

MAUI COUNTY CULTURAL RESOURCES COMMISSION
REGULAR MINUTES
APRIL 5, 2018

A. CALL TO ORDER

The regular meeting of the Cultural Resources Commission was called to order by Chairperson Lori Sablas at approximately 11:00 a.m., Thursday, April 5, 2018, Planning Conference Room, 250 S. High Street, Wailuku, Island of Maui 96793.

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

Chair Sablas: Aloha kakahiaka. Good morning one and all. Welcome to the Maui County Cultural Resources Commission meeting of April 5, 2018. Mahalo all for being here. Mahalo staff for preparing. So, I'd like to call the meeting to order.

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

Chair Sablas: Okay, let's go to item B, Public Testimony. At this time, I would like to welcome anyone from the public to testify on any of the items on the agenda today. Seeing none, I'd like to close the public testimony with no objections. So, I'd like to go item C, introduction of our brand new members, Yvette Celiz and Ian Bassford. Welcome. Welcome very much. So, if you'd like to take a minute to tell us about yourself.

C. INTRODUCTION OF NEW MEMBERS - YVETTE CELIZ AND IAN BASSFORD

Ms. Celiz: Aloha kakou. I'm happy to be here.

Chair Sablas: Speak -- speak into the mike.

Ms. Celiz: Aloha. Can you all hear me? I'm happy to be here. I'm originally from Lahaina. I was living on Oahu for the past five years or so, so now that I've moved back to Lahaina, I kinda wanna contribute back to my community and find ways to get involved so I'm excited to be here. Thank you.

Chair Sablas: Could you give us a little bit about your background?

Ms. Celiz: Sure. So, I -- my background is mainly in human resources, payroll and accounting, but on my spare time I also volunteer in different conservation -- conservation groups and also with youth empowerment and planning, most recently, planning the

World Youth Congress last year that coincided with the Hokule`a homecoming, and so we just invited your delegates from around the world to talk about sustainability.

Chair Sablas: Thank you.

Ms. Celiz: Thank you.

Chair Sablas: Nice to see new young faces aboard. Thank you.

Mr. Bassford: Aloha. My name is Ian Bassford. I'm originally from Kula. I live in Makawao now. I'm an archaeologist. I've been an archaeologist for about 18 years. Originally, I was in 745 Carpenters Union, went to college, and fell into the job that I'm in now, very happy to be in it. Interesting job. I look forward to contributing to the Commission, it's a great honor, and I hope that I can uphold the duties that are expected of me, and I'm very nervous right now, so I apologize.

Chair Sablas: Thank you, Ian. Nice to have you onboard. Okay, next item. No need be nervous. We all just regular guys.

Mr. Bassford: Yeah, I know, I know.

Chair Sablas: Yeah. Next item on the agenda is the election of the chairperson and vice-chairperson for 2017-2018 board year, and I would like to turn this part of the meeting over to Jen.

D. ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON FOR THE 2017-2018 BOARD YEAR

Ms. Maydan: Mahalo, Chair, and aloha, Members. My name is Jen Maydan. I'm in the Planning Department's Long-Range Planning Division, and I'm Annalise's supervisor and so I will be sitting with you folks for these Commission meetings here on out. So, yeah, item D, Election of Chairperson and Vice-Chairperson for the -- is this a typo, 2018-2019 board year?

Ms. Kehler: Chair, yeah. I just want to clarify that there is an error on the --

Chair Sablas: She sharp ...(inaudible)...

Ms. Kehler: On the agenda, it should be the 2018-2019 year.

Ms. Maydan: Okay, so we will do nominations for chair first. Can I call for any nominations?

Ms. Kajiwar-Gusman: I nominate Ivan Lay.

Ms. Maydan: Any second?

Mr. Ropa: Second.

Ms. Maydan: Discussion?

Ms. McLean: Sell yourself ...(inaudible)...

Mr. Lay: Thank you for nominating me and I hope that I can fulfill your needs and help you out as our -- as we have our meetings and feel free to contact me anytime, and I appreciate this and I'm sure I can bring what I've learned in the past working on the Planning Commission as the chair to help facilitate the meetings.

Ms. Maydan: Okay.

Ms. McLean: If I could. The floor can still be open for other nominations, so if there are any other nominations, they can be offered.

Ms. Maydan: And seeing no other nominations, can I call for the vote? Those in favor of Ivan Lay for chair, aye, raise you hand.

Ms. Sablas: Aye.

Mr. Ropa: Aye.

Ms. Maydan: Okay, vote looks unanimous.

It was nominated by Commissioner Christy Kajiwar-Gusman, seconded by Commissioner Kaleo Ropa, then

VOTED: that Commissioner Ivan Lay serve as Chairperson for the 2018-2019 Board Year.

(Assenting - I. Bassford, Y. Celiz, C. Kajiwar-Gusman, K. Ropa, L. Sablas, F. Skowronski)

(Absent(A)/Excused(E) - T. Bailey(E), C. Lima(A))

Ms. Maydan: Okay, next, nominations for vice-chair.

Ms. Sablas: I nominate Kristy.

Ms. Kajiwar-Gusman: I was going nominate you.

Ms. Maydan: Second?

Mr. Skowronski: Second.

Ms. Maydan: Any discussion? Any other nominations? Okay, seeing none, the vote for vice-chair for Christy? Alright, again, unanimous.

Ms. Kajiwar-Gusman: Thank you.

It was nominated by Commissioner Lori Sablas, seconded by Commissioner Frank Skowronski, then

VOTED: that Commissioner Christy Kajiwar-Gusman serve as Vice-Chairperson for the 2018-2019 Board Year.

**(Assenting - I. Bassford, Y. Celiz, I. Lay, K. Ropa, L. Sablas, F. Skowronski)
(Absent(A)/Excused(E) - T. Bailey(E), C. Lima(A))**

Chair Lay: Again, thank you again everyone. It's a privilege and honor to be the Chair for this Commission and I'm glad to have such expertise on our -- on our Commission. Thank you so much. Moving on, New Business:

Chair Lay read the following agenda item description into the record:

E. NEW BUSINESS

Wayne Pak, on behalf of Luan Nguyen, requesting review of plans to demolish a carport located at 208 Lahainaluna Road, National Historic Landmark District, TMK (2) 4-6-010:006, HDA 2017/0005

The Commission may provide design review for projects affecting any building, structure, site, or district eligible for the National Register of Historic Places, pursuant to Subsection 2.88.060.F, Maui County Code

Chair Lay: Let's see, do we have anybody on the --

Ms. Kehler: Chair?

Chair Lay: Yeah.

Ms. Kehler: So, I'm going to -- I'll handle -- I'll present this item to you. Basically, I -- the applicant and the consultant didn't really need to be here today; this is kind of like a housekeeping item. It's we're -- we're requesting your comments on the plans to demolish this carport and the reason why this proposal is before you today is the first one is that it's in the National Historic Landmark, and then the second reason is that the State Historic Preservation Division requested that you review this -- this permit, and I -- when I got the -- the letter back from the State Historic Preservation Division, I did a little bit of digging and I actually found that the subject carport is less than 50 years old, and what that means is, basically, it can't qualify as a property of significance and it doesn't have any ability to contribute to the larger district, and how I figured that the property is less than 50 years old is I looked at Sandborn Maps, aerial photographs, and then I found a building permit from 1971 that showed that two carports were demolished to make way for a concrete driveway and -- and then rebuilt using the same materials, so, basically, it's a reconstruction and -- that was built in 1971. And so, because it falls out of the authority of the Commission to approve the plans, staff finds that the Planning Director should be the one to approve this application, and so, basically, I just need the Commission to agree with staff's recommendation that the application should be approved by the Planning Director so that we can close out this permit.

Chair Lay: Okay, at this time, we're going to public testimony. Does anybody have anything to testify on this agenda item? Seeing no one, we're going close public testimony. Commissioners, you have any questions or comments that you'd like to ask?

Mr. Ropa: So, all they wanna do is demolish the carport. They don't wanna build anything after that?

Ms. Kehler: That's a good question. There is a second portion of this permit, which will be coming before you at a subsequent meeting.

Chair Lay: The second portion is not a demolition again or is it on building?

Ms. Kehler: It's on building. It's an addition to the side of the home.

Chair Lay: Commissioner Frank.

Mr. Skowronski: So, the second portion is going to need a building permit?

Ms. Kehler: Correct.

Mr. Skowronski: And that building permit will or will not be tied in with the demo permit that we're approving today?

Ms. Kehler: They're two separate permits.

Mr. Skowronski: They won't be filed simultaneously? Is that -- is that the intention of the applicant?

Mr. Kehler: So, you will be reviewing the addition at a future meeting but, right now, we're -- we're limiting the scope of the conversation just to the demo of the carport.

Mr. Skowronski: Just from a practical standpoint, we approve the demolition of the carport, they come back in a second meeting to approve the addition of perhaps a garage or carport, and we deny it, can he use the demolition of the existing carport as leverage for us to approve the addition? I know it's an -- it's a what if, but under normal conditions, if you're going to build a structure to replace a demoed structure, you do the two together because one depends on the other. The idea that you would come in and get an approval for a demo and then come back in and apply for a building permit for its replacements ties those two entities together. Does it not?

Ms. McLean: That would be a question you could ask the applicant, and if the Commission doesn't feel obligated to approve the new construction because the Commission approved the demolition, then you don't have to approve the new construction if it doesn't meet your standards. It could be that what they present isn't acceptable to you but then they could revise and then come back with something that is acceptable.

Mr. Skowronski: The reason the applicant is not here today is because?

Ms. Kehler: Because this is a housekeeping item that the Commission doesn't really have any authority to approve. It's -- it's because the property isn't more than 50 years old. This is just following up on a letter that we received from the State Historic Preservation Division.

Chair Lay: Commissioners, anymore questions or comments? If not, moving on. Our next meeting date is May 3rd -- oh, excuse me.

Ms. Desjardins: Can I interject real quickly. So, I'm gathering though from the Planning Department is what they are asking you to do is to agree that the evidence appears that this is less than 50 years old and, therefore, the Commission doesn't really have the jurisdiction to approve the demolition or not.

Ms. Kajiwar-Gusman: Just comment on it. Yeah.

Chair Lay: Just comments, yeah

Ms. Desjardins: Right, so you're making comments but -- but they're asking for your agreement or a vote of a motion to agree that the evidence that's been presented is that this is not something that you would otherwise look at, it's only because SHPD wrote the letter and asked for your review. If that makes sense.

Chair Lay: So, at this point, we're looking for a motion of approval?

Ms. Desjardins: Motion of approval to allow the Planning Department to go ahead and handle this as its internal matter because of the age of the building based on Annalise's investigation.

Ms. Sablas: So moved.

Ms. Kajiwara-Gusman: Second.

Chair Lay: Moved and second. Any discussion the motion on the floor? Seeing none, let's call for the vote. All those in favor? Noted six ayes.

It was moved by Commissioner Lori Sablas, seconded by Commissioner Christy Kajiwara-Gusman, then

VOTED: to approve the Department of Planning to go ahead and handle this item as its own internal matter due to the age of the building based on Planning Staff's investigation.

(Assenting - I. Bassford, Y. Celiz, C. Kajiwara-Gusman, K. Ropa, L. Sablas, F. Skowronski)

(Absent(A)/Excused(E) - T. Bailey(E), C. Lima(A))

F. NEXT MEETING DATE: May 3, 2018

G. ADJOURNMENT

Chair Lay: Now moving on. Our next meeting date is May 3, 2018. Thank you everyone. Have a great month.

The meeting was adjourned at approximately 11:15 a.m.

Submitted by,

SUZETTE ESMERALDA
Secretary to Boards & Commission II

RECORD OF ATTENDANCE:

Present:

Ivan Lay, Chairperson
Christy Kajiwara-Gusman, Vice-Chairperson
Ian Bassford
Yvette Celiz
Michael "Kaleo" Ropa
Lori Sablas
Frank Skowronski

Absent(A)/Excused(E):

Timothy Bailey (E)
Cheney-Ann Lima (A)

Others:

Michele McLean, Deputy Planning Director
Jennifer Maydan, Planner VI, Long-Range Division
Annalise Kehler, Cultural Resources Planning, Long-Range Division
Mimi Desjardins, Deputy Corporation Counsel
Suzette Esmeralda, Secretary to Boards & Commissions II