. Higa: Right, okay.

Mr. Clifford Murakami: My name is Clifford Murakami, I'm with Pacific Architects, and I just wanted to clarify, it wasn't our intent to violate any requirements. We had gone through the building permit process and I guess through some oversight, it just didn't -- we had gotten actually all the approvals for the construction and what had happened is the initial contractor, and the reason, actually, that the project wasn't -- the initial permit is for replacing all the windows but, unfortunately, through funding, they had to scale that and that's why it's only two-thirds that was actually done. But, for some reason, the initial contractor didn't pick up the permit and so when, I guess, the hospital went in for funding for the balance is when, I guess, it was discovered that, you know, this process didn't go through the historic preservation and so that's why we went back and we had to go but --

Mr. Fredericksen: Yeah, excuse me, yeah we, or the folks that were on the Commission at the time, I remember you know the discussion about that, and then I think the thing that kicked at the end is the fact that there were Federal monies involved.

Mr. Murakami: That's right.

Mr. Fredericksen: But anyways, yeah, thanks for mentioning that again. The main thing, you know, from the Commission's point of view is that stuff gets done properly now and I think, just from you know my own whatever perusal of the documents that you folks have brought forward, it seems like that's the case, so let's go ahead and go on, thanks.

Mr. Murakami: And what we had done in the first phase is actually -- the concern of the hospital at that time was that the wooden windows that was there I guess were in such, I guess, disrepair or whatever that some of them actually fell out so they were very concerned for the safety and so -- and the hospital had previously, I guess, as far as doing, I guess, doing some emergency repairs had changed out some of the windows with aluminum windows and so our intent was just to, you know, continue to that and so we are, you know, we changed that out with aluminum windows and the same basic, I guess, design and proportion of the existing windows though where we had awning type windows we put back awning type windows, except instead of wood we used modern, you know, aluminum and I think that at the last CRC meeting, well, when we got started it was agreed then, I think Historic Preservation also agreed, that we would just continue with the aluminum windows since it's two-thirds completed and that's basically what we're doing and on this phase we're just finishing up and we're trying to use the same type of windows.

Mr. Fredericksen: Let's see, does anybody have any questions from the Commission? How about Lon?

Mr. Whelchel: There are items exempt from building permit in the code and one of them, I don't have my exemption sheet with me, probably replacing windows or doors would fall within that, so you're probably not in default but changing out this many might bring up a flag from the County, but they're not in default.

Mr. Fredericksen: Yeah, I think the concern that was raised by several Commission members before was the fact that it is, you know, the hospital, the building itself is historically significant and it was one of those situations, I think, where you have, you know, a series of overlapping responsibilities and just it got missed, basically, but the main thing is it's on the right track now and nobody wants to prevent the, you know, the facility from having, you know, safe windows, etcetera, but just want to make sure it doesn't compromise the integrity of the building too much and so there was some compromise made, like you've pointed out, the windows, original windows were wooden and I think one of the compromises, as I recall and maybe Julie can help me out on this if I miss it, is that there was going to be the painting -- the painting scheme was going to, you know, that was one thing that was going to be done to try to make it so it just didn't have like aluminum, burnished aluminum windows sitting there. Is that correct? I think that's what I remember. No?

Mr. Murakami: It'll maintain the existing bronze anodize.

Mr. Fredericksen: Well, okay, but so it wasn't going -- it wasn't something that was going to stand out from the structure in terms of being, you know, real bright.

Mr. Murakami: No, it's not real bright.

Ms. Higa: I believe what I recall from the last is that the windows, I mean the doors, the original doors, the areas that were the doors I guess in the new replacement, that one-third of the building now that's going to be replaced, we stated that and that the -- instead the doors being replaced and putting fixed windows, you were going to consider putting in doors, replace the doors for a door rather than putting fixed windows and the doors would be kept locked because one of the concerns was the safety of the patients. Is that how you understood it?

Mr. Fairchild: If it was feasible.

Ms. Higa: Right.

Mr. Fairchild: And I don't know if was feasible at that point.

Mr. Fredericksen: Excuse me, could you state your name please.

Mr. Fairchild: I'm Wayne Fairchild, the Administrator of Kula Hospital. At that meeting it was agreed that we would attempt to stay with the consistent plan of the building if it was feasible but I, in the final project, I don't know whether if we were able to go back to put the doors on cause the issue was, as you said, is you can't have doors for the population we take care of there otherwise we'll -- I'll have a significant safety issue there.

Mr. Murakami: What we had done is actually, and these are the windows that Julie is speaking of is on, I guess, lanais but they're not really used because no one goes out there and, basically and as Wayne had mentioned, the population there they don't want people to go out on the lanais so what we, I think in our latest plans is that we had provided the proportionate appearance of what was there if it was a door, I mean, the configuration of the door or whatever was there we would provide that but we didn't necessarily make it a door. We did provide some doors only because they need to be able to maintain that area periodically. We could put doors on all of them but it wouldn't necessarily support, I guess, the facility's function.

Mr. Fredericksen: Excuse me, have you folks made that very clear to the State Historic Preservation Division, to the Architectural Branch? Okay so, on record, you're saying that you have done that?

Mr. Murakami: Yeah, they've reviewed the plans.

Mr. Fredericksen: Okay. Any other questions for the folks here from the Commission?

Ms. Higa: The other thing though I did want to ask if there's any -- I didn't see any metes and bounds description of the property. Is there anything available that has a more clear boundary, you know, legal description or at least metes and bounds of the property so we know exactly where it ends that could be included in this final document?

Mr. Murakami: I know we did some considerable research and I'm not sure if something like that exist cause I believe at one time this parcel included hundreds of acres and through some, I don't know how they did it, just to try to figure out what was hospital property, what they were using we had to, you know, just basically discuss with them, I think they know what they're using but if you ask them where the property line is, I think it's maybe offense, I don't know.

Mr. Fairchild: Well, I mean, at this point what we're doing is not subject to -- not related to this but in another matter, we're working with DLNR really to establish what is the property for the hospital because DLNR -- the hospital used to be hundreds and hundreds of acres and they are now beginning to restrict our property to the property which is essential for the

operation of the core function of the organization and not allowing us to as they call "land farm" and so I would imagine sometime next year we'll get something from DLNR saying this is land we're going to allow you and the rest is going to go back to DLNR because they have taken a lot of the land back under their offices so, at this point, getting drawings and specifics about the property is rather adventurous ...(inaudible)...

Mr. Fredericksen: So, excuse me, Wayne, at this point, there's technically not, if you will, a TMK for the Kula Hospital grounds that are maintained, basically? Is that the case?

Mr. Murakami: I think that's correct.

Mr. Fredericksen: I mean it would be a portion of whatever you're saying, a couple hundred acre piece.

Mr. Fairchild: Yeah, we're down to 60 plus or minus acres and that's what we're trying to determine what is really ours, where we are, what we can do, and so, like I said, that's becoming a rather adventurous process.

Mr. Fredericksen: I think where Julie was coming from on this is there does, at some point, need to be some sort of a metes and bounds description that says this is where this, you know, the Kula Hospital facility is for the register I think even.

Mr. Fairchild: Well, yeah, but it's also essential for us as we begin to look at other projects on campus and what we're going to do and what we're not going to do. We have to know where we are, so that process is already started and part of it is the justification of the land that we need and need to use for the core operation of the facility. I mean, you know, I know about where it is but I couldn't give you the --

Ms. Higa: Well, but I think that could be a problem though and that's why I'm wondering, I mean there's the tax map key for the building permit, which is 2-2-4: parcel 34, okay, so we have parcel 34 but then are these other buildings in other parcels? Do you even know that --

Mr. Fairchild: I don't know that.

Ms. Higa: Or you don't know that or have you compared the tax map key, like parcel 34 and put it on to see where things are? The other thing is this property is the County of Maui. Originally it was deeded to the County of Maui, right? And then the hospital is operating kind of similar to the Maui Memorial Hospital or --

Mr. Fairchild: No, this is actually on homeland property and DLNR, we're in the process of converting it over to HHFC property, it's not on County property. I mean originally it may have been. I don't know.

Ms. Higa: Yeah, I mean reading the history it mentioned that it was turned over to the board back then when it was a Territory to the Board of Supervisors or something to that effect and then so then if the County and the land agent here at the County might have a map or a, you know, metes and bounds description because there's similar problems with Maui Memorial Hospital as well as far as, you know, whether metes and bounds and which part is State and which part is County, etcetera, so maybe you could get the maps there, I don't know. There's somewhere -- somewhere must be a map that shows where the properties are.

Mr. Fairchild: Yeah, well actually we're working through B&F has a lot of information so we're trying to get information out Budget and Finance.

Ms. Higa: But, for some reason, it seems significant, I mean I think for us to or for anybody to determine where the boundaries -- what is the site itself? We need the metes and bounds description, it seems like, you know, because how would you know whether a building or area is in or out of the historic district?

Mr. Fredericksen: Yeah, no, it's something that does have to get tied down because there does need to be a metes and bounds description that shows, okay, this is where the place is. Has anyone from -- who have you been speaking with at the State Historic Preservation Division? Tonia? Tonia Moi? Tonia? Any -- excuse me, Wayne, you have a comment?

Mr. Boteilho: Yeah, Mr. Chair, I was wondering if the applicant might be willing to hire a surveyor to do a survey and to do a written metes and bounds?

Mr. Fredericksen: That's a logical question.

Mr. Fairchild: Yeah, I have no problem with agreeing with that. My concern is that if this body does not move their recommendation to the State, then we're at risk of losing our Federal funding for this project, which is quite significant, and is quite pertinent to the safety of our resident population.

Mr. Fredericksen: Sure, but we could put that on as a condition.

Mr. Fairchild: So I would agree to provide -- get a survey cause we'll need to do it anyway.

Mr. Fredericksen: Yeah.

Mr. Fairchild: That's not an issue, but I'm concerned about if this body withholds their recommendation and the State doesn't move forward with theirs, I'm going to lose that money, and I'll also lose my matching money through my State budgeting process and that will put this project, potentially, either multiple years behind schedule and I'm concerned because, I mean this whole project, in essence, is was and is -- it was initiated for the protection of our residents and our employees and our residents are not quite capable of being quickly evacuated from that facility if something happens there in that facility and this is something that this body needs to understand is that we will work -- I have no problem getting a, you know, hiring a surveyor.

Mr. Fredericksen: You'll have to do anyway.

Mr. Fairchild: Yeah, I'll do that anyway, but I'm concerned that we don't -- I don't get a delay on this project because the population at Maui Memorial is much different than the population at Kula, that population is not ambulatory or mobile if something happens there in that building.

Mr. Fredericksen: Yeah, it's just the -- I just would like to underscore though the fact that this is a, you know, it is a historically significant, you know, building and then also the complex itself and we, you know, the Commission would like to help ensure that the, you know, the overall integrity of the building is not compromised and the facility. We -- I don't think anybody on the Commission wants to roadblock it or anything but we just want to make sure that there aren't any dangling, what are those things called ...(inaudible)...

Mr. Murakami: Excuse me, I believe this parcel 034 is the hundred something or whatever that --

Mr. Fredericksen: The overall parcel.

Mr. Murakami: Yeah, and so it -- I think if you, you know, and I think I remember looking at that tax map and it's just that whole area so --

Mr. Fredericksen: But the facility, like Wayne earlier mentioned, doesn't encompass that whole whatever, it's a couple hundred acres, but the facility is 60 something.

Mr. Murakami: I guess DLNR or whoever, they had subleased or whatever parcels, I mean for grazing or whatever so there's some -- I guess they used the rest of the area for grazing and whatever so I'm not sure how that was done. We tried to get some information and I think DLNR is still looking at it.

Ms. Higa: Alright, so I guess all of this like the site plan is included then. Is all of this, all these structures are within parcel 34? That's correct? Okay, so then the other thing is that

there were some buildings in here that were older than 50 years old that were considered not contributing and so possibly could be demolished, but then I had some questions on how it was determined it was non-contributing in that what I thought was missing was that although there were specific and detailed information on each structure and architecturally as well as what the purpose of each structure was, the point I think of it is the overall complex itself and the whole site itself and the interrelationships of all the structures and how and why they were provided like they were, and so, in maybe one or two of the cases, I felt like the buildings that were identified as non-contributing I didn't get the feeling or information that was provided wasn't there to say or why was it non-contributing, you know, I felt like -- I felt like it was contributing because it had a reason why it was there in the first place and placed in that situation, you know, so that to me was not clear.

The other thing is I thought was really significant was the garden that was created by or designed by Katherine Jones Thompson, who was the first woman architect -- landscape architect and it was a brief mention of that and there was a real good detail of her biography, basically, and what she's accomplished so I think that it was really significant, but then the garden itself seem to have -- there was one picture and it wasn't emphasized on how, you know the garden itself, and somehow I feel like there needs to be more information on the garden and also the trees and the plants that she identified or planted, I guess, that are basically historic as well and that needs to be emphasized and also a lot of them were native plants and that, to me, should be real significant as well and that -- those things need to be, the information there needs to be strengthened or somehow maybe I don't know if you can add more information to it or try to see maybe in the future there could be someone who would do more study to identify all the plants in that garden that were planted back when she created the garden. I think they're still existing.

Mr. Fredericksen: As an addendum.

Ms. Higa: Yeah, as an addendum.

Mr. Fairchild: I have no problem with that if we can -- if this Commission can help us obtain Federal funding for that, you know, but, you know, or the State can come up with the money. We have no problem helping and working with that but as a, you know, organization, I mean I'm hoping that this designation is going to open up Federal funding for those program and I would hope that this body here will take the lead in assisting us to get Federal funds or State funds to do those kind of projects, but as a hospital that is losing a million-and-a-half to two million dollars a year, and keeping our head barely above water, you know, those kinds of monies for extra activities, as important as they are, are very, very few if at all, but through this designation, if this body can assist and take the lead with us to obtain Federal money or State money to do this and categorize these plants and buildings, we'll support that a hundred and fifty percent. But, at this point, when, I mean as an organization where we are in the red significantly, every nickel and dime is essential

to care for our patients, to feed our patients, and this is, you know, I understand the importance of this, but I also understand the importance of the mission of the hospital and the very limited resources we have. We are not openly funded by the State, they don't fill all our deficits, so we don't have a kitty of money that we can pull off for a lot of projects and, like I said, if, through the designation, this body can step us with us and take the lead, I will do whatever I can, but this is, you know, there's a lot of things that need to be done in life but we only have so many dollars.

Mr. Fredericksen: I think getting the Kula Hospital facility nominated to both registers will help kind of focus some interest on maybe some areas that additional work could be done or done on, done in. I, you know, we need to try to get some resolution for this today, if possible. It is a difficult situation. Julie, you got some more to say?

Ms. Higa: I think I realize that this hospital, you know, the main emphasis is the medical and that's our concern as well and that it should be, I mean, and we can't really expect a lot from the hospital, like your service is medical, but on the other hand, from the historic point of view and also the fact that I think, you know, maybe it could also help you in making more money or generate some income for the hospital, if maybe the administration took some interest in even hiring somebody who could even get a grant for you and be able to maintain the facility better, you know, as far as getting grants to emphasize the historic value and it could even be a museum or something to that effect where it's income generating but using the historic significance of the site as maybe an income generating thing for you because the other thing, I think, with this Katherine Jones Thompson, from what I read too, she's, I think, a Baldwin, right? She's related to the Baldwin's or something like that, or one of the missionary families here on Maui, and so maybe through that you could also get some foundation money or, you know, continue her legacy too and also I think some of the plants and trees in the garden have some native species that may not be available other places, so to try to propagate or continue, you know, with that kind of emphasis of the native plants could also help in, you know, I think generating more income or something like that for the hospital. So I mean I think there's a lot of opportunities to take advantage of the historic significance and all that's there, you know, and it may be worth your time to hire somebody to get grants and stuff like that to improve your facility and maintain the historic significance.

Mr. Fredericksen: I think just listening to what's been said and everything, the garden area would be essentially kind of part of the cultural landscape, if you will, of that facility which is significant under multiple significance criteria and, as such, would be -- it would be important to maintain the garden area, I mean that's what you folks have been doing, and it might be possible to make that a part -- as one of the conditions that maintenance of the garden itself is something that's -- that it's important and it's part of the, you know, part of the historic significance, if you will, of the overall facility.

Mr. Murakami: I gotta apologize but my consultant couldn't make it, but I know there's a mention of that landscape architect and the gardens. I'm not certain that that garden is the garden that's there now. I'll check. It may have been that she pulled it out of some text or something that she came across, you know, that she researched, but I'm not certain whether that garden is that garden that's there now, but I can check with her and I don't know what, you know, so it's -- I don't know. The plans back then and whatever design back then are very scarce, you know, so I don't if there is anything existing as to what was done or whether it was done formally or whether it was done with, you know, hospital staff or something and they just, you know, worked it in and so I don't know if there's any record of what is there, but I'll check with my consultant.

Ms. Higa: There is direct tie with that because they show the photograph of the garden and it is tied to the landscape architect but, in any case, I think what was missing in what the consultant did in this report too was that they relied a lot on newspapers articles and I wondered if they checked even with our, and their consultants were from Honolulu, and whether they checked with some of the local sources here on historic materials and information and maybe that's why there wasn't as much information as could have been gotten. So, anyway, I mean it's not to delay, you know, this report or this project or to create any more income, that's not my intent here, I think maybe if we could, the Commission could just recommend that these things could be pursued in the future and be, well, I think the main thing though you need to add some kind of metes and bounds or some kind of more description, even if it's a tax map key parcel map, should be included in here so we know where the boundaries are of this project, you know. But, aside from that, I think there's so much more information that could be derived or gotten or maybe pursued that could be as a condition or a recommendation or advisement, I guess, you could let the hospital know they would like -- what you would want, yeah.

Mr. Fredericksen: A comment at least, yeah. No, I agree. Anybody else on the Commission have any other comments?

Mr. Kapu: Good morning. First of all, I'd like to apologize for my not showing up for last week's meeting. I got sick for like four days. I'm kinda new to this but I share a lot of concerns as pertaining to just the topic alone, as pertaining to the TMK and what is basically will be placed in historic preservation, yeah, that's a big parcel, and not knowing, I'm kinda new to the whole logistics, not knowing, I need to really know more before I even make any determination or judgement on my part just so that, you know, we have that clarity and I have that comfortable feeling that I know that I'm doing something that is just and right that's basically for the cultural side and also for the side of the people. Recommendations. Was there any further recommendations from State Historic Preservation as pertaining to this issue?

Mr. Fredericksen: Yeah, were there any other -- there weren't -- we're basically commenting and then it's going to go back to SHPD cause there is a Memorandum of Agreement right now between the hospital, the Feds, and the State. I think those are the signatories? Yeah, and so the Memorandum of Agreement is in place and it's basically what we're doing today is, well, two things. What we're doing right now is looking at the nomination form and furnishing our comments, our input on it.

Ms. Higa: It started with SHPD because they were concerned about it and then they're the ones and the CRC agreed that the applicant should put the property on the historic register and that was the agreement and the applicant agreed that they will start the process and do the application cause that takes a lot of time and money to do the application and so they're complying with the agreement that we had, the CRC and the State Historic Preservation Division had with the applicant to place the site on the historic register to protect it from future, you know, disintegration, I guess, or --

Mr. Fredericksen: Well so this problem won't resurface down the road; it'll be a much larger flag, if you will.

Ms. Higa: Right.

Mr. Fredericksen: Ke`eaumoku, do you have any other or, you know, I share the concern about the TMK. The metes and bounds, that has to get tied down because right now it's a large parcel. I think the hospital administration's indicated, you know, a willingness, well there's just a plain need to have it, the actual metes and bounds, indicated for what the hospital property "is." But do you have any other or any recommendations that you, other than that, you know, the metes and bounds of course, or any other feelings you'd like to share with the rest of us?

Mr. Kapu: No, only basically what's stated in the beginning as pertaining to determining what is to be placed on preservation, yeah, because if you're talking about a hundred and something acres, is that the total jurisdiction of what you want preserved so that there's nobody, there's no second party in here, or does the County have jurisdiction in here, or the State has jurisdiction, somebody else owns property inside here to be placed on historic district, is there anybody else that's basically going to be affected out of a hundred something acres? That's my concern.

Mr. Fredericksen: ...(inaudible)... for the hospital grounds, per se.

Mr. Fairchild: Yeah, the grounds that we utilize at this point.

Mr. Fredericksen: That are maintained and this building, out buildings, etcetera.

Mr. Fairchild: Yeah, there's old pasture lands and all that but that's all been -- DLNR's taken those lands back under their jurisdiction.

Mr. Fredericksen: Any other comments from the Commission? Staff?

Ms. Higa: I just want to clarify that -- is parcel 34 all of these things that you see on this site plan? And does it also, parcel 34, include other things besides this?

Mr. Fairchild: No.

Ms. Higa: There's other things outside of this?

Mr. Fairchild: ...(inaudible)... above where you're pointing, that's all pasture land and that used to be the hospital but that's no longer under hospital jurisdiction.

Ms. Higa: But it's still part of parcel 34?

Mr. Fairchild: Yes.

Ms. Higa: Okay. Alright.

Mr. Fairchild: That parcel has not been subdivided.

Ms. Higa: So the old hospital site is on parcel 34?

Mr. Fredericksen: Yeah, we just don't want to have -- the fuzziness doesn't work too well.

Mr. Fairchild: We'll get those assessment, but DLNR subdivided out the property a long time ago and that's when we lost the whatever, two hundred plus acres of land.

Mr. Fredericksen: So what are we looking at now in terms of acreage that is still controlled, if you will, by the hospital?

Mr. Fairchild: Sixty acres.

Mr. Fredericksen: But if DLNR is -- maybe they didn't officially subdivide it. If it's been officially subdivided, then there should be a separate TMK map that shows their, you know, the DLNR parcel that was taken from that overall piece and then the Kula Hospital parcel because if that map exist, then you don't have to reinvent the wheel.

Mr. Fairchild: But we still have to do it because we still want to get an assessment of exactly where our property is and where it's not.

Mr. Fredericksen: Any other comments from the Commission? Let's go ahead and take public testimony on this item. Anybody from the public want to say anything? Barbara? Just speak into the microphone.

Ms. Long: I wasn't intending to. Thanks, Barbara Long again, speaking as a neighbor of Kula Sand and a frequent visitor, hopefully, never a resident. Couple of comments. I did give Dawn Duensing a series of color photographs that I shot about a year ago of the windows that have been installed. I heard testimony today that they were kind of anodized bronze; it looks black to me. They're stunning windows. They look as though they fit. My problem with that is the original windows, the frames were gray, so I don't know, as far as standards go, if anything needs to be done or not but I just wanted to mention that to you. I agree with Julie that the structures on the campus, even though they may be considered not essential, are accumulative -- have accumulative value. They relate to the use of the place over the years and I think because of deferred maintenance of a lot of them, it's possible that some may be let go and I'm hoping that that won't happen so that I would hope that you advise that all the structures there that are at least 50 years old should be retained. As far as the garden, this is the first I've heard of it; it's wonderful. The archives at the Maui Historical Society have a great deal of material, old board minutes from Kula Sands, things like that, there may well be something useful that you could find in there if your consultant were to check those, but I would hope that the original garden information could be found. There are volunteers up there at Kula Sand, there's a Maui Garden Club, there are all kinds of volunteer people who would be interested in either replicating it or doing something with it, propagating the native plants, whatever. I would also hope that some of the mature trees on the campus, which may not be in the original garden, but if they are nice big mature trees, at least I hope they're indicated on the site plan. There may even be some trees that would qualify as exceptional trees for the Arborist Committee's List of Exceptional Trees and that might be noted too. I'm delighted that they're going forward with this. It really deserves to be on the State and National Registers and however it happens, I'm glad it's happening so thank you.

Mr. Fredericksen: Thank you. Any questions for Barbara while she's there from the Commission? Okay, thanks. Anybody else have anything to say? Okay, well, let's go ahead and have some -- a little bit more discussion and figure out where we're going with this, folks. Anybody have anything to say on the Commission here?

Mr. Whelchel: If the windows were gray to begin with and they're being replaced black and they've replaced a third of them, it's gone too far to go to the gray by now I suppose.

Mr. Fairchild: ...(inaudible)... in our last meeting, it was agreed that we would be allowed leave the windows as -- that we originally installed them at this point and that we wouldn't go back and attempt to try to paint it because the paint wouldn't -- won't stick to it.

Mr. Whelchel: No need in painting them. They were steel windows to begin with?

Mr. Fairchild: The original windows? They were wood. Wood.

Mr. Whelchel: Oh, I thought you were matching. Okay. And these were installed prior to your National Registration and so we're going to have to match those and that's probably a good item. Fifty years from now, your aluminum windows will be historic. Your doors and windows, in my estimation, can be jockeyed with, change out a door for a window, or window for door cause those are things that can be changed back later if someone decides that they're really not in good taste, it can be changed, so I'm not concerned about or personal view that the doors and windows be changed out.

Mr. Fredericksen: Anyone else on the Commission have any comments?

Ms. Haina: Good morning. To me, anything that is placed on the Hawaii National Register of Historic Places, whether it be a building or property, I think it, for instance in this matter, it's the building, I feel that anything that is replaced on the building should be replaced in the exact way. The original material that you had on the window you now replaced it with the aluminum thing or whatever, could it not be replaced with the original material? Cause I think, now this is only me talking, I think that anything that is placed on the register of historic places or site should be, if it's rehabilitated or anything, should be replaced in its original condition, and this is me now.

Mr. Fredericksen: I think what had happened, and this is -- was discussed in the meeting, it's been sometime back, it was over -- it was a couple years almost, because at that point, a lot of work had already been done and it had fallen through the cracks, if you will, before it got noticed and this was in effect a compromise because there had been a lot of money spent and because of the nature of the facility, and I remember we did have a lot of discussion about it but it was finally decided by the folks on the Commission, at the time anyway, that you know this was going to be the compromise, okay, these actions have occurred but let's not let -- so we'll stay with that but just making sure that everything else is replaced in kind and then the doors were modified from, cause I think before there was a design that indicated windows with something down lower, but the designs were modified to make it appear that even if it was a window, it would still have the shape of the door, so that's where we are and I --

Ms. Haina: I'm just concerned about that because I am a person, and this is I'm speaking for myself, that having an original thing should be maintained in its original whatever, this is me. Now you're taking out the windows and replacing it with doors. Now you're changing the whole concept of the building when you do that. It is not in its original state and this is what I'm getting at.

Mr. Fredericksen: Yeah, maybe I wasn't as clear as I could've been. The original or the design, not the original, but the design that they were planning on doing or carrying out called for replacing the doors that were originally there with windows and just, I mean they just looked like windows, they didn't go all the way down to the floor, but one of the things that was, you know, one of the requirements the Commission made was that these -- the doors, the door look, if you will, be kept, and I do agree with you, I mean if this was starting off with, oh, we have to replace windows now, we haven't done it yet, then I would very strongly favor replacing with the original, but we're past that.

Ms. Haina: I'm just concerned about old buildings, that's all it is, and this is me. If everyone went and got an old building and tore it down and took the doors and took everything, it's not an old building anymore, and this is what I'm concerned about. Thank you.

Mr. Fredericksen: Please, Sol, comments?

Mr. Kaopuiki: Same thing.

Mr. Fredericksen: Okay, well this is a -- let's try to wrap this up if possible. I know it's not a perfect situation and it's also complicated by the fact that these folks have Federal monies that are, you know, they don't want to lose, you know, those funds. I think maybe let's try to look at some conditions and, Julie, maybe if you could -- if you took some notes, if you could review some of the conditions that kind of popped out. I took some -- I jotted some down too and then we can kind of compare them and discuss them and see if we can come to some sort of an agreement on this.

Mr. Kaopuiki: Mr. Chairman, I think we're spending a considerable time at this table trying to figure out details. I don't know what priority is set, however, if the department themselves can iron out a lot of stuff and present what they have discussed and brought it to us, then I don't think we're going to spend that much time talking about this subject. I don't know. I think listening to the conversation this morning, I feel that the department, who is doing this and the people involved, if they could weed out a lot of the stuff and come here with their final thing, then it'll be easier for us because now we're getting in the picture too and, heck, I don't know how many nails it takes to pound certain things and, you know, for me, I think the department have top people that can make suggestions better than we do but after they do that, present it to this council.

Mr. Fredericksen: Let's see, let's go ahead and try the conditions. This first item, the one we're looking at right now, is we're just -- we're going to provide comments on their nomination form for the facility and then they're going to continue on because there is a Memorandum of Agreement already between the hospital, the State Historic Preservation Division, and the, I think it's Federal Emergency Management Agency, FEMA, yeah.

Mr. Fairchild: Yeah, FEMA and CD.

Mr. Kaopuiki: This Memorandum of Agreement it involves some other people?

Mr. Fredericksen: Yeah, we're not a signatory on this Memorandum of Agreement because there's Federal funding involved, it's the Federal Emergency Management Administration, and then the State Historic Preservation Division, and the hospital or the administration of the hospital, so what we gotta do, hopefully, before too much longer is come up with our recommendations and then that goes, you know, then they move along in their process because, ultimately, you know they do need to get going. It is a -- I'm glad that the facility's being nominated to the State and Federal Registers. It definitely deserves it and it's good.

Mr. Kaopuiki: It's agreed that the guys with the monies we gotta keep them happy so that, you know, a project like this they can present the problem and probably go on our way anyway.

Mr. Fredericksen: But so, anyways, Julie, let's try to -- let's listen to the staff recommendations and then we can modify them or add to it as we see fit.

Ms. Higa: For, I guess, for the lack of having the legal metes and bounds description at this point, if the applicant would include a tax map key parcel map.

Mr. Fredericksen: I believe the applicant indicated that they were willing to actually do a metes and bounds description. I think it should actually be a condition for a recommendation. I don't know if we're -- we're not making conditions, right, because we're not -- we're just furnishing comment? Yeah, so a comment or request maybe would be, you know, that the Kula Hospital facility have a metes and bounds description cause they gotta have it anyway, and for this nomination process I mean, you need to have a metes and bounds description anyway or at least, from our point view, it seems like it's something that should be done. I believe that like others, I could say SHPD would also agree with that too.

Ms. Higa: The other point that I did bring up was, and I think Barbara Long agreed with that, is that any buildings that are more than 50 years old be identified as contributing rather than non-contributing.

Mr. Fredericksen: Yeah, they're part of the, I agree, they're part of the facility itself, you know, they add to the character, if you will, of the overall facility so, if possible, those buildings that even if they're, you know, through this process, the folks that were doing the review indicate that it's non-contributing, I still think that if it is part of the complex that it is, it should -- every effort should be made to try to keep those buildings cause it is part of the facility.

Ms. Higa: And then the other item is the garden and the native plant species and that the trees and those that are more than 50 years old and that were original should be identified and included as part of the nomination.

Mr. Fredericksen: And this is something where the, I think Barbara might have mentioned it when she testified, that the Arborist Committee could be contacted about that and they could help out because they -- that's some of the stuff they do is look at trees and evaluate them. I think, personally anyway, the garden is part of, if you will, sort of part of the cultural landscape, if you will, of the Kula Hospital facility and so it's important in its own, you know, it's just part of the overall facility so, if possible, to maintain it and try to get some additional information on it, it's not a roadblock or anything to this nomination process, but it would be, you know, an encouragement, if you will, to try to get more information about it. So let's try -- try them one more time.

Ms. Higa: So then the fourth item, and just for clarification, then is the doors.

Mr. Fredericksen: Yeah. Now is that -- that's a separate agenda item?

Ms. Higa: Well, no --

Mr. Fredericksen: That was replacement of the -- were these combined, Wayne, or we gotta vote these separately, yeah, a and b?

Mr. Boteilho: No, we're discussing this concurrently so I think you can vote all at the same time.

Mr. Fredericksen: Okay. We're not voting, really, we're just forwarding recommendations yeah.

Ms. Higa: Just for clarification then because I think in the last meeting, there was that recommendation that those doors that were going to be replaced would be replaced with doors or door-like windows. Is that still correct then the ones that are going to be fixed and not doors will be replaced with door-like windows?

Mr. Murakami: The intent is to really to maintain the proportion of the existing whether, you know, the panels, the muntins, everything, that the design of the windows, the area, or the window, doors or whatever is there and I might say a lot of them have been replaced already but they will, basically, you know retain the character of what's there so if we took out a door and we made it a window, yeah, it'll look like what was suppose to have been the door.

Mr. Fredericksen: And it's going to be the same scale and everything?

Mr. Murakami: Yeah.

Mr. Fredericksen: That's all staying the same?

Mr. Murakami: The proportion.

Mr. Fredericksen: Okay.

Mr. Murakami: I might also mention that these doors that we are talking about, that area anyway on the lanais, technically, they're not historical because they were replaced within the last -- before, you know, I think it was in the '60's or '70's they were replaced and there was a renovation project at that time but, you know, but basically we're trying to, you know, be consistent, I mean you know keep the whatever that and I've worked with my historical consultant and, basically, that's what we're trying to do, keep the character of the existing building.

Ms. Higa: The other thing too, I think, I thought maybe would have been good is to have a photograph of the original building, which is not included.

Mr. Fredericksen: Any comment?

Mr. Fairchild: No, we can find that. If we can find that original photograph of the original --

Mr. Fredericksen: I'm sure something like Kula Hospital the Maui Historical Society, I mean, that's, yeah, I mean that's something that might be there. It may not be on Oahu, but whatever, you know, those resources are, I'm sure, on this Island someplace, I'll almost guarantee at Maui Historical Society they have a pretty good archive set up there. Okay, so we got four or five conditions, Julie?

Ms. Higa: Four.

Mr. Fredericksen: Four. Or not conditions, just recommendations. Let's see, how do we want to do it? We don't vote on this, right, Wayne? This is just recommendations? Okay.

Ms. Higa: Well, you would vote on it in as far as recommending that it be nominated to the Historic Register and that you would like to have the report reflect the four, not conditions, but four issues and the letter that we send from the CRC to just say, you know, recommend approval for the nomination and identify these four things.

Mr. Fredericksen: Sorry, let's, one last time, read through the recommendations and then we'll go ahead and take a vote on this or get a motion anyway.

Ms. Higa: I don't have exact language but I -- one was --

Mr. Fredericksen: Well just as close as can.

Ms. Higa: Okay, one is the metes and bounds description; the second is relating to the garden and preserving native plants and species, the original native plants and species, right?

Mr. Fredericksen: Well as nearly as can be.

Ms. Higa: Right. And then the third item is to include all buildings more than 50 years old that were part of the original complex to be contributing, identified as contributing rather than non-contributing.

Mr. Fredericksen: Or at least kept.

Ms. Higa: Or kept.

Mr. Fredericksen: You know maintained and kept as part of the facility.

Ms. Higa: Okay, now that's going further than saying identifying it as contributing or non-contributing. So can we, well, maybe we can say both then that they be identified as contributing and that they be maintained; that's kind of --

Mr. Fredericksen: Yeah, no --

Ms. Higa: Because that may not be possible cause it could be in such bad disrepair.

Mr. Fairchild: Yeah because some of them are --

Mr. Fredericksen: Termite --

Mr. Fairchild: I mean we don't let people anywhere near some of the structures.

Mr. Fredericksen: Yeah, no, as soon as I said that, I have gone walking and running in that area before in fact and I know --

Ms. Higa: Yeah, so if it's identified as contributing then what they need to do is photograph it and make sure that it is documented and that might be sufficient. So if we could identify that as contributing rather than non-contributing.

Mr. Fredericksen: Yeah.

Ms. Higa: Okay, and then the fourth item is to include an original -- a photo of the original structure or complex.

Mr. Fredericksen: Now did we have anything about doors and windows in that or do we need anything?

Ms. Higa: What is that? On the doors?

Mr. Fredericksen: Cause that's -- we're agreeing with that, okay, or that's what --

Ms. Higa: Well I didn't think that was necessary because actually you all addressed that previously and the architect is just basically reporting and ensuring that they are going to put in either doors or door-like windows. Okay.

Mr. Fredericksen: Okay, thanks. Alright, do I have a motion about this item, about the nomination of Kula Hospital to the State and Federal Registers? Any comments we have about it?

Mr. Whelchel: We're ready for a motion?

Mr. Fredericksen: I think we are unless somebody from the Commission feels we still gotta talk about it. We've spent a fair amount of time on it.

Mr. Whelchel: I move that we approve the window replacement project at Kula Hospital which includes Item 1, a TMK; No. 2, restore the garden; No. 3, include the buildings that are on the registration -- on the register that are 50 years and older and all be kept with upkeep and document each one; and, 4, we need an original photograph.

Mr. Fredericksen: I think we gotta take out the part about the maintenance part, some may -- it may not be possible to maintain them.

Mr. Whelchel: Strike the maintenance.

Mr. Boteilho: Mr. Chair, yeah basically, if also, yeah staff -- if you would allow staff to work on the final language.

Mr. Fredericksen: Yeah. Is there a second?

Mr. Kaopuiki: Second.

Mr. Fredericksen: Seconded by Sol.

Ms. Higa: Can I just make a clarification here?

Mr. Fredericksen: Okay.

Ms. Higa: That maybe the motion should be to nominate -- to recommend nomination of the property to the Historic site, I mean Register because then the replacement of windows is the second -- is another item that you need to address.

Mr. Whelchel: Change that wording to record nomination to register, State and National directory.

Mr. Fredericksen: Did we have a second? Sol Kaopuiki, okay, seconded it.

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

**It has been moved by Mr. Lon Whelchel, second by Mr. Solomon Kaopuiki, then unanimously**

**VOTED: to Recommend Nomination of the Kula Hospital to the State and National Register of Historic Places with the following recommendations: Item 1, include a TMK parcel map; No. 2, restore the garden; No. 3, include the buildings that are 50 years and older and document each one; and, No. 4, include an original photograph.**

Mr. Fredericksen: Okay, that motion carried. Okay so, basically, we're recommending that the Kula Hospital facility be, the nomination be forwarded to the State and National Registers for consideration for placement on State and National Registers with those four conditions that staff will fine tune. Now, I believe we need to say something about the windows too or is that --

Ms. Higa: Yeah, well, on that issue though, actually, you have addressed -- you did address it and --

Mr. Fredericksen: So this was just like an advisory thing; they came back to let us know they're doing it.

Ms. Higa: That they are going to comply with the request that the Commission made two years ago.

Mr. Fredericksen: Okay, so we don't need to say anything else about that, okay. Well thanks, folks, and thanks for everybody who's in the audience trying to remember why they're here, so let's move on. Sorry, that one was just kind of a complicated one. Let's go to Item D, Permit Review.

**D. PERMIT REVIEW**

**1. HISTORIC DISTRICT APPLICATIONS**

- a. **FRIENDS OF MOKUULA, INC. requesting Historic District Approval for the proposed Mokuula 84-stall parking lot, 1,800 sq. ft. Native Hawaiian Building (Hale Halawai), an accessory 900 square foot cooking house and restroom facility (Hale Pohaku), and related improvements at 162 Shaw Street, TMK: 4-6-007:001, 002, and 036, Lahaina, Island of Maui. (HDC 2003/0014) (C. Suyama) Draft EA was reviewed at the August 7, 2003 meeting.**

**2. ADVISORY REVIEW**

- a. **FRIENDS OF MOKUULA, INC. requesting a Special Management Area Use Permit for the proposed Mokuula 84-stall parking lot, 1,800 sq. ft. Native Hawaiian Building (Hale Halawai), an accessory 900 square foot cooking house and restroom facility (Hale Pohaku), and related improvements at 162 Shaw Street, TMK: 4-6-007: 001, 002, and 036, Lahaina, Island of Maui. (SM1 2003/0008) (C. Suyama) Darft EA was reviewed at the August 7, 2003 meeting.**

Mr. Boteilho: And, Mr. Chair?

Mr. Fredericksen: Yes?

Mr. Boteilho: If, once again, yeah if we could add the SMA review also because we're talking about the exact same project.

Mr. Fredericksen: So it would be Item a, under Advisory Review then, that we'd be looking at concurrently?

Mr. Boteilho: Yes.

Mr. Fredericksen: Yeah, that's fine unless somebody's got a problem on the Commission.

Ms. Suyama: Okay, for orientation purposes, this is Shaw Street located here, Front Street to the left, and this is the subject parcel, this is where the existing Shaw Street parking lot is, this is Malu Ulu O Lele Park, and this is where the Salvation Army's property is located, and what they're proposing to do is the hale building, the cooking house and restroom, observation deck, landscaping as well as parking for both bus and vehicle parking with access off of Shaw Street. There was a memorandum that we sent, circulated to the Commission previously and if you pay attention to the memorandum, the Friends of Moku`ula, Inc. filed applications for Historic District Approval and a Special Management Area Use Permit for a proposed 84-stall parking lot, 1,800 square foot native Hawaiian building called Hale Halawai, an accessory 900 square foot cooking house and restroom facility, Hale Pohaku, and related improvements such as an observation deck, site landscaping, and sidewalks as part of the ongoing restoration of the Ponds of Moku`ula.

The materials proposed for Hale Halawai reflect the traditional Hawaiian structure and includes a thatch roof, wood columns, and lava field stone walls. Hale Halawai will be constructed on an elevated platform. The smaller Hale Pohaku building will consist of a wood shingle roof and cast stone walls to resemble coral blocks which reflect the missionary influences. The landscaping proposed for the site include native Hawaiian plants such milo, kou, kukui, and hau trees. In addition, a coastal strand garden using indigenous drought tolerant plants is proposed, okay.

These are the elevations. The top building is the main structure, which is the traditional Hawaiian structure with the thatch roof and lava rock walls on the platform, and the lower building is more of the missionary influence, which is the cooking house/restroom facility, and the main structure, the traditional Hawaiian building would be located here with the cooking house and restroom facility here.

The traditional native Hawaiian building will be used in traditional ways to perform cultural practices as well as conduct classes and programs. Also Hale Halawai may be rented for special occasions. The accessory structure will be used as a kitchen, restroom, and storage. The Friends of Moku`ula, Inc. also proposes to charge for parking during -- within the future 84-stall parking lot.

In terms of background information, on August 7, 2003, the Commission reviewed the Draft Environmental Assessment and determined that the Planning Commission was the appropriate agency to accept the Draft EA and that the Draft EA address their original comments and had no further comments to make. The Planning Commission, on October 14, 2003, accepted the Final Environmental Assessment, which was filed with the Office of Environmental Quality Control for publication in the November 8, 2003 Environmental Bulletin.

In terms of the Analysis, the Department of Land and Natural Resources, State Historic Preservation Division reviewed the archaeological inventory survey prepared in 1998 by Xamanek Researches, which was on Parcel 1 of the property of which the proposed improvements are to be located. It should be noted that the proposed haies are to be located on the south-eastern corner of Parcel 4-6-007:parcel 2. Although no historic sites were identified on Parcel 1, State Historic Preservation Division concurs with Xamanek Researches recommendation of archaeological monitoring during all ground altering activity.

On Page 3, the buildings are sited to the perimeter of the area thought to contain the remnants of Moku`ula and will be used by the Friends of Moku`ula in both cultural and educational endeavors.

In addition, this morning I circulated to you, to the Commission a change in the site plan which affects the entrance to the parking lot. Originally, the entrance was proposed on the eastern portion of the property and now they're changing it to the western portion to allow better access for buses and like a bus turnaround area, so that's the change that's proposed. The change, by letter dated October 17, 2003, from the engineering firm, they state that, basically, the change would not affect the traffic impacts of the project. This concludes the Department's presentation and the applicant is present to address any questions of the Commission.

Mr. Fredericksen: I'll just make a comment. I think, you know, everyone that's on the Commission, I believe, supports the project. The comment I would have is, this goes back to the curb stones that are on the, let's see, where would that be? Kind of on the more mauka side along Shaw Street. My recollection of where those are, I believe they're a little more mauka of where this new entrance is, but I don't absolutely know for sure, and I wanted to ask one of the folks from the Friends of Moku`ula about this just to make sure that that is the case and if it's not, what has been -- what's being done to deal with those. Cause you see the problem with that is not absolutely sure what the function of those curb stones are, it could be the old -- an old, you know, Shaw Street before it was paved cause a lot of the wagon tracks and whatnot were marked with curb stones but, anyway, so could you address it please? Good morning, too, by the way.

Mr. Dwight Kauahikaua: Dwight Kauahikaua, Kauahikaua and Chun Architects, I'm the project architect. You're quite right. The curb stones run along the Shaw Street side of the project. They actually may exist on actually both sides of that street because it used to be an old trail heading mauka-makai. From what I can see and without doing much digging along the shoulder of the road, it's possible that those stones may be present all along the property line because if you remember, the rise and fall, and you can tell if you stand at one end, that you can see that where they go under the ground and then reappear again, they're in a line, so it's hard to tell. You're quite right also about the fact that the

stones that are visible currently tend to be more located in the mauka-end of this end of Shaw Street where we're proposing our driveway. But I haven't ruled out the possibility that the stones may be buried under the soil in the area where we're putting our driveway as well.

Mr. Fredericksen: Yeah, I think because you folks are going to have the, you know, archaeological monitoring, etcetera, it might be a good idea once you folks actually have the ingress and egress, the way to get in and out, located to actually have the folks who are going to carry out the archaeology check that area because it is in the County right-of-way and there hasn't been any work done there because, I mean it's right, well you know, it's like, you know, a foot away from the side of the road, it's real, real close, but there has not been any work done in there. I mean when we did work a number of years ago we didn't, I mean we didn't look in that area because that was not where we were supposed to be looking but there's definitely something, you know, those curb stones are associated with probably the old Shaw Street, what became the street, the trail. The other set probably is not on the other side, it's probably eliminated because it probably wasn't quite as wide as the street but I don't --

Mr. Kauahikaua: Well it may be under the pavement ...(inaudible)...

Mr. Fredericksen: Yeah, that's what I mean, yeah, it's under the road itself.

Mr. Kauahikaua: Right.

Mr. Fredericksen: But the reason, you know, I bring this up again is there's not many, I grew up in Lahaina, and there are not, I can't think of any other areas where old curb stones like that that were set obviously a real long time for left because everything else has been torn up and for whatever reason that one area just didn't get whacked, so we'd like to make sure that, you know, this is, I support the project, we just don't want to, you know, inadvertently do, you know, do some harm to the site itself.

Mr. Kauahikaua: No, clearly it's not our intent to do harm or to lose artifacts or to lose information that might be relevant to those stones so I think, as we had discussed earlier in one of our earlier hearings, if it turns out through research that these stones did mark the edge of the trail, I think that's a significant amount of information that we'd like to preserve long term so whether there is another rock line that's placed in the sidewalk, placed along the road, or becomes the curb, we'd like to try to do that too. Obviously, the County engineers want us to do some widening on Shaw Street too but how that impacts with the sidewalk we want to put in, I can't really tell you at the moment, but I suspect that they may not be aware of these existing curb stones either.

Mr. Fredericksen: Yeah.

Mr. Kauahikaua: And so I think it'll work into the discussion once we get to the point of actually deciding with them what they want us to do and what they're going to allow us maybe to avoid doing to disturb more than we need to.

Mr. Fredericksen: And it might be possible to be real creative and actually, literally, if it's the sidewalk, per se, in case the curb stones, I mean so they're exposed, basically, at the surface --

Mr. Kauahikaua: I think it would be something interesting to talk about.

Mr. Fredericksen: To do something, yeah, it might be possible to do something like that.

Mr. Kauahikaua: Right, you can talk about it as a part of Lahaina and the way it was before, so I think people could, even with the stones, imagine how the trail ran mauka-makai along there with the stones there. I agree.

Mr. Fredericksen: Gotta speak in the microphone, Keoni. Akoni, sorry.

Mr. Akoni Akana: Erik, this is Akoni Akana referring to Moku`ula.

Mr. Fredericksen: I know. I'm sorry. I said Keoni.

Mr. Akana: Yeah, that's alright. I got your name right. But just for the point of just to let you know that when they did the Front Street Improvement Project they, and that's pretty recent, they removed all of those curb stones from the Front Street, they were also along the Front Street side, and they gave it to us, those stones, and then what they did was they did imitation stones --

Mr. Fredericksen: And they reset --- that's what they put back.

Mr. Akana: And set that in the sidewalk so you can see that today and so, you know, when you mention that, oh, you know, it's the last of the last, yeah, unfortunately, it is and, as you know, we are an organization that is into preservation and that's what we're all about so we certainly will want to do something with that too.

Mr. Fredericksen: Yeah, it might be possible to get real creative with them, you know, and maybe even leaving them there if it can fit in with the design and incorporating, you know, if you folks do end up putting in a sidewalk, incorporating, I mean those --

Mr. Akana: The real ones instead of the fake ones.

Mr. Fredericksen: Yeah.

Mr. Akana: And we do have additional stones too if we needed to add so --

Mr. Fredericksen: The other thing with the curbing stones like that or let's just say marking stones because we don't know if it's just like with Shaw Street the older version, if you will, of Shaw Street, it could have been originally the trail marker, I mean it's shown on maps, old maps, is if something does have to get taken out, and this is where you need to get in touch with the State Historic Preservation Division on Maui, Melissa Kirkendall, first and see what, you know, what could be done, I mean you know it might be possible, if something does need to be moved, to record it, you know, have your folk's archaeologist record it. Tell Boyd to get out there and do that and, you know, and record it so you know where it was and actually have something, you know, in part of your interpretation, you know, this could be part of an old trail because it is shown -- there is a trail approximately in that area that's shown on one of the or several of the old maps.

Mr. Akana: ...(inaudible)...

Mr. Fredericksen: Let's see, I'll try to pull it back here, does anybody else from the Commission have anything to ask while we got all these folks here? Any questions or concerns? Yes, Mitch? Then we can, yeah, go ahead and get into things.

Mr. Mitch Hirano: My name is Mitch Hirano. I think the last time we were before the Commission there was, I think, one clarification that was requested was the finishing on one of the buildings, which was the Hale Pohaku, and what was distributed this morning is sort of some examples of the finishing textures that will be on that building and I'd like to just ask Dwight Kauahikaua to just explain the finishing as a response to earlier comments that were received before the Commission.

Mr. Kauahikaua: Thanks, Mitch. If you remember our last hearing, you asked me about the texture and color of the exterior of the building. I had to describe it without having the benefit of photos or drawings, so what I thought was today is a continuation of the answer to your question from the last hearing and provide you with some visual information that might help you understand what we're proposing to do. In the multi-page handout I gave you the, first page is some photographs of various paintings which give you sort of an idea of what both Lahaina and Honolulu and actually the kinds of buildings that were going up in the 1820's to the 1850's and what you see in there, as I talked about before, it's a combination both of thatched buildings mixed with buildings that are made of stones and, in a lot of cases, plastered over, so it's this transitional period between buildings that were all thatched at one time and buildings that are moving into the modern period built of stone and much more durable materials.

The next pages give you several examples of buildings in Honolulu with textures that I was trying to describe at the last meeting. The next page is a photograph of the Heritage

Center at the Kamehameha Schools and this building was not to be constructed as a replica but to be a simulation of Hale Akala, which was the home in which Mrs. Bishop had resided down in downtown Honolulu, and we used descriptions, written descriptions of the textures of the walls because it lacked photographs that would give you a clear concise idea of what the walls were like so we assume the walls would have had this kind of stone brick mortar joint outlining on it and the color was called muhe`e, which refers to that coloration of the skin of the squid or the octopus, so what we did was we had splashes of color that give this tan mixed in with highlights of a little red, the way the color of the squid and the octopus changes, so it has that modeled color to it and that's why the verbal description sometimes lead you to what you want to do with the actual colors and textures. But that's one of the things and that's actually that sort of texture that I tried to refer to last time.

The next page is a picture of the Mission Houses Museum also in downtown Honolulu and you can see that they've kind of done the same kind of thing, it's a brick, broad brick type of banding with the mortar joints, in this case, recessed but which are emphasized on the texture. The next picture is a picture of cement plaster with this rough sort of texture implying the type of construction which would have been done in the 1820's, the 1850's, of plastering over roughhew stones giving it that rough plaster texture in a sand finish.

And the last page in there is actually a close up and a section of our office wall in which we did one of our first experiments in this cement plaster sand finish texture. Initially, when we had come in with the project, we were actually proposing to do a finish texture and pattern similar to the two brick patterns that you see on the second and third pages, but I've begun to think a little more about it and think differently about it at this point and wanted to get a little bit more of the reaction of the Commission on it. I'm more prone to using a much more simpler texture like the ones on the latter two, which is a simple cement plaster sand finish with that lumpy rolling soft approach to the walls rather than the gridded brick block finish. It would appear that that finish was used on buildings of much more substance and much more importance in the community to kind of get a little bit more detail and interest to it as you approach. This building in Moku`ula is a building of utility. It's a cookhouse, toilet building, storage building, which is not the kind of building that people would have gone and done elaborate work on the plaster finish, it would have been a much more simple building, so what I'm actually proposing to you is a little different than what I show on here which is a simple rolling plaster finish that would imply as done over a rock building with a off-white color scheme to it. The one on the lower left-hand side.

Mr. Fredericksen: So that would be the texture that's indicated under -- on Photos 2 and 3, actually Photos 1, 2, and 3 on the last page of that handout in your folks office?

Mr. Kauahikaua: That's right. That's right exactly.

Mr. Fredericksen: That's an interesting point that you made about the, you know, the level or degree of finish or labor intensity put in for a building of the sort that -- what you're talking about I think is, I'm not certainly not an architect, but this finish, from my understanding of earlier on architecture, certainly would be, I think, more appropriate than having the kind of the brick grid type thing.

Mr. Kauahikaua: That's right.

Mr. Fredericksen: Anybody have any questions about the finishes or -- that have been shown? Or comments? Lon must have a comment being an architect.

Mr. Whelchel: I'll go along with what you said. You sound like an architect. It's very well thought out and I'm very pleased.

Mr. Fredericksen: Any other comments? I take it to mean that Commission would favor this sort of finish rather than that gridded thing. Let's see, anything else to add?

Mr. Kauahikaua: The only other thing I thought I might mention to you is Colleen had mentioned that we had changed our site plan and rearranged the parking lot a little bit.

Mr. Fredericksen: The entrance?

Mr. Kauahikaua: The entrance, and I thought maybe you might be curious about the reasons why we changed it although you may have, for your reasons, have figured out why we changed it. If you had remembered the old site plan, the buses were parked over in here and the entrance into the parking lot was over in here, it would be clear now that what happens, because of the width of the turning radius of the buses, this mature tree right here gets wiped out and so, you know, there were several, actually some of these are existing trees in there, they all get wiped out. Down in this end, I think we may lose a tree or two, but we're not losing something as significant in maturity as this one right here.

Mr. Fredericksen: I think they're kiawe on the more makai side, yeah?

Mr. Kauahikaua: Yeah. This one's a monkeypod.

Mr. Fredericksen: Yeah. No, I know the tree, it's a pretty nice tree.

Mr. Kauahikaua: Yeah, right. We tried every way to try to figure out how to get the bus in without losing the tree and it's just not possible so, you know, by moving it down this way we save that. We also, in this case, keep the buses from traveling throughout the parking lot where the cars are parking as well because the other one we're using the aisle way for both. The other thing we did which, from the project standpoint, is better is that in the

future the visitor center will end up up here. When you come into the parking lot, if the buses have beat your there, they are now these two bus walls parked in front of your building blocking any view beyond it, so this way we keep the buses to the side and people come in you'll still see the buildings in the future but the buses will not be blocking your view or creating this wall effect between you and the project.

Mr. Fredericksen: Yeah, that -- I'm real happy that that big monkeypod tree is going to stay. I think we went over this before but it's not springing to mind anyway, the vegetation, the added, if you will, vegetation that you folks are going to landscape with, are you folks using as much native plants as possible in that?

Mr. Kauahikaua: Yes.

Mr. Fredericksen: I'm assuming that's the case.

Mr. Kauahikaua: That is, yes.

Mr. Fredericksen: What, like in the parking lot area, what sort of trees are those going to be? Do you have a couple different ones?

Mr. Kauahikaua: Yeah, we haven't actually settled on what specific tree we're going to end up using in there and I think at the last meeting we had a list of the trees; I don't remember what was on there.

Mr. Fredericksen: Yeah. But that list is still going to be --

Mr. Kauahikaua: Oh yeah.

Mr. Fredericksen: What the plans, if you will, or drawings are.

Mr. Kauahikaua: Right.

Mr. Hirano: Here's the landscaping. This is on the old trail.

Mr. Kauahikaua: Yeah. Call kukui along this side.

Mr. Fredericksen: I'll just make a -- have a comment like if you folks are using kukui, try get the -- cause there are several West Maui varieties regardless of what botanist, I mean botanist go all over the place about it, but there are varieties that are pretty specific to West Maui.

Mr. Kauahikaua: No, we'd like to try to find what is from that particular region or, you know, predominantly grew in that particular region cause it makes more sense if you use that kind of thing. No, I agree, yeah. We have --

Mr. Fredericksen: Gotta speak into the microphone, Sol.

Mr. Kaopuiki: You know, selecting the trees you plant here, if you work like me, you swear everyday you know because the leaves fall down, so I don't know whoever's going to do that is going to swear everyday to --

Mr. Kauahikaua: Well that's sort of what comes with using native trees. Native trees have two things with them: the leaves, but even more than the leaves, it's the nuts and the berries, and so, you know, you can't get away from it, it's the way they reproduce so I mean, you're right, it takes a lot of maintenance.

Mr. Kaopuiki: The old people told me the old way, no cement floor, that they don't mind the leaves going -- it becomes part of the ...(inaudible)...

Mr. Fredericksen: Sol, you gotta --

Mr. Kaopuiki: But then when you get cement they swear like heck.

Mr. Kauahikaua: I guess you're probably right too because when you get those nuts on the pavement they tend to roll all over the place and if you step on them, it's not good, you could lose your footing so, unfortunately, with the amount of traffic in here, I don't think we're going to end up with much dirt, you know, we could do some underneath the trees, but the nuts are going to get everywhere.

Mr. Kaopuiki: Well anyway modern day yard man, he's got his big blower, he doesn't rake anymore, he just go around and blow the ...(inaudible)... well I hope they do that anyway.

Mr. Fredericksen: Okay, any other comments? Any questions? Okay, thank you, Brian. I was reminded we need to get public testimony. Anybody in the audience would like to say something? Please come up and speak into the microphone, state your name, etcetera. Thanks.

Ms. Theo Morrison: My name is Theo Morrison, I'm the Director of LahainaTown Action Committee, and I just want to say that we totally support this project, it's a long time coming, and it's just one of the most important projects in Lahaina, and the entire town supports it, and we've been waiting and waiting and waiting so it's great.

Mr. Fredericksen: Anyone else?

Mr. Kalani Kapu: Aloha ano`ai kakou. I know all of you know who I am but for those of you who do not know I am Kalani Kapu, I'm a Kumu Hula in Lahaina, and I'd like to echo what Theo had just stated, yes, we in the community do support this, we'd like to see the ikawamamoi ikawamahope move forward, yeah, because the future is in our past. I strongly ask this Commission to past this now, not so much as a community member, but also as a Kumu Hula. For the past three years, my Halau have housed ourself where Mokuhinia today sits and with the moving forward of this project, we can continue our culture and our language where it is a place we can call pono, so on behalf of also Halau, I'd like to ask all of you to help the Friends of Moku`ula move forward on this project. Mahalo.

Mr. Fredericksen: Thanks. Anyone else?

Mr. Keoni Manuel: Aloha. My name is Keoni Manuel, the Director of Napua O Pakipika and Te Tiare Patitifa. As I was here for another reason, listening to this, I totally hundred percent back up this wonderful idea that Friends of Moku`ula have as for benefit for myself and my Halau for learning the culture and perpetuating the Hawaiian culture itself so just imua, go for it, wonderful.

Mr. Fredericksen: Thank you. Anyone else?

Mr. Ben Agdeppa: Aloha. My name is Ben Agdeppa, I also is here for another reason, but listening to what's happening, I am in big support of this being I used to play at this place so to see it develop into something that going teach my children and my children's children, I back this thing up a hundred percent.

Mr. Fredericksen: Oh, Akoni?

Mr. Akana: Yeah?

Mr. Fredericksen: Gotta use the mike, please.

Mr. Akana: I wanted to address Uncle Sol and also for you, just so you know, we are in a collaborative project with Lahainaluna High School, Kamehameha Schools, and Friends of Moku`ula, and the Pili Group out of Honolulu, it's a grant from the Department of Health and, basically, Lahainaluna's ag program and Kamehameha Schools gave us a parcel of land in the Kuia Subdivision, we lease actually for one dollar a year, 35 acres that we're replanting in all native plants that we've collected from West Maui all above Pa'u Pa'u, which is above the "L", the mountain with the "L", went above there and collected, and so all the kids from Kamehameha Schools and Lahainaluna are working together and nursing, seeding, all of those plants including the pili and the ali'i and things we'll need in construction of the hale and that project is well on its way, so if you're concerned about

where we're getting the plants from, the varieties, we are too, and we're lucky to have all those kids helping us out, so thank you.

Mr. Fredericksen: Yeah, that's awesome.

Mr. Akana: Yeah, it's a great project; it's huge, bigger than life for us, so thank you.

Mr. Fredericksen: Anyone else want to say anything? Okay, well let's go ahead and have some discussion amongst ourselves and then we'll check with staff recommendations and then look for a motion. Well, for myself, I spent several years as a little guy in Lahaina, I went to King Kamehameha III School, and I think this is a great, great project. It has been a long time coming but sometimes things that are really good take a long time to happen, but this is a real neat opportunity and I think it's going to be a really, really positive contribution for Lahaina and I totally support it. It's neat. Anyway, any Commission members have any other comments or concerns or thoughts? To me this is, basically, a no brainer so I think let's go ahead and, you know, see if anybody wants to make a motion to, let's see, to you know accept the plans. There was the alternation in the parking lot, oh, excuse me, Colleen, you want to say something first? Sorry.

Ms. Suyama: Right, the Department is recommending approval of both the Historic District Permit and that the Commission recommend to the Maui Planning Commission approval of the Special Management Area Permit. The only thing is because you brought the issue about the curb stones, do you want a specific condition regarding --

Mr. Fredericksen: Yeah, well we're not again, we're not the ultimate, what would it be? But if you have this --

Ms. Suyama: Your ...(inaudible)... have approval powers by approving the project itself in terms of the architecture and the historic elements of it. The Commission would be, the Planning Commission is reviewing the overall Special Management Area Permit.

Mr. Fredericksen: Okay, the SMA side, okay. I do think that the curb stone issue is something that, you know, we should include in a recommendation and then, again, it's not something that's, you know, it's not a roadblock or anything and Friends of Moku`ula aren't, you know, they're not interested inadvertently tearing something up that, you know, it probably is a significant resource in its own right, so I think we should have a -- there should be some sort of a condition in there --

Ms. Suyama: Okay.

Mr. Fredericksen: That indicates that the curb stone issue does need to get dealt with --

Ms. Suyama: Okay.

Mr. Fredericksen: But they will have archaeological monitoring and maybe, like I was saying before, before actually excavating in there just checking it out cause if they're there, they're not going to be that deep, you know, a little bit of dirt over them and be able to identify, oh yeah, they're there or, no, they're not in that one section, cause it wasn't necessarily straight.

Ms. Suyama: Right, so you want a special condition? I have a draft for consideration.

Mr. Fredericksen: Okay.

Ms. Suyama: As much as possible, the old curb stones shall remain ...(inaudible)... as appropriate, the curb stones that need to be disturbed or removed shall be incorporated into the Shaw Street improvement.

Mr. Fredericksen: I think that sounds fine. Any other Commission members have a comment about that?

Mr. Kaopuiki: I'll make a motion.

Mr. Fredericksen: Okay, so I think we're agreement, if anyone would like to make a motion regarding this go ahead.

Mr. Kaopuiki: I approve the plan and the few subject changes.

Mr. Fredericksen: Meaning the changing the parking lot entrance further makai side to help preserve the existing large monkeypod tree that's growing right now. Okay, there's a motion. Is there a second?

Ms. Haina: I'll second.

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

**It has been moved by Mr. Solomon Kaopuiki, seconded by Ms. Kuulei Haina, then unanimously**

**VOTED: to Approve the Plan with Changes.**

Mr. Fredericksen: Okay, motion passed. Good luck. Great.

A recess was called at 11:00 a.m., and reconvened at 11:10 a.m.

Mr. Fredericksen: Let's reconvene. Where are we? Okay, we're still -- we're under Item D, Permit Review, let's see, Item b.

#### **D. PERMIT REVIEW**

##### **1. HISTORIC DISTRICT APPLICATIONS**

- b. MR. JONATHAN KEONI MANUEL of KM POLYNESIAN PRODUCTION CO., LLC requesting Historic District Approval in order to place a temporary stage, booths, and tents for the Hoolaulea Te Tiare Patitifa to be conducted at Campbell Park on November 23, 2003, Lahaina, Island of Maui. (S. Bosco)**

Ms. Bosco: Hi. Good morning, did everybody get my staff report? Okay, good. Just so you know, I got this project very, very recently. It was -- the applicant had been made aware that he needed to apply and didn't know in advance that they needed to apply, so they've done their best to try and come before you to have this event receive Historic District Review, basically, it is for a Ho'olaulea on Sunday, November 23, at Campbell Park, which is where the Waiola Church is. The applicant hasn't indicated that this will be a return event. There's no plans, at this point, for this to come back next year and the following year, and the following year, it's just a one-time event. The set up is to occur 6 to 8 a.m. the same day of the event. The event occurs 9 to 4, and then breakdown from 4 to 6.

Basically, there's a site plan provided for your use, under Exhibit 1, and you see that there are a number of tents, 10 by 20 tents, 6 craft booths, 6 food booths, a volunteer tent which is for the performers to change and for volunteers, and then you have, I think there's several others, there's a script booth, the exchange of money will occur at the script booth for the purchase of script for the purchase of the rest of the items throughout the event, and then there is a large 20 by 40 visitor tent which is to provide shade and accommodations for the patrons and to be able to view the entertainment. The stage is on the -- right near the porta-potties there, that will be used for entertainers, hula performances, and there's also music that's going to be provided throughout the day, I think the hours were -- music occurring from -- anyways, it's not -- it's, basically, the bulk of the day and there is a music schedule attached under Exhibit 8, okay so 9 to 3:15 it looks like.

What else can I say? The application was transmitted out to agencies for a very short review. We did get approval from the Department of Health for the event. They've obtained all their necessary permits for the sale of food and they will be applying for a building permits for the set up of tents, and they did also receive comments from the Police Department, which are provided in your pack here under Exhibits 3 and 4, primarily to

summarize the comments, there is a concern that has been raised about traffic in the area. There are several other events going on on the same day. We have a cruise ship coming or that will be in that day, and then there will also be an event under the Banyan Tree, so the recommendation from the Police Department, if the event is approved, is to have two off-duty officers posted on Dickenson Street, at the entrance to the Baldwin House, and also along Front Street fronting Campbell Park where the event is to take place to, basically, make sure that no vehicles stop to unload at the site of the event and cause congestion on Front Street.

Regarding a little bit more about the event, there are security officers proposed to be hired. This event is, I mean it involves a lot of different vendors, a lot of different coordination. I know that the applicant has put a lot into making this happen and I understand that the fundraiser is to help the Halau provide for the cost to send their group to -- they have some competitions that they want to participate in on the Mainland and the fundraiser is to help provide or bring in some income to help the Halau and the applicant can come up and talk a little bit more about this. I don't know what else to say. I did review the application in terms of just basically what the General Plan encourages, which is a wide range of recreational, cultural, and traditional opportunities. This area has also been used quite a bit, the area meaning Lahaina Town, used quite a bit for these kinds of events because it does bring in large crowds and does provide a venue for people to have this kind of event, it's very common to have these things in Lahaina; however, I, personally, never had an event come before me for Campbell Park so this is something new for me and I haven't had a chance to research if there have been other events at Campbell -- go ahead, I'm sorry.

Mr. Fredericksen: Just real quick, excuse me, Simone, could you, for the folks on the Commission that aren't sure where Campbell Park is, just indicate where it is?

Ms. Bosco: It's, okay, Waiola Church, does everybody know where Waiola Church is? Anybody doesn't? Okay, that's where Campbell Park is.

Mr. Kapu: No, it's not.

Ms. Bosco: No?

Mr. Kapu: It's between Whalers, I'm sorry, it's between the Baldwin Museum and the Wharf, yeah, but it's right across of the Pioneer Inn.

Mr. Fredericksen: Thanks, Kalani.

Mr. Boteilho: I didn't know where Campbell Park was either.

Ms. Bosco: I'm sorry.

Mr. Fredericksen: I was pretty sure it was where Kalani was saying but I just wanted to make sure I was on the same page.

Ms. Bosco: I'm sorry, correction then, thank you, and that was a confusion because I think Waiola Church owns the property, so I'm sorry. Again, I didn't have enough time to research this. There are four or five recommendations that we're proposing. One of them is that the applicant comply with the Maui Police Department's recommendations for traffic controls. And one last thing is they are proposing the use of cinder blocks to hold down the posts for the tents so that there will be no stakes and they are willing to do that to protect any potential underground cultural resources.

Mr. Fredericksen: Thank you. Let's see, could we hear from the applicant, please?

Mr. Agdeppa: Aloha, my name is Ben Agdeppa. I'm the fundraising event coordinator for Halau Hula O Napua O Pakipika, also known as Te Tiare Patitifa, and Keoni and Company. This is our organization's first ever big fundraising event and I, myself, as well as the Halau appreciate the Cultural Resources Commission in incorporating us in this agenda. Thank you. Now the reason for this one-time event, at this particular area, is to raise funds to help the Halau to offset travel cost so the children may have the chance to share our culture with others and, at the same time, it would be a positive learning experience for our children. I'd like to thank you for your consideration in supporting this event to benefit our children. And, at this time, I'd like to also introduce Keoni Manuel, he's the actual applicant, I'm just his fundraising event coordinator, and we both will be answering or addressing concerns or questions that the committee might have.

Mr. Manuel: Thank you, Ben. Aloha, my name is Keoni Manuel, the Director and President of Te Tiare Patitifa/Halau Hula O Napua O Pakipika, and also known as KM Polynesian Production Company, LLC. On behalf of my Halau, we come to ask you for permission to hold this Ho`olaulea to offset the cost for this competition, which is the biggest competition in the Tahiti Hewa, as they would call it. It's one of the most biggest competition in this event and we were asked to represent Maui in this San Jose Tahiti Fet. The age range in our Halau is from three years and to our gracious ladies. All participants is within that age bracket. This is also -- offsets the cost for costume, food, ground transportation, and air transportation, and of course hotel. This event will be held at the Sports Center in San Jose, and so we're trying to get a year's in advance of our offset cost.

As being a community person that I always support community and one day hope that community will support us. As we do many functions in Maui, one of them that is going to be coming up next week is the Bailey's Museum, which we are supporting them with Uluwehi Guerrero; also with the Tahiti Fet here in Maui and among other events like Aloha Week. We have been performing in many of the venues here on the islands including all

the shopping centers that you can think of that is here on Maui. To -- my main purpose is actually for the kids, to have the children of Maui to learn the culture at a young age and also the junior children that we have that you know that we have a drug problem here on the Island of Maui to have them come off the streets and do something with their lives and that's my purpose, why I'm doing this competition, and it's not the competition itself, we're not going to go, well it is a competition, but for us it's an exhibition and an experience for our Halau. So today I came to ask for permission.

This is my first big Ho`olaulea, I mean we usually do car wash, and sweet bread, and Portuguese sausage, and this is our first big Ho`olaulea and this was brought to my attention by my students and they have other talents besides dancing: crafts, cooking, singing, performing, so we decided to have this Ho`olaulea and not knowing that we needed so much permits. You know, so Ben came to my rescue as his children is my students, two of his girls, and one day I asked him, "Are you going to come to our Ho`olaulea?" Not knowing that he's a production himself that does fundraising and this is where a whole new can of worms had opened for myself. But not looking at it as a roadblock, as looking at it as a learning process. So I'm here to ask for permission and hope that you could see what we're trying to do, and not also for our Hawaiian or Tahitian culture, for our multi-culture. We'll be having some famous entertainers there: Richard Ho`opi`i; Raiatea Helm, a new young generation; Kuponu Kane; also our Tahitian group in Lahaina, Na Kamali'i O Ke Akua, under the direction of Tommy Anoi Akima, and help from the Maui Taiko, and the Maui Paranku Club, and Maui Eisa Club, so it is a multi-cultural event, and it will bring revenue to Lahaina, not only to our Ho`olaulea, but into the whole town of Lahaina. This is advertised on the ship of the Infinity where after that Ho`olaulea as we go on that ship and perform for the passengers on the Infinity on the Celebrity Cruises, so they are aware of the event and that will bring revenue to Lahaina Town. I think that's about it. Thank you.

Mr. Fredericksen: Thank you. I think -- I'm just going to make a comment and then we'll get into if there's public testimony, etcetera. I, you know, I support these sorts of events and, you know, that's what it almost always comes down to is, you know, bringing, you know, brings money into an area but I support these sorts of events more than I support, let's say shops that are selling shirts and stuff in Lahaina, that's just my own thing. Anyway, I'll shush for now but is there any public testimony about this? If you could pass the microphone down, thanks.

Ms. Morrison: Hi, my name is Theo Morrison, Director of LahainaTown Action Committee. This is a very difficult position I'm in. I totally support, and we support, the town supports this type of activity, and we totally support the, you know, the cultural thing, the fact that they're raising money to go to the Mainland to do this with the kids; all those things are great. The problem we're having is the use of the space at Campbell Park. Probably a couple months ago another activity happened there, like a Ho`olaulea, you know six

months ago, un-permitted, and there was a lot of tension from the merchants in regards to that. As it is, the events under the Banyan Tree, as Simone knows, I have a couple complaints against those, some standing complaints right now. So, in general, the town, even though the town also supports these kinds of things, the problem is the vendors, that's the problem. They see that, I mean the town is struggling, the little merchants and stuff are struggling, and when the boats come in that's one little opportunity to make a few more bucks, so they would see this as direct competition. I see it snowballing with -- if this event happens here, then other people will come before you requesting to use this space, and every weekend there's events happening under the Banyan Tree so my suggestion to them, well also, I'm also concerned, just from their standpoint, of the costs they've got here, I don't know if they're paying for all these tents, but the great advantage of the Banyan Tree is that your costs are a lot less. We would be more than willing to work with them, with Na Kupuna O Maui to incorporate them into our event and since that event happens every other weekend, we could keep incorporating them until they raise the money that they needed; this is kind of a one-shot for them, a lot of cost here that you wouldn't have at the Banyan Tree, like your porta-potties and all your tents because you already have the shade of the tree, so that's our comments. We totally support the event, the whole concept, what they're doing, everything except there's just a huge concern in town about the use of Campbell Park as another craft fair, food selling type place.

Mr. Fredericksen: Interesting point. Things aren't always simple. Any other comments from the public testimony?

Mr. Kapu: Aloha Awakea. Kalani Kapu, Kumu Hula Lahaina. You know, I basically came here today to give my wholehearted support to the Friends of Moku`ula and seeing a brother of hula and why I say a brother of hula is because all of us who instruct hula, we're not strangers to the entertainment realm, we all know each other, and so that's how we have the ability to place us in the same area and not one over the other, so and Brother Keoni, he knows what I'm talking about. You know fundraising, it really takes a toll on both na haumana, yeah, na kumu me na ohana a me ho ai kane, you know, the whole -- everybody, it takes a toll, and when it comes down to Ho`olaulea, when it comes to my Halau, I go to competition, I only take like 5 or 6, brother takes all 50, yeah because he incorporates na keiki li`i li`i a me kupuna, yeah, he takes all; all or none, yeah. In Halau, in my Halau, it's unfortunate that we can only take those who make the line so, when it comes to my Halau, we can fundraise, we can sweet bread, we can do all that kind of stuff, but we're talking about cultural value, we're talking about something that incorporates everyone, everything, and TeTiare Patitifa, I have a lot of respect for them, as a company, yeah, as a troop, but the respect goes even farther, yeah, into the pu`uwai when it comes to Halau O Na Pua O Pakipika, same name, but then it's the olelo, yeah, or the leo, and when it comes to his Halau, you know they -- we have a competition coming up the end of this month by the Friends of Moku`ula and Maui Nei, which is Hula O Na Neia, and in Halau we don't compete against other Halau, yeah, although they talk about exhibition. The

purpose of why we go there is to enrich my style of hula that was handed down to me by my kumu hula, handed down to him by his kumu hula, and handed down to them by their kumu hula. It's to put out our styles of hula into the community because today people are saying hula is dying, yeah, the hula is dying, but not hula in general, so it becomes the responsibility of us as kumu hulas to put it out there. This is one of the venues that we need to help with, it's the kala, and how we do it we're going to have to, you know, work around many obstacles to try and figure out how we're going to incorporate to take everyone with us.

Campbell Park, that really rings a bell for me because I, for the years that I taught hula in Lahaina and how we have made Mokohinia our home, is because one night we had the opportunity to go to Campbell Park and hold hula practice there, yeah, and one of the reasons why we did hold hula practice there was because no one was utilizing that area, no one. Until today, I don't -- I can't even think of anything that was used at Campbell Park with the exception of Aloha Week three years ago when they had booths set up alongside the road selling, I think Uncle Moon Keahi's family was selling chow fun. There's a lot of space in Lahaina, yes, that we can utilize events like this, but we're talking about a one-time event for this troop, this Halau, and I will support wholeheartedly any Halau or any troop that comes forward to this board or any board in the County or the State of Hawaii to help them make their monies for their Halau to continue the tradition of whether it be competition or just hula in general. I will support anyone. As far as these concerns, I think they're kinda like ...(inaudible)... you know, I haven't heard any concerns about Kupuae being held on the 22nd under the Banyan Tree, you know, so it kind of concerns me because I know some of you know that I had a keiki kamali'i who was also haumana in Puanaleo this year who is, right at the moment, in Honolulu, but Puanaleo is also having their Ho`olaulea on the 22nd and I honestly don't see what seems to be the problem. If the problem is the vendors, I'm sorry, Erik, you know you and I we both possibly could share the same concerns when it comes to putting out t-shirts or putting out, you know, crafts but as long as it is the cultural value that is being put out and that I will support a hundred percent. So Keoni and his group I support. Uncle Tom, brother Tommy and his group I support. Anyone I support that puts out the cultural and the whole legacy of whether it be hula, Tahitian, Chinese dancing, Filipino dancing, it doesn't matter because we are a mixed culture and if we're putting this mixed culture out there to the community, then holomoa. Mahalo.

Mr. Fredericksen: Thank you. Anyone else to testify?

Ms. Davelyn Clark: Aloha and good morning, Chairman and Maui County planning committee. My name is Davelyn Clark and I am from Te Tiare Patitifa/O Na Pua O Pakipika, we're located in Wailuku. I'm here to ask your permission to allow us to hold an Ho`olaulea on Sunday, November 23, 2003, in Lahaina to raise funds to help us offset the cost of our trip to enter a Tahitian dance competition that will be taking place in San Jose,

California. This is one of the largest Tahitian dance competitions held once a year and Halaus from all over the world enter this competition. I feel fortunate to have the opportunity to not only represent our Halau, but to represent the County of Maui as well as the State of Hawaii. We will be sharing our culture along with promoting the beauty of our islands with not only the other Halaus, but with thousands of people that come to watch the competition each year. I have a nephew who has been a part of Te Tiare Patitifa for three years and has gained a lot of knowledge of not only his Hawaiian culture, but also of the culture of Tahiti. He is one of the Halau's premier male dancers and has put a lot of time and effort in his practices and performances. He has won a few of the local Tahitian dance competitions held here on Maui and Oahu. We are proud of his accomplishments and hope that we will be able to take my nephew along with the rest of the Halau to San Jose. I thank you for your time and hope for a favorable decision.

Mr. Fredericksen: Thank you. Any other testimony?

Ms. Leinaala Cordeiro: Aloha, my name is Leinaala Cordeiro. Sorry for I am a little under the weather. I am one of many dancers from Na Pua O Pakipika/Te Tiare Patitifa, Keoni and Company. I am part of this Ho`olaulea due to the funding. The funds -- but it's to help each one of the dancers raise money for something we love to do. It is a Tahitian competition and we may not be Tahitian in the blood but we are Tahitian at heart, and it's hard to be ...(inaudible)..., you know, try to dance and stuff like that but this is not only, you know, for us to enter a competition, but to exhibit how it is to travel, to see different places, to experience different people, you know. There are a lot of different groups that are going to enter this competition and we all have different teachers along the line so there is different styles that are out there and that's one of the reasons why we're also going up there to do this competition, it's to switch styles of dancing Tahitian, hula, you know. We also have, I know of, we have groups coming from Japan and actual groups from Tahiti so with, you know, Tahitian cultural exchanges of styles we can also exchange cultures like Japanese, Japanese can learn from us Hawaiians; us Hawaiians can learn from the Japanese people and I, for one, I live in Lahaina and to come from Lahaina I rarely see any Ho`olauleas that produce, you know, that bring out actual Hawaiian groups, entertainers, local food, crafts that are free just for us local people and for the tourist that are already on land, that are coming, you know, from the ship because the ship is going to be in that day, but we're not going to be charging them for any entertainment, you know, and stuff like that, we're just trying to, for me as a dancer, trying to seek out into the community and the tourist to ask them for help to help me send myself to San Jose to enter a competition to do something that I love to do that I have been doing since I was a little baby. So it's really heartbreaking to not be able to do something that I love to do in a different place besides Hawaii and to share my culture as well as Tahitian culture, you know, other cultures like that, but this is the reason why I want to do this Ho`olaulea, for myself, to experience something cause I never know when I can ever have another chance to experience seeing another part of the world even if it's just to the Mainland, but that's one of several reasons

why I want to do this Ho`olaulea and I hope, you know, you guys give your consideration to why I want to do it as being one of the dancers for Te Tiare Patitifa. Thank you.

Mr. Fredericksen: Thank you. Please state your name.

Ms. Wanda Pavao: Aloha, my name is Wanda Pavao and I am here on behalf of Te Tiare Patitifa to ask permission to hold our Ho`olaulea in Lahaina. I am here also to support my daughter to fundraise in this Ho`olaulea for her trip to San Jose for this Tahiti Fett competition. I feel that this Ho`olaulea is beneficial to all because from Central Maui all of our families and friends will be coming to Lahaina to support this Ho`olaulea and also being raised in Lahaina myself, my family and friends will be coming down to Lahaina Town to support this function also. It is not only to help the Ho`olaulea but also bring revenue to Lahaina Town, and educational for the Halau students because they are learning how to work together as a Halau and also to see how successful Lahaina is and how supportive Lahaina is. Thank you.

Mr. Fredericksen: Thank you. Any other testimony? Okay --

Mr. Kapu: I have a question. Pertaining to the vendors at the Banyan Tree, is anybody -- who is actually in opposition? Na Kupuna? Na Kupuna O Maui is in opposition?

Ms. Morrison: It's a Na Kupuna event that weekend. Correct.

Mr. Kapu: That's on the 23rd?

Ms. Morrison: Correct. The 22nd and the 23rd.

Mr. Kapu: And it's only based on the fact that it's what? Cutting into them?

Ms. Morrison: No, my suggestion is that we move this event to the Banyan Tree and incorporate it with the Na Kupuna event. That's my suggestion. It's the merchants in town, especially the Wharf Cinema Center right next door, that has a problem with using, not a problem with the music, the culture or anything, it's just the vendor part, but then if they don't have that, they can't raise money, so I understand that part so that's why I'm suggesting it goes to the Banyan Tree where we already have permission to do that.

Mr. Kapu: Well I think that's ...(inaudible)... the way I see this is one versus the other is basically out of our jurisdiction that we need to make a determination whether or not we're going to allow them to participate or have this thing done at Campbell Park. Pertaining to Na Kupuna's so-called opposition against this --

Ms. Morrison: Na Kupuna is not opposed to it.

Mr. Kapu: Oh they're not opposed to it?

Ms. Morrison: No, no.

Mr. Kapu: Oh the vendors?

Mr. Fredericksen: It's the vendors at the Wharf Cinema or whatever that complex is.

Ms. Morrison: It's the merchants, the merchants in town are opposed to it.

Mr. Kapu: Okay, well, bottom line, that is out of our jurisdiction that we're only here to make a determination whether or not they can do the event at Campbell Park. As pertaining to whatever logistics goes on between vendors, that's not our jurisdiction.

Mr. Fredericksen: Yeah, that isn't our kuleana. What we're here for is to review if it's an appropriate activity in the Historic District. Okay, any other questions from any of the Commission members to the folks from -- okay.

Mr. Kapu: I get one more question. There was a request here that -- from the Police Department saying that two off-duty police officers monitor this event for traffic control?

Mr. Agdeppa: Yes, that is correct, and I spoke with Officer Migita from Lahaina, I had contacted him yesterday, and he had said that if this thing should be approved, I will contact him today, in fact right as soon as I walk out the door I will call him up, if you guys approve this permit for us, to get a list of the names of the off-duty officers. We do have a couple that, or should I say I have some family that are police officers that he said I might ask if they can assist us in, you know, sponsoring their time but if not, I don't see it being a problem of us having two off-duty officers at the event: one, to man Front Street because it was a concern that my security guys was not going to be able to have the authority to enforce, right, but being a official clothed officer, yeah, we had looked into that, and also on, I believe, Dickenson -- no, Wainee, on Wainee Street in the back -- on Luakini, I'm sorry, on Luakini in the back of the Wharf was going to be another concern so, yeah, we did discuss it and we are, whatever needs to be done, we are willing to do, I mean we have gone and done everything else.

Mr. Kapu: Do you have to hire these officers to work for you?

Mr. Agdeppa: Yes, we do. If so say that they don't donate, then, yes, we would have to pay them and it's up to \$22 an hour for a regular police officer and \$25 an hour for a sergeant, so we would have to pay them for that time being there.

Mr. Fredericksen: Any other questions? Okay, well there's obviously, you know, a couple of issues here. I think, you know, I said earlier I support the intent and everything else and I -- that's still is the case. The thing that I would have, you know, this has been stated as a one-time event which would make me support it even more. If it was something that was, you know, recurring all the time, I don't know, it might end up being a bit of a problem fitting things in because Lahaina's got so much space and there's just a limit to what can be accommodated; it's also a question of, you know, the situation that's going on say under the Banyan Tree and then in this parcel because this Campbell Park really hasn't been utilized much and that's something that we, as a Commission, want to open up on a regular basis. In terms of this being a one-time event, what does the Commission feel about that?

Mr. Kapu: My feeling? There's a lot of events that happen in Lahaina, basically, for, you know, getting a lot of the community and, you know, just that education fact about bringing people back to Lahaina to share the legacy of that place and to incorporate a lot of that with the tourist commodity that goes in to provide revenues for the merchants that are along. One day, maybe next time you guys should try for three days, it's not a one-day thing, I mean I know it's hard, it's really hard to raise money, especially in Lahaina because you get so much competition, but if it's a one-day thing, you know, and it's all about the cultural perpetual education for the education for our youths, finding a place for our youths so they can, you know, steer the course in life; if not, you know there's a time that you're going to see our youths and it's at 11:00 nighttime, pass 12, 1:00 in the morning walking Front Street, yeah? I mean any type of revenues or any type of program that we can focus our kids to getting involved into, yeah, you're only there trying to raise money so you can go so you can further your education out there. If that's the point, then maybe that all the vendors should look at this to providing the host culture to do what they need to do and that's the magic key right there is the host culture, yeah, that we need to try, and now I'm speaking for myself as a Commissioner for the resource, that the only way we can actually do what we need to do to provide a venue of cultural identity and character, yeah, is maybe later on try to find some way to get to the people that are bringing in revenues from the town to try to get some kind of sponsorship from them, yeah, and let them know that you're the host culture so, hopefully, sometime down the road that when you want to raise money, all you have to do is make one phone call then these people will profit, profiting in Lahaina will be that revenue that you need instead of trying to go through a lot of logistics and next thing you know you find out you bang your heads inside there, not with the County logistics, but with just life itself. Lahaina, everybody, you know like Erik said earlier, everybody gets a high on selling freaken t-shirts and all this kind of trinkets down Lahaina Town and it has anything to do with our history so I'm more in support of this. Mahalo.

Mr. Fredericksen: Yeah, I'll just go back to what I was talking about, at some point back, you know we as, I think, a Cultural Resources Commission, I mean activities which reinforce, positively reinforce Hawaiian culture I think are to be encouraged, as much as possible, within the, you know, within the whatever, the constraints of how things are.

Something, and this isn't exactly on the subject but it's down road, but when the project that we just looked at a little earlier, Friends of Moku`ula, when that's -- when that is completed that's going to be an ideal location to have these sorts of events, and I think some of the hoops will be reduced too, the need to get, you know, gone through but, anyway, does anybody else on the Commission have any other -- any comments, you know, about what we're doing right now, the discussion?

Ms. Haina: Mr. Chair and to the group, as a Commissioner and the mayor of Hana, I support you.

Mr. Kaopuiki: Ke`eaumoku came up with something that which I believe that the organizations should talk to the merchants. Back home we do that. We get the merchants to, when we make a fund drive we tell them when it's going to be so there's some money that's being contributed to the organization that do that, so it's, I think it's something big for Lahaina and especially with the cruise boat coming in. Somebody must be making money. So all you can do is go to the merchant and if he slam the door at you, tell them thanks anyway. But I'm impressed very much because as one who raise funds, when you go door to door and ask people for funds, that's not easy, but if you get out to put out the program, then, you know, the surprising thing is you have different cultures and I hear from this it's just like the hula is the key, but you're going to find different cultures that now with all the Vietnamese and Thailand and everybody moving to the islands. I catch a taxi cab. I ask the guy, "What you? Chinese?" He said, "No, he's Vietnamese." So, again, these different cultures will help toward promoting the hula or as you people are concerned about the young people. As I said, you know before my time already I don't have to go raise fund, I runaway down the beach so, but anyway, hopefully, I'm sure it's going to be a success because it's, Lahaina is something different. There's still the era that was way back during Kamehameha days, it's still there, and if you folks promote this kind of thing, it's going to stay there yet, so good luck.

Mr. Fredericksen: Okay, any other comments? Discussion? Yes?

Mr. Manuel: Actually, this comment is to Theo, and there's no hard feelings here on this table. We all gotta do what we gotta do and for me is I would love to work with Theo one day under the Banyan Tree and bring this multi-culture there to benefit everybody. And for the vendors at the Wharf, which you know, hey, money is money, but we entertain at the Wharf. When they need Hawaiian or Tahitian entertainment, we're there. So I feel that we give to the merchants and help them, we help draw the people in on occasion, like Aloha Week, we just did Aloha Week for them and help them draw in money. So this one-time event, you know, I don't see -- I didn't see anything big about it, but I just want to say,

like I said, everybody gotta do what they gotta do, but I'm looking forward, actually, to working with Theo in other projects.

Mr. Fredericksen: I've got a question for you. I know you folks obviously put a lot of effort into this and, you know, I've, you know, I've read what the, you know, the Planning Department's recommendations, which I support, the only thing I would say is, you know, if there is something in the future, it sounds to me like you'd be interested in going to doing it, conducting it over at the Banyan Tree, nuts and bolts reality, at this point, for this the 23rd, that ain't going to happen, right? I mean that's like it's too late for that, but if there were to be something at some point ever down the road again, then I think it would be probably preferable to try see if that's something that could be conducted over there; that's probably better to try to focus things there.

Mr. Agdeppa: Yes, we have discussed that, Erik, and Theo and I did discuss about even if it didn't get approved, we still had the option, she'd still open her door to having us go over under the Banyan Tree, but the logistics of it all is we already had it planned out, we already had set up stuff and things are going to be -- it's already in motion so that's why we're coming before you guys now to ask, please, I mean --

Mr. Fredericksen: So you're financially committed to these other stuff?

Mr. Agdeppa: We are. We are sort of already set, yeah, we are set up with the donations and sponsors at this one particular area and it's hard for us to pull back now and say we cannot, you know, so that's why we are here right now pleading our case and, like I said, we've done everything that you guys pretty much required us to do, yeah. I'm saying that that short amount of time, if we knew what we know now, we would have been here two months ago asking that way, you know, we could had set things up.

Mr. Fredericksen: Okay, thanks. Okay, this is my -- these are my own feelings, I, you know, I'm not totally comfortable with having this at that spot but given the circumstances and everything, I, you know, I would tend to go along with the County, with the Planning Department's recommendations of you know for one-time use of the Campbell Park and cause it's obviously, you know, it's a culturally oriented positive event and I don't have any objections to it. Anything in the future, I think, it'd be better to, you know, I think it might be better to encourage use over the Banyan Tree until Friends of Moku`ula has their stuff sorted and, you know, that can be opened up as well. But, anyway, let's have, if we need anymore discussion, otherwise, if anybody would put a motion forward regarding this request.

Mr. Kaopuiki: Mr. Chairman, I feel that everybody's gung-ho for this activity to happen in Lahaina so I move that we approve the program that has been set and if there's any changes, I'm sure they'll be minor changes.

Mr. Fredericksen: One thing I'd like to mention, and I believe Simone brought this up, the tents or whatever, if this were to be approved, will not -- there won't be stakes and stuff pounded in; it will be with like hollow tile to hold stuff down.

Ms. Bosco: That's right. The applicant has -- is aware of that too and has agreed to do that.

Mr. Fredericksen: Okay, we have a motion on the, whatever, table. Is anybody -- do I have a -- is there a second for that?

Mr. Kapu: Second.

Mr. Fredericksen: So the motion has been made to approve the application for a one-time use of Campbell Park for the fundraiser on the 23rd of November.

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

**It has been moved by Mr. Solomon Kaopuiki, seconded by Mr. Ke`eaumoku Kapu, then unanimously**

**VOTED: to Approve the Application for a One-Time use of Campbell Park for the Fundraiser on the 23rd of November.**

## **2. ADVISORY REVIEW**

- c. MS. TANYA L. LEE-GREIG of CULTURAL RESOURCES HAWAII, INC. requesting comments in the preparation of a proposed cultural resources assessment for the replacement of the Ulupalakua Water System for the area mauka of Kula Highway from Kula Sanatorium to Kanaio. The purpose of the study is to determine if there will be any impacts to traditional cultural practices by the replacement of the Ulupalakua Water System. This cultural study is being done in conjunction with an Environmental Assessment (EA). (R. Loudermilk)**

Mr. Fredericksen: Let's see, now we're under Advisory Review. We've taken care of Items a and b, and Item c, Ms. Lee-Greig of Cultural Resources Hawaii indicated that she wasn't going to be able to stay here until now so she requested that we put this off till the following meeting. Item c, which is requesting comments preparation of a proposed cultural resources assessment for the replacement of the Ulupalakua Water System. Does anybody have any problems with that? Putting it off, deferring till next time? I don't think

there's a problem. Wayne, we don't need to make a motion or anything do we? Okay, so that -- we'll take of that item in the December meeting. Thanks, Simone. Okay, let's see, Demolition Permits, Item 3, let's see, what do we have here.

### 3. DEMOLITION PERMITS

- a. **MS. P. HOLLY MCELLOWNEY, Acting Administrator of the STATE HISTORIC PRESERVATION DIVISION, DEPARTMENT OF LAND AND NATURAL RESOURCES requesting comments on the demolition permit request by MR. DEREK HEAFEY for A&B, INC. to demolish the abandoned Puunene Smokestack No. 1 (aka the Southwest Smokestack) built in 1903 at the Puunene Sugar Mill, Puunene Avenue & Mokulele Highway, TMK: 3-8-006:001, Puunene, Island of Maui. (B T03/2030) (R. Loudermilk)**

Mr. Yoshida: Good morning, Mr. Chairman and members of the Cultural Resources Commission. We circulated a September 23rd letter from the State Historic Preservation Division, Ms. McEldowney. Basically, the applicant had filed for a demolition permit for the demolishing of Smokestack No. 1 at the Puunene Mill, and these are photos, black and white photos which the applicant had provided. Because the structure is more than 50 years old, the demolition permit request was sent to the State Historic Preservation Division and in the comments from Ms. McEldowney they had some, under architectural concerns, they believe that the proposed project would affect a significant historic property, therefore, they wanted to request comments from this body, the Maui Cultural Resources Commission, before making a determination regarding architectural concerns of the proposed project and that's why this matter is before you today. The applicant did provide a preservation program history for the Puunene building that was circulated to the CRC, and I guess we're here today again because of the September 23rd letter from SHPD requesting comments from the Cultural Resources Commission before they could make a determination regarding architectural concerns. With that, I can turn it over the representative for A&B if you have any further comments.

Mr. Fredericksen: Just before the representative from A&B starts, I just, very briefly for the Commission's benefit, like to note that, you know, any time we get into sugar stacks and whatnot, there's not too many of those left. There's a Pioneer Mill stack, which we've heard a little bit about, possibly wanting to be taken down. There aren't a lot of these left. They have all mostly been demolished and it's, you know, there are a lot of issues but I just want everybody to understand that, you know, something like this does have -- is significant under multiple significance criteria and, you know, let's listen to what the presenter has to say and then we'll talk about it. Anyways, good afternoon.

Mr. Derek Heafy: Hello. My name is Derek Heafy representing HC&S. I've got a couple more photos here; you can see a little more detail in these. We want to demolish this structure, basically, because it's unsafe. It's been there -- they built this thing 1900 and 1901. It was operated up until the early '70's when it was replaced by other stacks. Our concern, as I say, is the safety issue. It's in an area where we have ongoing operation; the purchasing department is right below it. The structure's 174 feet high, brick construction with a metal jacket over the top of it. It is kind of unique. It is riveted plate steel over fire brick but, in spots, the plate steel has been corroded through, you can see the bricks sticking out. When the Kona winds come in, you've got two feet of sway at the top of the structure. It is a safety issue. There are a lot of workers in that general area. I don't know what else to tell you.

Mr. Fredericksen: Let's see, you indicated there's what? Two feet of sway at the top?

Mr. Heafy: Right.

Mr. Fredericksen: You said it's metal, it's jacketed, it's not iron, it's steel jacketed? Or is it iron?

Mr. Heafy: I believe it's iron, riveted.

Mr. Fredericksen: Riveted? Yeah, okay.

Mr. Heafy: And there's some pictures there of the base, it's a concrete --

Mr. Fredericksen: Yeah, what is the base in this photo? Is that brick? Is it brick?

Mr. Heafy: Underneath the bottom of the metal it's a brick overlaying with concrete or plaster; that's about, that base area is about 24 feet high, 21 feet on the side. There's a couple of shots.

Mr. Fredericksen: Oh I see this other one, okay.

Mr. Heafy: This structure, there's extensive records, lots of photographs over in the A&B Sugar Museum, they've got quite a bit of information. This was actually one of two that were built at that time when they opened up the mill. One was demolished back in 1982 to make room for a new generator building, so that is the sole remaining one. There are a total of five stacks there but there's two red-and-white that were constructed in the '60's.

Mr. Fredericksen: But this is the oldest?

Mr. Heafy: This is the oldest.

Mr. Fredericksen: Oldest standing one. And you said it was built 1901, 1900-1901, somewhere in that --

Mr. Heafy: Right. The foundation was laid in July of 1900.

Mr. Fredericksen: Okay.

Mr. Heafy: It began operation in 1902, February I believe.

Mr. Fredericksen: Now what if you folks -- have you folks determined that this is not holding up like you'd want it to hold up?

Mr. Heafy: Like I say, there's extensive corrosion on the iron plates, you can tell from above that the foundation is not in the greatest shape, you can tell from those photos. Like I say, it is a pretty obvious hazard if you're up there looking at it.

Mr. Fredericksen: Yeah I, you know, this is one of those situations where it's -- cause there's, I mean there's, basically, there's Pioneer Mill left or the stack, and this stack, and that's it on Maui, and probably, well, I think there's still a couple of them left, actually, A&B, what's the status with the McBride stack over there? Did that come down or is that still up on Kauai?

Mr. Heafy: I'm not familiar -- I don't know.

Mr. Fredericksen: Oh, okay. Do you have a question, Lon, or comment?

Mr. Whelchel: Yes, was the foundation violated or was it -- did it just fall apart due to lack of maintenance?

Mr. Heafy: I believe it was partially demolished, the entranceway there, years and years ago.

Mr. Whelchel: It was used as a cell phone antennae. Is there any other use for it?

Mr. Heafy: I believe it was a radio antennae for a while, and a microwave receiver.

Mr. Whelchel: Just because it's tall?

Mr. Heafy: Right. It has the, you know, aircraft warning lights on there. We have since moved those to a more stable smokestack as well as the cell phone antennae, we've moved those as well. The top of the thing is pretty well corroded. They used to have a structure around the top, I believe they called it, I can't remember what that -- a tulip or

something like that, it was kind of a cornice, the original structure had that, it has since fallen off. There's a lot of corrosion in the metal at the top as well.

Mr. Fredericksen: Does anyone else on the Commission have any questions?

Ms. Haina: Could the stack be rehabilitated?

Mr. Heafy: Anything can be rehabilitated with money I guess. It is in pretty -- I mean you'd have to replat the entire structure and I don't think they make that kind of steel anymore.

Ms. Haina: I'm not one for tearing things down ...(inaudible)...

Mr. Fredericksen: I don't know if your stuff's on still.

Ms. Haina: You know we had a plantation in Hana. There is nothing left of that plantation except for the mill, something about the mill, there's a stack there, but that's the only thing that's left and I was a little girl, I think this plantation was in the '40's, and when I was about I think 8 or 9 years old I got to meet the man that ran the plantation but by then, it was gone, the stacks were there, but I'm 61 now, there's nothing and the way I look at the picture, it looks good and if it could be rehabilitated, you know, save it if you can, if you don't have money, I'll give it to you, you know, no, but you know, things like this, I feel, should be saved and because the money is involved, I'm sorry about that, but once it's destroyed, it's gone, there's nothing, but this is my feeling.

Mr. Fredericksen: I think one of the interesting things about this stack too is that it was, let's see, it was one of two identical units constructed in 1900, and in 1902, the smokestack operated as part of the larger sugar mill in the world, that was at the time, you know, June 15, 1901, and in terms of the history of the islands, you know, regarding sugarcane era, you know, this certainly would be, you know, that would make it a, you know, significant site in that respect, so it's, okay, and then it says it was used until after World War II, so it had a fairly long life, if you will, use in the sugar industry and I, you know, I hear what's being said in terms of cost and everything else, but still though it's one of these situations where it's, you know, if that goes, then there's nothing left. I think the records are relatively good on it, I would assume they are because the Sugar Museum is there but I don't know that as fact, but I would assume there is some documentation on it. I don't know if -- Lon asked me a question if this would qualify for register and I'm sure it'll qualify as State Register, I don't know if it would qualify for the National, I just don't know; it possibly could, but I don't know. Have you folks even thought of anything like that? Cause there are some tax advantages, not a lot, but there are some.

Mr. Heafy: We really haven't considered that. Our concern is the safety hazard. As far as rehabilitating, we'd have to replace those iron plates and where would we ever find something like that or even -- I don't think they can even rivet them like that anymore.

Mr. Kaopuiki: May I ask, the company feels that this -- is that hindering the raising of cane? Does this have any use for you people?

Mr. Heafy: No, and it really doesn't interfere with anything, it's not in the way really, but like I say, our concern is the safety only. We're afraid that it's going to fall on one of the other buildings.

Mr. Kaopuiki: The reason why I ask is normally when you don't -- you set something aside and you find that nobody looks at any maintenance of it and then the stuff starts to fall, what happened was somebody starts parking -- I know of an area I thought I saw in the newspaper where somewhere in Germany that they set aside just like a museum but what happened is people started to work in the administration building there and the thing collapsed so the cars that were parked there all got smashed or the company ended up paying for all of that, so I don't know maybe it's a good thing maybe you should -- to take a good look or I don't know how you ...(inaudible)...

Mr. Heafy: ...(inaudible)... as a way from the rest of the facility, we would have no problem with leaving it there but, like I say, it's right in the middle of the complex.

Mr. Fredericksen: Any other comments or discussion on this?

Mr. Whelchel: Couldn't you repair that with some of the materials just laying around your -- onsite, you know, put the masonry underneath it? Looks like that's your weakness.

Mr. Heafy: Actually the weakness is in the steel high up on the stack.

Mr. Whelchel: The corrosion?

Mr. Heafy: Yeah, it's quite bad and most of it is a hundred feet plus in the air and you can actually see, you know, the plate is rusted away altogether, you can see the brick work inside, and as far as the iron work, I don't think we have anything like that around, I mean these were all custom made pieces, in fact, I've got the original blueprints, you know, dated 1899 and they were all custom made and, actually, kinda interesting.

Mr. Whelchel: I'm not in favor of the demolition. I'd like to see you try to get it on the register and use grant money that's available and restore it.

Mr. Fredericksen: Yeah, or -- I mean, certainly, I think that avenue and if it's something where it ends not being possible, then the issue could be revisited and see what happens at that point. I'm glad to hear that the design of it is intact, that should be over at the museum right now cause I'm assuming that Gaylord's got the -- some sort of, you know, storage facility that he can place documents in that, you know, keep them around, I mean it's obviously been around a while cause it's a hundred and whatever, four years old at this point. You know I do understand what you're talking about, the safety issue, it's just that also it's one of these -- it's too bad it's right in the middle of everything but, also, there's not, I mean this really is, because it was, you know, the world's largest sugar mill and everything for, you know, at one point, it really does make it a, I mean not only just significant in terms of, say, sugar industry on Maui, but wider. The safety issue, again, I do hear that. I think --

Mr. Heafy: What happens if in, I'm sorry to interrupt you, what happens if in the interim the thing falls and kills somebody?

Mr. Fredericksen: Well what happens if it falls right now, I mean that's -- there's nothing we can do about that. And this is, you know, it's obviously been something that's been coming on for a long time and, you know, it's unfortunate that it's, you know, what's that term? Demolition by neglect, but that's the case, but I think in this instance, and it's just my own feeling, but in this instance it seems like there should be, I think, some options explored.

Mr. Kapu: I got a question. Was there any community input on this?

Mr. Heafy: How do you mean?

Mr. Kapu: Well, let me give you an example. Pioneer Mill, Lahaina, when they closed down there was a great community concern pertaining to the smokestack so they had ongoing meetings and I think they're still having some discussions about it based on, not just the history of the smokestack, but a lot of fishermen used that smokestack, yeah, when they stay outside fishing, that's their spotting grounds, so those kind of things, so when you look at that in retrospective about history, you have to also try to gain some kind of consensus from the community as pertaining to how they feel about it because it's sort of provided a venue as part of their life. Looking at this smokestack, it's right in the middle of Maui, yeah, so I don't know what kind of advantages that our Hawaiian people actually use it for but I'm just using Lahaina's smokestack as an idea as to why those people are very into protecting that smokestack in specific ways, in certain ways, so community input is another venue or another importance as trying to gain some kind of clarity as pertaining to how everybody else feels about it because Cultural Resources Commission, we try to protect everything that is historical for that benefit.

Mr. Fredericksen: Any other comments? I mean I don't like having these sorts of things come before us because they're kind of, in some ways, depressing. What, specifically, is our role in this, Clayton?

Mr. Yoshida: Because it's not on any Register of Historic Places, basically, it's to comment, to provide your comments to the State Historic Preservation Division because they have requested your comments before they make their determination regarding architectural concerns.

Mr. Fredericksen: Well, I think our role, as a Commission, is we're putting forward our recommendations, suggestions, concerns, however you want to determine, so why don't we, oh, I guess first we should see -- we need to see if there's any public testimony. I don't see anyone here so I'm assuming no one from the public is testifying about this at the moment, it could be because they aren't aware of it. So for us, as a Commission, we need to put together some concerns or comments that we have about this, and I think Ke`eaumoku brought up something about the public, you know, the concern would be maybe what? You know has there been an effort to get public input on this? Is that fair?

Mr. Kapu: Yeah.

Mr. Kaopuiki: Mr. Chair?

Mr. Fredericksen: Gotta talk in the microphone, Sol.

Mr. Kaopuiki: Recently, I looked in the *Maui News* and I see where a lot of the cane fields are going to be used for some kind of a buildings in a way of, I suppose, they'll be building homes so if that smokestack is going to stay up there, it's going to be a problem, so maybe we're getting -- maybe -- I don't know maybe HC&S is looking down the road too. If you start building homes around the place and when you start tearing that down, somebody's going to scream. They're probably thinking do it now until, you know, before everything start building up around the area. I don't know, but I think maybe that's what it comes to, but, like you said, I do believe that some of this, the old stuff, has value, however, it seems like nobody's going to ask later on, oh, whatever happened to the smokestack in Lahaina and the one here? So the advance technology of putting things up, it's probably no big thing, you know, so I don't know but, personally, I think maybe HC&S is looking more toward not to be involved with, if any, some kind of subdivision is built there and then they got stuck.

Mr. Kapu: Question. Is there any future plans for the mill site?

Mr. Heafy: Well there'll be more development, I expect, commercial development by Wal-Mart, in that area, I know that's in the works down the road a ways, but nothing real close by that I'm aware of.

Mr. Kapu: Community. It'd be really good to get community input.

Mr. Fredericksen: Any other comments? Kuulei, nothing? You must have something, no?

Ms. Haina: I just don't want to see the mill go down, the other smokestack, because, you know, it's history, to me, it's history and that's what I cannot see being destroyed. There's a lot in old things and it's hard.

Mr. Whelchel: Commissioner Sol was right, if it comes down, it should come down now before it gets on the register, but I'm still against it. That stack is a beacon for, probably, I don't know, guessing 300 pilots a day in conjunction with the Lahaina tower, that's a marker, they gotta be at 800 feet, descending 500 feet per minute for Runway 2, and if you take that tower, are they going to miss the airport? They'd have to find another beacon, but it does act as a beacon. It's something that many people look at everyday as a landmark.

Mr. Heafy: Can I comment on that?

Mr. Fredericksen: Go ahead.

Mr. Heafy: We have four more for them to look at.

Mr. Fredericksen: Any other comments from the Commission? Okay, I'll add one. No matter what, the plans for the smokestack, I recommend that those go to the Sugar Museum just so they're in a repository that's -- that's just where they are, it's a neat resource no matter what happens, whether it's preserved or not preserved, the engineering plans should go there. Any other comments? Okay, what do we got down on paper, Clayton, for concerns? Approximately anyway?

Mr. Yoshida: I have that the applicant should make efforts to get -- obtain public input regarding the demolition.

Mr. Fredericksen: Yeah, on the action prior to it.

Mr. Yoshida: That plans go to the Sugar Museum.

Mr. Fredericksen: Yeah, the plans that indicate, you know, the construction, etcetera, style of the stack. Like I said before, this stack would be or is significant under multiple State

and Federal significance criteria. Also, just like I said and mentioned earlier too, the fact that, you know, it was you know noted as the world's largest, being part of the world's largest sugar mill in the early 19, early, you know, turn of the century, turn of the 20th Century, that's something else. Yeah, so we've got -- there needs to be, there should be some public input and, possibly also, what do you folks feel about an exploration in anyway of just to see if it is possible if, you know, to have some funding to try to rehabilitate it? And that just might be pie in the sky but I think an effort, at least, should be made before just saying, "Okay, you know, take it down." I mean it just is -- it's the fact that it's, you know, it was once, at one time, the biggest sugar mill in the world and I'm not a real, you know, sugar cane era whatever, bob for support or anything, but still it was, you know, the sugar industry, like it or not, did and still does, to some extent, play a large role in the history of the Hawaiian Islands so I think there should be some efforts made and then just see what happens and if it cannot, it cannot; if it can, great. Any other comments from the Commission members about it? So I'm assuming we don't need to vote on anything about this, this is just recommendations, or do we need to --

Mr. Yoshida: Well I guess if everybody agrees that these are the comments from the Maui Cultural Resources Commission, I mean I think if you take a vote, it'll probably be clearer for the record.

Mr. Fredericksen: Okay, let's go ahead and -- does anybody want to put forward a motion on what we -- what was discussed?

Mr. Whelchel: I move that the request for demolition be denied.

Mr. Kaopuiki: Second.

Mr. Fredericksen: We need to have something attached to that regarding the comments that we've -- the public review and the other comments that were made. Clayton, could you please read the comments or the requests we were going to have?

Mr. Yoshida: I guess we have three comments, I have three comments from the Commission. One is that the applicant make efforts to get public input regarding the demolition; two, that the applicant transmit plans to the A&B Sugar Museum, and, three, that efforts should be made -- if they can make efforts to get monies to restore the stack.

Mr. Fredericksen: Or at least explore the possibility, it may not be possible, I don't know.

Mr. Whelchel: Revise the motion to include the attachments that were read off.

Mr. Fredericksen: Okay, a motion has been made. Is there a second? No, he modified, Lon modified his motion to include the recommendations that we discussed, those three.

Mr. Kaopuiki: I'll second the motion with the modifications stated by Lon.

Mr. Boteilho: Mr. Chair?

Mr. Fredericksen: Yes?

Mr. Boteilho: You know there seems to be a contradiction between the main motion and the amendment to the main motion. The main motion was denial, recommend that it not be demolished, and in the amendment there is one clause that says, "make some effort to preserve rather than demolish." Maybe that wording could be changed.

Mr. Whelchel: ...(inaudible)... for preservation.

Mr. Boteilho: Well, yeah, the change we could say that, yeah, recommend that it not be demolished but if it is demolished, if it to be demolished, try to make some effort in the interim to preserve, something of that nature. The reason I bring it up because the amendment cannot be contradictory to the main motion.

Mr. Fredericksen: Okay, I'm kind of drawing a blank. Do you want to -- let's see, do we need to withdraw this motion, Brian? What do we need to do?

Mr. Moto: Mr. Chairman, I'm sorry, I'm not sure I quite follow Lon's statement right there but, well, you could do a number of things; you could start all over in terms of phrasing your motion, or you could -- basically, what I'm getting, Wayne, is that it appears a significant number or perhaps all of the Commissioners present want to put forward the basic notion that they prefer that the smokestack be preserved, the Chair adds, if possible, and they would like, basically, HC&S to pursue public testimony and input on this matter; they would like the company, basically, to investigate means by which smokestack can be preserved, which by the way, of course, there's no information here today about any attempt at preservation or the like. I think that, as I understood the motion as made and seconded, I think that was, basically, the main points made.

Mr. Boteilho: Mr. Chair, yeah, I guess you know it might be better to withdraw the motion and start over because, maybe I'm being a stickler, but the words, yeah, the words of the main motion was I move that the demolition of the tower be denied, so that word "denied" concerns me.

Mr. Fredericksen: Is this, Wayne, even a -- so this is a pending demolition permit but it's not an action, really, because we're advisory?

Mr. Boteilho: Yeah but, to me, the recommendation would be, oh, we recommend that the demolition be denied and, yeah, but then you have another clause that says, well, what if

it's torn down, then -- no, okay, well it's like, one, is strong saying it should be denied, and the other one it kind of says, well, I guess you can demolish it, you know, but some effort should be made.

Mr. Fredericksen: Okay this is what we, as a Commission, need to kind of put a little bit of thought into now. There are two options. One is to just say, okay, well, whatever -- demolition but take some photographs, okay, that's one option. The other option is to, I think this is what we've been talking about, is to you know, I, for one, would like to see that there's been some effort done because this is a significant historic resource, to see if it is possible to preserve it and that was where the, you know, the request regarding chasing down to see if there are funds available because it is a significant site, period, under multiple criteria but, ultimately, I think at this point, I'm certainly not in favor of saying, "yeah, demolish it," I'm not, just as a Commission member, I'm not. So you want to withdraw your motion, Lon, and then just make another motion?

Mr. Whelchel: ...(inaudible)... I withdraw my motion.

Mr. Kapu: Question. Basically, all we're here for is the Historic Preservation Division, Department of Land and Natural Resources is requesting comments on the demolition permit request by A&B, so if they're just requesting comments from the Cultural Resources Commission, I think we should just provide the comments that we made as pertaining to getting public input, one --

Mr. Fredericksen: Those three. And we could also indicate that we are not in favor of demolition. How do you folks feel about that? Anybody wants to --

Mr. Kapu: I'll make the motion.

Mr. Fredericksen: Okay.

Mr. Kapu: I'd like to make a motion to forward the comments to the Historic Preservation Division as requested from the Cultural Resources Commission pertaining to the demolition permit and request that the items that have been suggested from the Cultural Resources Commission be looked upon by A&B --

Mr. Fredericksen: The applicant.

Mr. Kapu: The applicant.

Mr. Fredericksen: Now does the Commission, before this close, want to have anything in there indicating our -- what we feel about the actual demolition itself, the demolition permit? I know everybody's getting a low blood sugar but let's push through.

Mr. Whelchel: That wasn't addressed?

Mr. Fredericksen: No, it wasn't. But does the Commission want to have something in there about what we feel about it being demolished or not?

Mr. Kapu: And by any means try not to have it be demolished. This is one of those kind of hard little topics when we don't have any type of discussion out there to help us out. I think the Cultural Resources Commission has the hardest time to make decisions. Every time we have a demolition permit come in front of us that Historic Preservation Division, Department of Land and Natural Resources, the governing body tries to find out some kind of consensus from the Cultural Resources Commission pertaining to these types of matters and we, basically, look upon ourselves as a voluntary group to try to provide whatever is best. The cautions of what we encumber upon sometimes as pertaining to now if we vote in favor or if we don't vote in favor then there's people out there, basically, would be rejected, so we sort of find ourselves a lot of time in these kinds of messes trying to provide whatever is best for our future generations is the main thing so --

Mr. Fredericksen: Okay, well, let's try see if we can push on. We got a motion on the table. Is there a second to it? Before we do the second, is the motion that was put forward understandable cause I know we've been hashing this out?

Mr. Boteilho: Yeah, I would -- yeah, that is understandable and proper and I would say, from a staff level, we could put in -- we could indicate your preference that the structure not be demolished.

Mr. Fredericksen: Okay, thanks Wayne. Okay, it's just, you know like Keeaumoku said, these things are frustrating also difficult and, in this instance, you know it is something that's really, you know, it is a significant site. Is there a second?

Mr. Kaopuiki: Second.

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

**It has been moved by Mr. Ke`eaumoku Kapu, seconded by Mr. Sol Kaopuiki, then unanimously**

**VOTED: to forward the comments to the Historic Preservation Division as requested from the Cultural Resources Commission pertaining to the demolition permit and request that the smokestack not be demolished, if possible, and that the items that have been**

**suggested from the Cultural Resources Commission be looked upon by the applicant.**

Mr. Fredericksen: Okay, motion carries. Okay, thanks. Okay, let's see, so we finished that, let's see, Item E, Unfinished Business, Item F -- speaking of Unfinished Business, somebody said there was lunch are we --

Mr. Boteilho: Yeah, we can pass out lunch now or we could just -- now?

Mr. Fredericksen: Well, what do you folks want to do?

Mr. Boteilho: Well, maybe we could just wrap up and then eat after.

**E. UNFINISHED BUSINESS - None**

**F. DISCUSSION ON PRESERVATION PLANNING**

**G. NEW BUSINESS - None**

**H. HANA BELT ROAD**

**I. SIGN ENFORCEMENT PROGRAM IN THE LAHAINA HISTORIC DISTRICT**

Mr. Fredericksen: Okay, let's go. Okay, so Item E, Unfinished Business, there's none. Discussion on Preservation Planning, I don't know if we have anything, Wayne?

Mr. Boteilho: No.

Mr. Fredericksen: Nothing. New Business, Item G, none. Item H, Hana Belt Road, I don't know of anything at the moment; there's always something that's ongoing. Let's see, I did see something -- wasn't there something in our packet from the State about the road?

Mr. Boteilho: Well that was the response that we sent to the State.

Mr. Fredericksen: Okay, okay. Sign Enforcement Program in the Lahaina Historic Districts, any update on that? Where we are in the process?

Mr. Boteilho: The first phase has been completed by Winter and Company and the second phase will start after the new cultural planner comes on.

Mr. Fredericksen: Okay, yes, all of us on the Commission are very interested in the sign enforcement program. Wayne, I've got a question for you. How many of the stickers or whatever, where are we on that in terms of that process for the, you know, the signs, they have to have the approval stickers and everything, where is all of that in terms of like qualitative, like is it 20 percent, 50 percent, 70 percent pau?

Mr. Boteilho: I have to yield to Mr. Yoshida because I'm not privy to ...(inaudible)...

Mr. Yoshida: Thank you, Mr. Chairman and members of the Commission. We have been working with the Lahaina Town Action Committee and the Lahaina Restoration Foundation in terms of doing a systematic taking of photos and doing approvals starting from the Lahaina Center side moving toward the Olowalu direction. I believe we probably issued maybe more than 40 of these decals.

Mr. Fredericksen: What's that, Clayton, in terms of, like I said qualitatively of the whole number of ones that are out there? Is that like 20 percent, 40 percent pau, what?

Mr. Yoshida: Well probably the first two blocks.

Mr. Fredericksen: But in terms of overall numbers of what we're looking at? Are we looking at like 500 signs gotta get approved or, I mean, I'm just looking for qualitative percentage? Is it 10 percent, 20 percent been done? Thirty? I just would like to know. I think other Commission members would be interested too.

Mr. Yoshida: I would say probably more than 25 percent because it's not only the systematic approvals but those new businesses had come in for signs, like the Peter Lik Gallery and, you know, I guess it's as we're able to work with the town action committee and the restoration foundation in terms of doing the photos.

Mr. Fredericksen: Has the photographic process, is that getting pretty close to getting done or is that like here's another qualitative instance is it like half done? Three-quarters done? Cause they're photographing each sign, right, and then you folks are reviewing them?

Mr. Yoshida: Yeah, that was the plan initially, but I guess we've sort of reached sort of a standstill with the town action committee in terms of doing the photos.

Mr. Fredericksen: Well, we are volunteers in this and it gets difficult after a point.

Mr. Boteilho: Well, yeah, so what the department is looking at doing now is, one, waiting for the cultural planner to come on and handle this matter, one, and then, two, we are recruiting zoning inspectors so after those zoning inspectors come on and then we can see what we can do on this program.

Mr. Fredericksen: Thanks, Wayne. Okay so things are moving along, not quite as quickly as everybody would like, but it's the reality of the situation and that's how it goes. Oh, I have one more question. Have people been cooperative when it's been pointed out to them that they're not in compliance?

Mr. Yoshida: Generally, yeah, I guess we give them a copy of the Historic Sign Design Guidelines that were revised by the Commission and, you know, what are the parameters and so forth and, generally, in most cases we've gotten a majority cooperation.

Mr. Fredericksen: Okay, thanks. Any questions regarding the enforcement from anybody from the Commission. Okay, let's go to the Director's Report, please.

#### **J. DIRECTOR'S REPORT**

- 1. 2004 Meeting Schedule**
- 2. 2003 National Trust for Historic Preservation Conference**
- 3. 2003 Hawaii Congress of Planning Officials Conference**
- 4. Cultural Resources Commission Meetings in other locations - Lahaina, Moloka`i, Hana, etc.**
- 5. Cultural Resources Commission Correspondence**
- 6. Correspondence received from the State Historic Preservation Division**
- 7. Administrative Permit Reports**
  - a. Demolition Permits - None**
  - b. Historic District Approvals Report**

Mr. Boteilho: Okay, thank you, Mr. Chair. First up on Director's Report is the 2004 Meeting Schedule, it's being passed out for your information so you can plan ahead. I notice that you do meet on April Fool's Day. No. 2, the 2003 National Trust for Historic Preservation Conference, Lon, you know, how was the conference?

Mr. Welchel: Yeah, you're talking about the one -- I went to two different conferences. One is Denver. Is that the one you're talking about?

Mr. Boteilho: Yes. Well, yeah, if you could provide a short overview of what happened.

Mr. Welchel: Went to Denver. They had 16th Street all laid out like a textbook; it was storybook fashion. They had taken a normal street, it was wide, and they eliminated all traffic and made bus going one way on one side, coming back on the other; free bus; you just jump on and jump off, and the only traffic that you see are 90 degree and they're going one way on every other street, perpendicular, and it really worked out nice. It was like a storybook, like they taught us in college how streets are supposed to be, and I think that

we can't do it here in Kahului nor Kihei, but we can use parts of it like the one-way bus. I can see it in the future. It's going to take a long time. People say, "Well, it can't be done. It's too late." That's what they said 20 years ago when they started it and now it works so we start now. Twenty years from now it'll be working. Went to Boulder City and they have limit of construction to the perimeter of their city, and you pass that it's all open space, the mountains and everything, and it was, again, another textbook thing. It's no place for an architect because there's no construction, it's all remodel, so I thought, well, I'm where I want to be here in Hawaii, but it was a -- really an experience and I look forward to going back and picking up more information later and I want to apply some of things that I've learned here on Hawaii.

Mr. Fredericksen: Did you, excuse me, Lon, did you say they've been, it's Denver is where you went, has been using that one-way, alternating one-way traffic system for 20 years?

Mr. Whelchel: No, that's when they started. I don't know how long it's been.

Mr. Fredericksen: Interesting. Okay.

Mr. Whelchel: You can't do it in Kihei because if you do, you end up in the big lake called the Pacific.

Mr. Boteilho: Okay, 2003 Hawaii Congress of Planning Officials Conference. It was a huge success and I, literally, had like 40 compliments, 40 to 50 comments about how great it was. Do any members want to comment on the conference?

Mr. Kapu: I was supposed to show up but I didn't. I had my hotel room ready for me but I didn't check in but I did a site visit that was part of the, what was that? Friday? There was a Friday site visit so I took a lot of the planning officials from all over to come up to Kaola Valley and did a site visit with them for about an hour and forty-five minutes and just basically shared the difference pertaining to diversified agriculture and, you know, different comparisons, especially in Lahaina how dry it is now, everybody's looking for solutions in those areas, so trying to be part of the Cultural Resources Commission and share a part of my life that was a confliction for me, so I took everybody, all the tourist around, that's about it.

Mr. Boteilho: And, in fact, I've had compliments on that field trip too. And for those of you who did not show up, some of the staff got lucky and we were able to use the rooms for staff. The final items, meetings in other locations, I'll leave that for cultural planner. The Cultural Resources Commission correspondence, correspondence received from State Historic Preservation Division, and administrative permit reports, those are for your information. If there's any questions on any particular item, we can address that at your next meeting. See no questions, that's all I have, Mr. Chair.

Mr. Fredericksen: Okay, thank you, Wayne. Let's see, well, it shows here our next meeting date's the 4th of December and that's fine, and let's see, going by parliamentary procedure, do we have to do a motion to adjourn?

Mr. Boteilho: Technically, no, you know. If you have consensus, then, no, you don't have to.

Mr. Fredericksen: I don't think anyone on the Commission would have an objection if we adjourn so let's go ahead and call it.

**K. NEXT MEETING DATE: December 4, 2003**

**L. ADJOURNMENT**

There being no further business brought before the Commission, the meeting was adjourned at 1:00 p.m.

Respectfully submitted by,

SUZETTE L. ESMERALDA  
Commission Support Clerk

**RECORD OF ATTENDANCE**

**Present**

Erik Fredericksen, Vice-Chairperson  
Lon Whelchel  
Ku`ulei Haina  
Solomon Kaopuiki  
Ke`eaumoku Kapu

**Excused**

Dawn Duensing, Chairperson  
Milton Pa  
Lisa Rotunno-Hazuka  
Lori Sablas

**Others**

Wayne Boteilho, Deputy Planning Director  
Brian Moto, Deputy Corporation Counsel  
Clayton Yoshida, Planning Staff  
Simone Bosco, Planning Staff  
Julie Higa, Planning Staff