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(APPROVED: 04/05/07)

CULTURAL RESOURCE COMMISSION
COUNTY OF MAUI
REGULAR MEETING

Held at Planning Department Conference Room, Kalana Pakui
Building, 250 South High Street, Wailuku, Maui, Hawaii,
commencing at 9:00 a.m. on February 1, 2007.

REPORTED BY: LYNANN NICELY, RPR/RMR/CSR #354

1 A T T E N D A N C E

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4 CHAIRPERSON: SAM KALALAU, III

5 VICE CHAIR: DOROTHY PYLE

6 COMMISSIONERS: J. KE'EAUMOKU KAPU

7 LON WHELCHER

8 PERRY ARTATES

9 NANI WATANABE

10 LEE KALEI MOIKEHA

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12 PLANNING DIRECTOR: JEFF HUNT

13 CORPORATION COUNSEL: JAMES GIROUX, ESQ.

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1 Pursuant to Rule 14 of the Rules Governing
2 Court Reporting in Hawaii, the Reporter's Disclosure
3 was made and is attached hereto.

4 CHAIRPERSON KALALAU: We would just like to
5 welcome everyone here to the February 1, 2007 Maui
6 County Cultural Resource Commission meeting. Good
7 morning, everybody, and welcome to this meeting.

8 First of all, we have some agenda business that
9 we would like to cover. First of all, our minutes.

10 But before I go on, I just want to go over some
11 house rules. For people that has a time problem in
12 staying for a specific agenda item, if you want to
13 testify before that agenda item comes up, you may do
14 so, but we'll let you do it right after we go over
15 the -- anyway, on our agenda we got agenda B and C
16 right now.

17 So commissioners, do we want to do C first and
18 B after? I see we have one person here. C is to
19 approve our minutes of the December 7th, and then as
20 you see, B, we have some introductions we need to do
21 today, too. But we have just one person here. So
22 I'm asking commissioners if you guys want to --

23 MEMBER PYLE: Let's do the minutes first, C
24 first.

25 CHAIRPERSON KALALAU: Do I have a motion on the

1 minutes? Or any corrections of the December 7th
2 minutes?

3 MEMBER WHELCHER: I make a motion that we
4 approve the December 7 minutes.

5 MEMBER PYLE: Second.

6 CHAIRPERSON KALALAU: Any questions, comments?
7 If not, all in favor, say aye. Any opposed? Motion
8 now carried.

9 Colleen, is Jeff coming down?

10 MS. SUYAMA: I have no idea. I'm here.

11 CHAIRPERSON KALALAU: Is there anyone in the
12 public that wants to speak on any specific item now?
13 Okay. Keoki. Please state your name and what
14 agenda item you're speaking on.

15 MR. FREELAND: I'm Keoki Freeland from the
16 Lahaina Restoration Foundation. I don't know about
17 the agenda item, but this is relative to Jeff Hunt.
18 I certainly want to congratulate him on his new
19 position. But the main item I want to speak about
20 is his old position, mainly the Historic District
21 Officer.

22 My question is, is that position going to be
23 replaced? And if so, how? Because when Jeff had
24 that position, he had too much work to do. He was
25 far more than a Historic District Officer. I mean,

1 he was in charge of traffic and land and all kinds
2 of stuff. So virtually he was ineffective as a
3 Historic District Officer.

4 This position we've talked about from 1995, the
5 great need of having a person in the historic
6 district, mainly for enforcement. As we've talked
7 about in the past, we've got all kinds of problems.
8 And the rules and regulations are fairly clear, but
9 it's a lack of enforcement, and that's the whole
10 purpose of the Historic District Officer.

11 As an example, yesterday I walked down Front
12 Street and I ripped off all these illegal posters.
13 This is a common thing and this is just something
14 that I did yesterday. The people that did this,
15 they were not being vicious or what not. What it is
16 is that they just don't know the rules and
17 regulations. This is a new business starting up and
18 they're trying to advertise, so they go down Front
19 Street and nail this on the front of all the stores
20 and all the poles. And if you had a Historic
21 District Officer, he could certainly see something
22 going up like this and stop it and inform the
23 people, instead of it continuing to grow. And the
24 people that -- there are some people that are saying
25 well, I got a business to run, I got to keep on

1 doing this, and they go right back and do it again.
2 But if you had some kind of an officer, like I said,
3 he can inform then, he can report to the Cultural
4 Resource Commission what's going on, with
5 corporation counsel, you folks can decide what to
6 do, keep on turning then down, penalize then,
7 whatever. But you need some kind of system going.

8 I was working with Jeff on a store that's right
9 across from my office that's painted a horrible red.
10 He had been working with then. But it's still red,
11 because he was always so busy doing something else.
12 So that's really my comment.

13 We would certainly like to see the position of
14 Historic District Officer put in place, but one that
15 is there to do the job.

16 We also have created an office for this person
17 in the courthouse. This is something that was
18 talked about for a long time. Now, we've created
19 this office. It's in the same place where Theo
20 Morrison used to have her office and it's now able
21 to be shared between two people. We actually
22 installed a wall and the whole bit.

23 So the foundation is there. We just would like
24 to see the position replaced. So when Jeff comes to
25 talk to you folks, can you ask him the question?

1 Any questions?

2 CHAIRPERSON KALALAU: Any questions,
3 commissioners?

4 MEMBER PYLE: Just a comment that it's an
5 ongoing process.

6 MR. FREELAND: Exactly. That's why I brought
7 it up again. Thank you.

8 MEMBER PYLE: Thank you, or not.

9 CHAIRPERSON KALALAU: Okay. We're going to get
10 into the introduction and then we'll get right back
11 to the public again for testimony. Right now Jeff
12 doesn't seem that he'll be making it here, but we
13 have Colleen here, so Colleen, can you come forward?

14 MR. SOLAMILLO: This is the new deputy director
15 of the planning department. Her name is Colleen
16 Suyama.

17 MS. SUYAMA: I just came down to introduce
18 myself. I know most of you. I was a planner that
19 did presentations before this commission. I've done
20 it for the last 30 years. I remember when this
21 commission was originally the Maui Historic
22 Commission and they used to meet in Lahaina at the
23 old courthouse. That's how I started, working for
24 -- with Chris Hart with the Historic Commission at
25 that time and later on with the Cultural Resources

1 Commission.

2 Basically, we do have a West Maui planner, in
3 response to Keoki Freeland's comments. It was not
4 -- it was never allocated as just an enforcement
5 officer. It was allocated as a West Maui planner
6 that would take care of a lot of the West Maui
7 issues including the historic district. And his
8 job, as part of enforcement, was to talk to the
9 public, to the store owners, to get cooperation, but
10 not to be the enforcement guy coming in with a
11 notice of violation. That's why we have inspectors.
12 He was supposed to coordinate such efforts with the
13 inspectors for the Lahaina district.

14 We do realize there is a lot of work, but the
15 department, because of staffing requirements, could
16 not justify just having a person specifically for
17 the historic district. And even with all the West
18 Maui projects that were coming in, the West Maui
19 planner couldn't handle all of those, so a lot of
20 the other planners within the current division is
21 taking up some that of that work, as well as the
22 administrative permits for the historic district.
23 So there is a lot of work that the department does
24 besides just having someone there full time.

25 The other thing is that we are trying to get

1 someone within the department to help stand as part
2 of the cultural resources planner to do some of
3 these projects as well as trying to recruit for a
4 new West Maui planner to continue Jeff's work. You
5 have to realize within our department right now,
6 with some of the shifts in positions, we currently
7 have like five vacancies in the current division and
8 four of them are upper divisional planners. Until
9 we can get more staffing, I think it's more of a
10 status quo at this point.

11 MEMBER PYLE: Can I ask a question? This is
12 just for information. Even if all the positions
13 were full, do you think -- and this is I'm not
14 asking for absolutes, just -- because you've been
15 there a long time or around here a long time. Do
16 you think that the planning department staff is
17 three times the size it was 25 years ago?

18 COLLEEN SUYAMA: Oh, definitely.

19 MEMBER PYLE: You think it's three times that
20 size?

21 COLLEEN SUYAMA: It's three times. When I
22 started, you know, 20, 30 years ago, there were
23 about maybe six planners in the whole department,
24 and the department heads, and secretaries. I mean,
25 there was six planners, the department heads, and

1 about three clerical staff.

2 MEMBER PYLE: Well, if the population is about
3 three times the size it was 25 years ago, why are we
4 always so far behind everything?

5 COLLEEN SUYAMA: That's always been the problem
6 in terms of budgeting for the department. We're not
7 like a capital improvement department where we're
8 building roads or building water lines or building
9 parks. Unfortunately, because of that, people don't
10 understand that planning has a purpose, and
11 basically development doesn't occur without the
12 planning department because the planning department
13 is the one that processes all the environmental
14 permits, the design-related permits, subdivision
15 reviews, we do building permit reviews, and people
16 don't understand that. It's like they look at it,
17 well, you're just administering --

18 MEMBER PYLE: So what you're really telling me,
19 this is what I'm trying to get at, is that even
20 though the population may be three times as big, the
21 amount of workload for development for the island
22 has increased for more than three times. And so
23 even though your staff has increased, it has not
24 increased sufficiently to carry out all the
25 necessary enforcement planning processing that needs

1 to be done under today's ordinances and laws.

2 COLLEEN SUYAMA: That's correct.

3 MEMBER PYLE: I just wanted to get that on the
4 record that you are severely -- not severely
5 perhaps, but understaffed, which also leads our
6 commission to be understaffed, and our laws not to
7 be enforced.

8 COLLEEN SUYAMA: That's correct.

9 MEMBER PYLE: Thank you.

10 CHAIRPERSON KALALAU: Colleen, I wanted to ask
11 Jeff this question. We just got through with an
12 election year, and during the campaigning year, a
13 lot of people were attacking the planning department
14 on the audit that was done. And my question is do
15 you see in the very near future that the department
16 will have the appropriate budget to upgrade the
17 entire planning system, that you folks will have all
18 the modern electronic I guess equipment and tools so
19 that that could help update the planning department
20 in the real near future?

21 If we're understaffed by physical being by lack
22 of workers, can the high tech equipment take up some
23 of that load that we're experiencing right now?

24 COLLEEN SUYAMA: What we're doing is for this
25 next fiscal budget, we're trying to implement some

1 of the portions of the Zucker report, which was the
2 audit that was done on planning department, by
3 getting more staffing, getting more equipment.

4 Equipment only makes you more efficient. It
5 doesn't take the workload away. I mean, it's just a
6 tool to make you more efficient. We are looking at
7 things within the department to try to streamline
8 the processing that's required within the department
9 like maybe doing more things administratively rather
10 than going to commissions and boards.

11 However, that type of change requires changes
12 to ordinances and changes to rules and that's what
13 we're trying to implement as part of efficiency.

14 We are looking at trying to make the department
15 more customer friendly and trying to get the work
16 out faster, even with the limited resources that we
17 have. So we've asked like implementing some of the
18 Zucker report. Internally within the department
19 we're asking the divisions to look at ways to
20 streamline the work that's required.

21 I mean, we have so many things going on at the
22 same time throughout three divisions. And, you
23 know, we do have a staffing problem. I mean, we
24 have positions opened, we've gotten new positions;
25 the problem has always been the recruitment process

1 and getting qualified candidates. We've been
2 continually recruiting, continually losing people
3 that we've recruited through that ongoing process.

4 CHAIRPERSON KALALAU: Thank you. I'm also
5 honored that you took the position on and I've known
6 you for many years, too. You've done some really
7 good work. Keep up the good work and we'll be
8 seeing you.

9 COLLEEN SUYAMA: You may be seeing me. I'm
10 still doing -- I'm doing two jobs right now. I'm
11 doing the deputy director's job and I'm doing the
12 Planner V position job because I could not in all
13 honestly give all my work to the remaining planners
14 within the department. Same thing with Jeff. We
15 kept some of our projects through this transitional
16 period. Thank you.

17 CHAIRPERSON KALALAU: Any more questions,
18 commissioners? Okay. Thank you.

19 MR. SOLAMILLO: Under Permit Review, Historic
20 District Applications, Mr. Monty Carpenter on behalf
21 of Hawaii Jewelers, requesting approval of a
22 commercial storefront rehabilitation located at 820B
23 Front Street, TMK (2) 4-5-001:011 in Historic
24 District Number 2, Lahaina, Maui. The CRC will
25 approve or deny the request and provide

1 recommendations. Public testimony will be accepted.

2 Good morning, Monty.

3 MR. CARPENTER: Good morning. My name is Monty
4 Carpenter, and good morning, commission. So this is
5 the first time I've appeared before the commission.
6 I may not be prepared because I don't know what you
7 have in your hand or what you've been presented with
8 and I apologize for that, not knowing exactly what
9 you have before you.

10 MR. SOLAMILLO: So what we'll do is present
11 your case and then our review of the project and
12 then you'll have an opportunity to present your
13 ideas to the commission after that's been concluded.
14 There will be a slide that will come up that says
15 "applicant" and that will be the time that you can
16 get up.

17 My name is Stanley Solamillo, Cultural
18 Resources planner for Maui County. The project
19 before you is for a renovation of a storefront in
20 Lahaina. It's a commercial storefront located at
21 820-B Front Street. The TMK has already been given
22 to you. On the site map, it's shown as a yellow
23 square with a white arrow.

24 Historic District Number 1, which contains much
25 of Lahaina's older historic fabric, are those areas

1 which are outlined in light blue. Historic District
2 Number 2 is in purple, and this building is located
3 in Historic District Number 2. There is a larger
4 district which is called Lahaina National Historic
5 Landmark District and it is administered by the
6 National Park Service and it is outlined in blue.

7 These are two shots that have been taken from
8 Front Street showing the current configuration of
9 the storefronts of this building. It's actually
10 divided into thirds and not into half as indicated
11 on your report.

12 The things that are to be remembered by this
13 commission is that the building is not historic. It
14 was constructed in 1982. It is therefore a
15 noncontributing building to Historic District Number
16 2. The building is owned by a single owner and one
17 tenant wishes to pay for a storefront renovation.

18 This tenant is proposing to renovate one
19 interior and one exterior storefront out of three.
20 The renovation will increase the tenant's display
21 area in the storefront and better suit his interior
22 requirements.

23 The applicant located a photograph that had
24 been published of Front Street in 1970 and you can
25 still see the Queen Theater next door to it and it's

1 identified by the green arrow. At the time it was
2 divided into two storefronts, 820-A and 820-B. And
3 looking to the right of it, there was an alley. The
4 building that we're looking at now has been enlarged
5 and built over that alley.

6 The existing storefront is modeled kind of
7 loosely after -- you would just classify it as late
8 19th century plantation that would be considered
9 part in parcel with the whaling period.

10 The proposed storefront is modeled loosely
11 after the photograph that you just saw and includes
12 an arched entry and arched windows for display.

13 Most of the pictures that we have currently of
14 Lahaina -- I think the earliest one is this one
15 which is 1916 and it was taken by the Japanese
16 photographer [unknown name]. If you look carefully
17 at the configuration of the storefronts, during the
18 teens, which is pre-World War I, you can see that
19 there is a definite building repertoire that gets
20 set up.

21 In 1918 and not 1916 as indicated on your
22 report, there was a fire that devastated part of the
23 commercial district in Lahaina. And it was -- the
24 fire was located on Lahaina Ice House property and
25 destroyed that portion of the district.

1 This is another shot taken of the fire with one
2 of the residents looking at the damage. Even a shot
3 of Lahaina taken again by [unknown name] in 1939
4 shows Lahaina's commercial district as being pretty
5 much unchanged.

6 At this time the U.S. Navy was using what it
7 called Lahaina Roads, which was the channel, as an
8 alternate docking spot for its fleet.

9 Looking back at 1920, which is a little bit
10 earlier, we see that it's pretty much unchanged. If
11 we try and enlarge this photograph, the building
12 location is beyond view. But if we pan forward, you
13 can see how the storefronts of the period have all
14 been constructed. And look carefully at the
15 relationship of display windows to lower panels to
16 transoms and to an awning or a porch.

17 In sketches of storefronts that were prepared
18 for the Lahaina Historic District, we essentially
19 have these configurations. The one in this case, if
20 we were to provide a design, would be modeled after
21 this vernacular store front, which means it has
22 transoms but it doesn't have arches in it. In fact,
23 looking at the pictures, that building is the only
24 one that seems to be enigmatic from the entire
25 district and not knowing when it had been renovated

1 to actually have the arched openings leads it to be
2 somewhat suspect.

3 CHAIRPERSON KALALAU: Stan, you know on that
4 slide right there, on the right-hand side, is it the
5 three sections and on the left-hand side is it just
6 the one section that's being renovated or --

7 MR. SOLAMILLO: No, these are examples of
8 storefront designs, vernacular storefront designs
9 for Lahaina. These are just examples. These are no
10 specific buildings.

11 The applicant's design as we're looking at it
12 appears this way, with arched openings. And we are
13 probably going to suggest that the alternate
14 storefront using the designs that we were just
15 looking at as well as the historic precedent of the
16 photographs taken of Lahaina and Front Street used
17 as models.

18 Because the current tenant is a jeweler, the
19 sill height is established higher than normally. It
20 would be established for larger items that would be
21 displayed. That's indicated by a dashed green line.
22 So we would recommend also that the entire
23 storefront and not just one tenant out of three be
24 renovated if there is going to be renovation work
25 taken on this property at all. In addition, we

1 would suggest that the alternate storefront design
2 that we have just shown you, which is consistent
3 with the majority of contributing buildings in
4 Historic District Number 2, which with the exception
5 of the Lahaina Store that was built until 1916, do
6 not feature arched openings.

7 This would be the design shown. And then we
8 would ask that the sill height be raised so that
9 whatever the requirements of the current tenant
10 would be met.

11 Are there any questions?

12 CHAIRPERSON KALALAU: As we look at this right
13 now, this is the entire three sections, right?

14 MR. SOLAMILLO: That's the entire three
15 sections.

16 CHAIRPERSON KALALAU: That's why I was kind of
17 confused with your other one because in our examples
18 it shows the examples, but then the examples look
19 like that display that you got right there. The
20 entire building. And then we have just one
21 one-third -- the proposed is for one one-third of
22 that entire section.

23 MR. SOLAMILLO: Correct.

24 MEMBER PYLE: One clarification for me. The
25 applicant is not the owner of the building.

1 MR. SOLAMILLO: That is correct.

2 MEMBER PYLE: So to have all three sections
3 done at the same time, we would need to consult with
4 or work with the owner of the property?

5 MR. SOLAMILLO: Correct.

6 MEMBER PYLE: The owner has not corresponded in
7 this case and has not been involved?

8 MR. SOLAMILLO: No, it's just the applicant's
9 rep, which is Monty Carpenter, and he can address
10 whatever questions you have. Are there any other
11 questions? At this point we would ask Monty
12 Carpenter to come and speak with you.

13 MR. CARPENTER: My name is Monty Carpenter.

14 MEMBER PYLE: Are you the person who occupies
15 this space?

16 MR. CARPENTER: No, I'm not. I'm actually a
17 designer and a general contractor. I've been hired
18 by the tenant to look into doing a possible
19 renovation of his store.

20 MEMBER PYLE: Is the tenant of the space
21 present?

22 MR. CARPENTER: No.

23 CHAIRPERSON KALALAU: Just some construction
24 questions. Your design shows the arched windows.
25 And on the 1970 example, it shows the arched windows

1 with one, two, three -- like three sections and then
2 the arch, and then the proposed one is just one
3 section and the arch. Is that windows going to be
4 as large as the old ones like in the 1970 pictures?

5 MR. CARPENTER: Well, let me bring back a
6 little history to this whole thing. Basically I've
7 been doing work on Front Street for 25 years and
8 it's always been my position to deal and try to put
9 back including with your previous historic person --
10 what we try to do is work with the county and make
11 -- when we're doing a storefront renovation is to
12 put it back with their guidelines exactly like they
13 want to. So that's the reason I came up with the
14 arched window idea because I looked back
15 historically and said the building used to have
16 arched windows.

17 I don't have a position one way or the other
18 about what the building storefront looks like. I'm
19 just trying to be here to make it so we can -- I can
20 satisfy my tenant and do whatever you guys want to
21 make this building looks like whatever you want. So
22 I'm not married to the arches at all, you know. I'm
23 just married to getting the -- to doing the
24 appropriate thing. Whatever you guys want to do is
25 okay with me.

1 MEMBER WHELCHER: Mr. Chair, I have gone
2 through the 1969 and our most current 2003
3 Architectural Styles For Lahaina. There wasn't an
4 arch included in this design. I feel like that your
5 arches on the existing building were kind of
6 illegal, fell through the cracks possible. But if
7 you're going to stay with the book, we need to go --

8 THE REPORTER: I can't hear -- use the
9 microphone.

10 MEMBER WHELCHER: They fell through the cracks
11 of design. The guidelines do not show any arches.
12 So if we're going to go strictly by the guidelines,
13 which we should, we shouldn't allow arches. And the
14 arches in this -- the proportions are not good
15 anyway in the proposed elevation.

16 MR. CARPENTER: So again, if I can reiterate, I
17 don't necessarily want the arches. All I want to do
18 is have your recommendations that we do whatever you
19 wish. In other words, that's -- I'm not -- the
20 arches make no difference to me whatsoever. It was
21 just an idea that I had to take it back the way it
22 was originally.

23 Now, if there are guidelines and I can have
24 Stan tell me what you guys would like to do, we will
25 be happy to conform with whatever it is that you

1 want.

2 MEMBER WHELCHER: It wasn't true to form
3 originally. And now is an opportunity to make it
4 meet our guidelines. So stay away from the arches.

5 MR. CARPENTER: Okay. I'm very happy to do
6 that.

7 MEMBER WHELCHER: And also, I have one other
8 suggestion. On your entry, you have the doors on
9 the outside wall. If you brought them into that --
10 the foyer would be the same size, but the people
11 would step out of your store into the entry before
12 they go to the walkway. Is that a problem?

13 MR. CARPENTER: Well, it depends on the type of
14 door style -- in other words, the door style,
15 depends which way the doors open. Obviously the
16 doors cannot open out into the sidewalk area. So in
17 the case of I believe it's under 600 or 800 square
18 feet, you're allowed to have folding doors. Because
19 of the small size of the retail area, we have more
20 latitude in the design of the doors. So the doors
21 would end up being folding doors and not actually
22 swing out.

23 When the retail is open for business, the doors
24 would not -- they would be pushed to the sides and
25 not inside or out. So we don't need that -- the

1 access that ordinarily you would do for a larger
2 store.

3 MEMBER WHELCHER: If the doors are closed and a
4 person walks out through the doors, they're going to
5 -- they need to swing out to be --

6 MR. CARPENTER: No, that's not correct.

7 MEMBER WHELCHER: 600 or less you can swing in?

8 MR. CARPENTER: You can fold then or do other
9 -- no, you can't swing then in, but you can fold
10 then, you can have a different configuration. The
11 fire department doesn't want any doors swinging in.

12 MEMBER WHELCHER: You have your doors swinging
13 in.

14 MR. CARPENTER: Actually they would be folded.
15 I'm sorry if the drawing is incorrect, but we would
16 actually fold those doors. So again, what we're
17 trying to do is to conform with whatever the county
18 determines is necessary to make it all work.

19 MEMBER MOIKEHA: I would have a tendency to go
20 with what the county is proposing. I mean, if we
21 just -- even as we just talked about one tenant, it
22 would not balance. I mean, we really can't say much
23 or do much if the owner is not here also. We can
24 fly back to the county and just say, well, we'll go
25 with your recommendation or something, but --

1 MR. CARPENTER: My only comment about that is
2 of course that other portions of that building have
3 been recently remodeled, and obviously they had to
4 go through this same process. And I would be okay,
5 in other words, to bring it all up to some kind of
6 level of confirmation with the work that's already
7 been done with the other two tenants on the other
8 side.

9 MEMBER MOIKEHA: The other two have been
10 renovated?

11 MR. CARPENTER: Yes. Anyway, the answer is one
12 recently within the last six months, yes. In fact,
13 they were working on it about a month ago.

14 MEMBER MOIKEHA: So at this stage do they all
15 match kind of?

16 MR. CARPENTER: Within reason, yes. And so
17 really what my tenant -- not my tenant, but what the
18 owner is trying to do is to make his windows more
19 work for his retail operation because the present
20 configuration doesn't not really work very well for
21 him. So what we're trying to do is to come up with
22 a design that works for everybody; works for him,
23 conforms to your standards, and whatever that might
24 be, we'll be happy to do. Including matching
25 whatever the existing is.

1 MEMBER MOIKEHA: To me that is a good point.
2 If you own a retail place, you don't necessarily
3 want to look like the person next to you that's
4 selling dog food. I mean, you want to be a little
5 bit different. So I can think why the thought in
6 mind want to be that way; however, it does not
7 coincide with some of the guidelines we have here.

8 MEMBER PYLE: I'm just following up on what
9 he's been talking about. We've been sitting here
10 for years and do we remember this other renovation?

11 MR. CARPENTER: I have no idea. I have nothing
12 to do with it.

13 MEMBER PYLE: I'm not looking at you about it
14 at all. I'm just a little concerned about the
15 previous renovations and we may need to think about
16 those. And perhaps what we're saying is we might
17 need to have the owner come and talk to us about
18 what his plans have been all along.

19 MR. SOLAMILLO: I guess the only question I
20 would have is whether this was an interior
21 renovation only. If it was interior, it could have
22 been approved as an interior renovation. It's when
23 there were external and visible from the public
24 right-of-way that they would come to this
25 commission.

1 MEMBER PYLE: It seems that this is a bit --
2 it's kind of piecemeal sort of. It would be better
3 for us as a commission, I'm sure the planning
4 department as well, if we had a full picture of
5 what's happened to this building, where it's going,
6 is there going to be another facade renovation done.
7 And it's not for you to answer these questions
8 because you are not the owner of the building and
9 you only represent one tenant.

10 So my recommendation would be that we postpone
11 this until we can have more information available
12 from the owner.

13 Q Thank you.

14 CHAIRPERSON KALALAU: Okay. Any more
15 questions? I just have something for say, too,
16 because what Kalei and Dorothy are saying, it's
17 really important, too, because business owner is
18 going to do this kind of renovation in this
19 one-third and then the other two-thirds get new
20 business people that go in and they want to redo the
21 whole front of the store again, are there now fall
22 in the category to where they got to do the same
23 thing this guy is doing, that the planning
24 recommendation going to be that you got to comply to
25 Monty Carpenter designs or else they won't be able

1 to redo the front of their portion of the building?

2 MR. SOLAMILLO: Currently right now what we're
3 proposing is that a renovation if it's going to
4 occur for this storefront needs to occur for the
5 entire building so that it's done once.

6 But due to the economic needs of Lahaina, which
7 change a lot as businesses come and go, there is
8 always going to be that pressure. It happens -- I
9 just had another project on Front Street that came
10 in with proposals and when I issued the design
11 guidelines, they backed out of a whole bunch of
12 things. But that's just the whole issue with
13 Lahaina.

14 MEMBER KAPU: I just like to make a comment,
15 real simple comment, that being Lahaina district is
16 attracted by the majority of make the population of
17 tourists that come to Lahaina, so it's a competitive
18 issue based on economics. I guess everybody wants
19 to have the storefront bling-bling to draw people in
20 and so they not considerate pertaining to what the
21 historic district application is all about. So I
22 concur with the idea that looking at the story,
23 everything should be inclusive. Basically the same,
24 once you change something, once you change the
25 storefront on the same building, to me it's sort of

1 like putting lipstick on a pig. No matter how nice
2 the pig, it's still a pig.

3 But it just boils down to the marketing kind of
4 angle that is trying to be created in Lahaina Town,
5 which is -- I guess that's our responsibility is to
6 make sure that this thing don't turn into one big
7 giant Disneyland, cartoon town. I know, I just came
8 from there. I don't like it. Mahalo.

9 CHAIRPERSON KALALAU: Okay. Perry?

10 MEMBER ARTATES: I support what Kalei and
11 Dorothy is saying and I like to come up with saying
12 keep it as simple as possible. I would recommend
13 that the owner of this -- I mean, why send the
14 lieutenant? Bring the captain. So that we can ask
15 the owner of this parcel the questions that need to
16 be in more detailed on what he sees as the future of
17 that.

18 CHAIRPERSON KALALAU: That entire building.
19 Just not the one third. That's what I mean about,
20 you know, if we approve his proposal and then the
21 other two-thirds come in and they says, oh, we don't
22 want arched windows, we want to keep the old
23 windows, what happens then?

24 Being that the owner is not here, I think he
25 would probably have the more say because if not,

1 we're going to have to deal with three different
2 vendors that's going to come to us and going to say
3 we want to change our front of our store. And then
4 instead of having only one -- instead of having
5 three sections that have all the consistent windows,
6 we're going to have three sections with all
7 different types of windows. Like Ke'eaumoku is
8 saying, you know, the designs are for attraction.
9 Right now it's not really this is how it was during
10 the whaling days. It's like this is how we're going
11 to make 'em to attract people into our store. Maybe
12 we'll put all picture windows so they can see in
13 better.

14 You know, we got to be consistent. I mean,
15 maybe if we do our recommendation today or if we ask
16 for a deferral on our recommendation, we could make
17 it to where the owner got to comply with what we
18 recommend for the individual today. But it's really
19 up to this commission right now.

20 Question?

21 MEMBER PYLE: It's not a question. I just want
22 to commend you for coming forward with this proposal
23 in the first place. As we all know, many things in
24 Lahaina get done illegally perhaps, and so thank you
25 for taking the route of coming to the commission

1 even though it doesn't seem like we're going to do
2 what you want. And so I just really want you to
3 know that I appreciate that. I think the commission
4 appreciates that as well.

5 MR. CARPENTER: No, I thank you for your
6 comments. And really, my position has always been
7 to work with the county and not to create troubles,
8 just to keep the historic part of Lahaina intact and
9 not make it a Disneyland. We're trying to do
10 exactly the opposite, we're trying to take -- if
11 we're going to do a renovation, to do exactly what
12 you guys want. So that's my position is not
13 antagonistic. And this is merely the first step.
14 So in other words, I'm just taking the first step.
15 I haven't even talked to the owner. We're just
16 trying to see where we sit and then maybe upon that,
17 we may either proceed or not, whatever happens. So
18 again, but thank you for your time.

19 CHAIRPERSON KALALAU: Okay. Monty, I really
20 like this presentation, this proposal. The exhibits
21 are really clear. And a lot of information that
22 other people haven't given us when they come to this
23 commission. It's been really good looking at your
24 proposal.

25 MR. CARPENTER: Let me put the credit where it

1 is due. It falls on this gentleman here. I just
2 provided a few paragraphs and the design, and he put
3 the presentation together and I think he's done an
4 excellent job.

5 CHAIRPERSON KALALAU: Stan always do a good
6 job. Right, Stan? Anyway, thank you, Monty. Okay.
7 Stan.

8 MR. SOLAMILLO: So does a motion -- or we do
9 need to have a motion on an action to take?

10 CHAIRPERSON KALALAU: We need to open this
11 portion for public testimony. Anyone from the
12 public who would like to testify on this agenda
13 item?

14 MR. FREELAND: Keoki Freeland, Lahaina
15 Restoration. Too bad Mr. Carpenter left because I
16 certainly would like to commend that he has come
17 forth in front of you relative to this subject.

18 I just want to give you a little bit more
19 background on what I'm going to say. Again, it goes
20 back to this Historic District Officer. If -- well,
21 some of you commissioners were here, but I made a
22 presentation to the Cultural Resource Commission in
23 July 2004 on how the Historic District Officer
24 position can be funded. Remember how Ms. Suyama
25 said that they don't have enough money, they can't

1 get a person. And as I made my presentation to the
2 Cultural Resource Commission at that time, they say
3 why isn't the county doing this, this is such a slam
4 dunk simple idea.

5 The chairperson at that time was Lori Sablas.
6 She was so enthused with my suggested program that
7 she and Barbara Long both volunteered to go with me
8 and go through the county offices and sell the
9 program. And it was going along real well until
10 they hit one person's office and it died over there.
11 That person is no longer there, so I'm in the
12 process of trying to get this thing going again.

13 However, what I'm getting at, this store was
14 part of my presentation at that time. I showed
15 where that store was a single store originally and
16 it was divided into a double store, which was never
17 reviewed by the Cultural Resource Commission, and
18 then became a triple store, was never reviewed by
19 the Cultural Resource Commission. And that was part
20 of my presentation is that these things get done.
21 If you had a historic district officer, he could
22 have either stopped it or questioned it or did
23 something instead of it getting completed and what
24 not.

25 So that was my whole position of getting that

1 position in place. But we have figured out how we
2 can fund that position. So much for that. What I'm
3 getting at is that that was a single store building,
4 became a two store building, and now it's a three
5 store building.

6 I like the recommendations of what you folks
7 are talking about that follow the guidelines of what
8 is really should look like, and really I would like
9 to see the store put back and to follow the
10 guidelines. And it shouldn't be all different.
11 That was a single building store. And they made it
12 three stores right now, but originally it was a
13 single store. Any questions?

14 MEMBER KAPU: Question. I guess this would be
15 for planning, this question, because I was here when
16 we discussed the matter about a Historic District
17 Officer. So I was hoping that Mr. Hunt was going to
18 entertain us with his presence, but it's pau hana,
19 too busy. I feel the concern because I see a lot of
20 issues in Lahaina. And this is one classic example
21 based upon the things that we're going to be dealing
22 with and it's internal kind of stuff.

23 The external issues that we have is the most
24 complicated issues that I would like to know for
25 myself what is the -- I guess the procedure on the

1 county's behalf now that Mr. Hunt is no longer
2 there, what's going to happen now. There is a lot
3 of things that has rised, I mean, we're talking
4 about 2007, yeah, will it be a better year for us in
5 Lahaina or will it be worse. So I don't know, maybe
6 we need to make some kind of recommendation to
7 expedite the process to make sure we get clarity
8 based upon that position as a Historic District
9 Officer. We talked about it for the past two years.

10 And one perfect example of this, and this is
11 like I said before, it's internal. When there is a
12 lot of external issues that you can see present and
13 I condone and commend Mr. Freeland for coming and
14 bringing this concern.

15 My question is basically directed to Mr. Hunt.
16 I was hoping he was going to show up, I don't know.

17 CHAIRPERSON KALALAU: Keoki, I wasn't too clear
18 on the parking either. Was it parking designated
19 for at that time for the single store or was it
20 designated for now the three different units in one
21 store?

22 MR. FREELAND: I really couldn't answer that
23 question because I certainly wasn't involved in
24 that. All I know is all of a sudden the building is
25 changing and I knew it never came in front of you

1 folks.

2 CHAIRPERSON KALALAU: Because just reading the
3 proposal, it says the parking is going in the back
4 somewhere on some other street. And my concern was
5 whether, you know, most of those stores was
6 designated parking stalls in front there and I
7 really wanted to know if it was for the single store
8 at the time or for the three different stores in one
9 building.

10 MR. FREELAND: I couldn't answer that question.

11 CHAIRPERSON KALALAU: The other thing about the
12 proposal that we brought, you know, that you and
13 Barbara and Ms. Sablas introduced to the council, do
14 you think you're going to need that same kind of
15 support again to push that letter through?

16 MR. FREELAND: Yes, we do. We never did get to
17 the council. We went to the mayor's office. We
18 talked with council members, then the finance
19 director, and after that is when it died. But it
20 never was put into the council floor, although we
21 had talked to Riki Hokama and Dain Kane. Question,
22 Dorothy?

23 MEMBER PYLE: It's not a question. Yes, it is,
24 I guess. Are you willing to come back before us --
25 we can put this on our agenda for next month -- with

1 the materials and the idea and we can then, as the
2 commission we are now in 2007 instead of 2004,
3 reiterate our support for this idea and do
4 everything that we can to help you with that?

5 MR. FREELAND: I'll be glad to do that. I
6 presently am trying to schedule an appointment with
7 the mayor to bring her on board because we never did
8 make a presentation to her personally. But just to
9 give her the background. But I certainly would like
10 to get your support as well.

11 CHAIRPERSON KALALAU: Good. You know, Keeki,
12 being in Lahaina for many years with a lot of the
13 historical district, you know, to me it's issuing
14 permits every two years on people trying to change
15 the whole outlook but kind of keeping then in a
16 historical value. You know, if you look at the 1970
17 pictures and pictures of today, what historical
18 value are they trying to save?

19 MEMBER PYLE: Don't go there. Don't go there.

20 MR. FREELAND: In my opinion I think each store
21 is just trying to be more distinctive than the
22 others to be more attractive to bring people in.
23 They're paying big rent and what not. And if you've
24 got a person that doesn't know anything about the
25 history or where they are, even if it's a historic

1 district, they are going to make the store somewhat
2 attractive. And what does attractive mean?
3 Flashing lights, dancing girls, whatever.

4 MEMBER WHELCHER: I think that this proposed
5 design on this remodel is going to make it less
6 attractive. I like the indentation that they had.
7 And they are going to take that away. You gain so
8 little.

9 MEMBER PYLE: We just need to talk to the
10 owner.

11 CHAIRPERSON KALALAU: Right, so that we don't
12 have to issue two more permits, different designs
13 for the other two-thirds.

14 MEMBER KAPU: You know, I got one question on
15 that. I guess the question goes towards the county
16 planning. You get one owner and you get three
17 tenants. Yeah? Was it originally that way -- what
18 am I looking for? Because, you know, I look at this
19 like one condominium, yeah, got all these tenants
20 and all these tenants have to be comply with basic
21 rules, have to be looked up on a separate system,
22 has to hook up their open meter basically. So in
23 the county permitting process, was that ever done or
24 is everybody running off of one grid?

25 MEMBER PYLE: Good question.

1 MR. SOLAMILLO: Initially the applicant
2 indicated that the tenant was going to pay for this
3 renovation of this specific storefront. Because I
4 told him initially I needed the owner and I needed
5 the owner's commitment to do the entire building and
6 not just a portion of the building in a renovation
7 of this type.

8 I was assured by the applicant at the time that
9 he was talking to the owner, only to find out today
10 that that might not have been the case. So anything
11 further on this building will have to obviously deal
12 with the owner and the owner's commitment.

13 MEMBER KAPU: And I guess that should also
14 include every development in Lahaina that we deal
15 directly with the owner instead of the tenant? If
16 it's possible.

17 MEMBER PYLE: That makes sense.

18 CHAIRPERSON KALALAU: Okay. Any more questions
19 for Keoki? If not, thank you, Keoki.

20 Anyone else from the public would like to
21 testify on this agenda item? If not, we'll now
22 close this section to the public.

23 Commissioners, do we have a recommendation?
24 Anybody making a motion?

25 MEMBER PYLE: I move that we defer this item

1 until such time as the property owner can be present
2 to discuss with us his intentions and also to
3 comment on the department's recommendation that the
4 entire building be renovated or changed at the same
5 time.

6 MEMBER WHELCHER: Second.

7 CHAIRPERSON KALALAU: Any questions? Comments?
8 Discussion? No discussions? All in favor, say aye.
9 All opposed? None. Thank you, Stan.

10 MR. SOLAMILLO: The next item is advisory
11 permits and there are none being brought before the
12 commission today.

13 Item 3 is demolition permits. First case is
14 Ms. Judina Haas on behalf of the Haas family,
15 requesting comments on the demolition of a U-shaped
16 house located at 374 Kiele Street, TMK
17 (2)3-4-006:012, in Wailuku, Maui. The CRC will
18 review the request and may provide comments. Public
19 testimony will be accepted. As in the case of the
20 storefront renovation on Front Street, I will
21 present the case and provide opportunity for the
22 applicant to address her case directly to the
23 commission.

24 The house at 374 Kiele Street is located
25 outside the Wailuku Historic District and sited on

1 11,238 square foot parcel. The building in question
2 is what we're calling a variant of a U-shaped house
3 and it is accompanied by a smaller vernacular
4 dwelling, an outbuilding that contains a laundry
5 room and garage.

6 Although building records indicate that a
7 construction permit for a house was let for this
8 property in 1941, the main house may have been built
9 earlier, possibly in the late '20s or early '30s.

10 This is stylistically evident from
11 Craftsman-inspired 3/1 wood windows that appear on
12 the building's front facade.

13 This house is located in a neighborhood with
14 buildings of like design that all appear to be
15 constructed pretty much in the same period. The
16 U-shaped plan really goes back to HSPA or Hawaii
17 Sugar Planters Association standard plans which were
18 finally initiated in Hawaii in the 1920s. These are
19 plans that the department is actually trying to
20 acquire copies of because they cover literally the
21 breadth of plantation housing for workers on this
22 island. And since a majority of the carpenters who
23 did produce the plantation housing went off to do
24 housing for outside clients and families who wanted
25 new houses that weren't on the plantation, this is

1 an important component of our building history that
2 is currently neglected.

3 The plans that we do have don't exactly cover
4 this, so we have to go elsewhere. We find an
5 example built in 1936 of a U-shaped plan from Grove
6 Farm Plantation on Kauai. And what you see which is
7 a demonstrative factor or the factor of why we call
8 it a U-shaped plan is you have a front entry with
9 the rooms oriented symmetrically about that front
10 entry and it goes into a central living area. You
11 can have -- in this configuration, it almost likes
12 like an H. If you have another series of rooms on
13 the other side of the living area, then you have a
14 true U-shaped plan. But that is what gives it its
15 name, the central entry onto a living space,
16 surrounded by bedrooms and/or other services.

17 This U-shaped plan in 1936 as it appears in
18 Kauai on a plantation at Grove Farm actually looks
19 pretty late. If you look at the windows on this
20 particular dwelling, they're using a much thinner
21 window mold and it almost looks like a casement that
22 starts to appear on Maui in 1940s, specifically most
23 of the windows that appear on dwellings that are
24 built in Sand Hills are like this.

25 In Wailuku, the U-shaped plan appears in

1 vernacular neighborhoods throughout the town. You
2 can see slightly altered U-shaped houses on Lower
3 Main. The one above was built in 1925 or appears to
4 have been built in '25. You also have a U-shaped
5 plan with a bungalow front which is a change that
6 leads you to the current design configuration. That
7 bungalow front, which is projecting now forward from
8 the main facade, gets capped with a hip roof on the
9 current house at Kiele Street.

10 In 2006 this commission and the Maui County
11 Planning Department began requiring what we called
12 HABS, which is Historic American Building Survey
13 level documentation for NRHP-eligible -- National
14 Register of Historic Places eligible -- and selected
15 plantation dwellings whose owners were applying for
16 demolition permits. We did this because we had very
17 little records of vernacular housing for Maui County
18 and we're finding that a lot of people are coming in
19 to demolish a lot of buildings and we were only
20 getting photographs being submitted on the initial
21 application.

22 In addition to that, HABS level documentation
23 was also required for the plantation era dwellings
24 that were deemed as potential importance such as a
25 merchant's house that was to be demolished in that

1 year, which was 2006.

2 In determining eligibility, we've used A, C,
3 and D. The criteria are associated with events that
4 have made a significant contribution to the broad
5 patterns of our history. C, that embody the
6 distinctive characteristics of a type, period, or
7 method of construction, or that represent the work
8 of a master, or that possess high artistic values,
9 or that represent significant or distinguishable
10 entities. And D, criteria that may be likely to
11 yield, have yielded information that is important to
12 our pre-history or our history.

13 Looking at a house such as the one at Kiele
14 Street, we can determine that it is potentially
15 eligible to the NRHP based upon criteria A, C, and
16 D. It has been slightly altered by the addition of
17 modern vertical wood siding. However, all other
18 character defining elements such as the 3/1 wood
19 windows, the detailing, the roof design, appear to
20 remain intact. But this specific building, because
21 it does have some alterations, the department is
22 suggesting a HABS Level III recordation to mitigate
23 the adverse effect of the loss of the building
24 through demolition. This recordation includes a
25 historical narrative, which in this case may be

1 provided by the department, as well as archival
2 photography, and a sketch plan.

3 The applicant is Judina Haas. She is the owner
4 of this building.

5 JUDINA HAAS: Good morning.

6 CHAIRPERSON KALALAU: Good morning.

7 JUDINA HAAS: I love the house. Unfortunately,
8 it's termite infected. That is the reason why I am
9 actually planning on tearing it down. Before we
10 bought this house from my great uncle who passed
11 away, so he was the original owner, and it has been
12 kept in good condition for the last seven years
13 because my father put vinyl siding on it which is
14 what is holding the house together.

15 I literally can press on wood and my fingers go
16 straight through. And I have three children, all
17 boys, and sometimes when they run around, I can feel
18 like there is sand coming everywhere. So I've also
19 planned on taking lots and lots of pictures of the
20 house and I've already taken lots and lots of
21 pictures of the house. And I am emotional about
22 letting it go, but I have to be realistic.

23 I've also looked at trying to remodel piece by
24 piece, but I've been told it's not going to happen.
25 It's not going to happen. I mean, they just told me

1 it would be too expensive to remodel piece by piece.
2 That once they get in, the house is just going to
3 fall apart. So I'm heavy hearted, but I have to be
4 realistic.

5 CHAIRPERSON KALALAU: Thank you.
6 Commissioners, any questions? If not, maybe this is
7 for -- you mentioned that -- you know, as an owner
8 when I come in and apply and these are some of the
9 protocols that you're saying that we got to comply
10 with the HABS policies and procedures. You're
11 saying that the department would put the narrative
12 or the --

13 MR. SOLAMILLO: What we have done in the past
14 specifically with low income owners or moderate
15 income owners in Wailuku, the department actually
16 has done the HABS narrative. So that the only thing
17 that the owner has to worry about is the HABS
18 photography and getting somebody to do the sketch
19 plan.

20 CHAIRPERSON KALALAU: Also, the other part
21 about wouldn't -- you know, these example 3, would
22 it be a good enough floor plan, I mean, for to file
23 with their narrative?

24 MR. SOLAMILLO: No, because that's from Grove
25 Farm.

1 CHAIRPERSON KALALAU: So in other words, they
2 are going to have to --

3 MR. SOLAMILLO: Yeah, the thing -- and that
4 will come up in the next case -- that we're finding
5 is houses tend to look alike outside or look
6 similar. And so when you have records that just
7 include photography, it's nice, but you don't know
8 until you get into floor plans how much changes
9 occurred. And there is a lot of variation that
10 occurred in the housing that was built here, and it
11 doesn't give us a complete enough record.

12 CHAIRPERSON KALALAU: But just to save the
13 occupants some time and money, can a hand sketch
14 design of the floor plan be good enough or you going
15 to have to have one architect --

16 MR. SOLAMILLO: It's a sketch plan. And a
17 sketch plan can be free-hand drawn, it can be drawn
18 straight edge. It just has to show proper
19 relationships of doors, windows, rooms, and give us
20 an overall dimension.

21 CHAIRPERSON KALALAU: Okay. And just based on
22 the department's recommendation, is it -- I suppose
23 the department is willing to go with the Level III
24 --

25 MR. SOLAMILLO: The department in this case is

1 recommending a HABS Level III recordation as
2 mitigation for the demolition of this property.

3 CHAIRPERSON KALALAU: Okay. Thank you. Any
4 more questions? Okay. Is there -- thank you. Is
5 there anyone in the public wants to testify on this
6 agenda item? Seeing that we have none, the floor is
7 now closed.

8 Commissioners, it's your decision.

9 MEMBER WHELCHER: I make a motion that we
10 concur with the recommendations for a HABS Level III
11 mitigation for demolition with staff
12 recommendations.

13 CHAIRPERSON KALALAU: Do I have a second?

14 MEMBER PYLE: Second.

15 CHAIRPERSON KALALAU: It's been moved and
16 seconded. Open for discussion. Since we have no
17 discussion, all in favor, say aye. All opposed.
18 Thank you, commissioners.

19 Stan, we're going to take a time out for our
20 recorder.

21 (Brief recess.)

22 CHAIRPERSON KALALAU: Commissioners, we will
23 now reconvene. We have our new planning director,
24 Jeff Hunt, here to give us some good news, right,
25 Jeff?

1 DIRECTOR HUNT: Well, the good news I think is
2 that we all know each other. I've been before you
3 as a staff planner and I'll probably be making
4 appearances before you just as a director.

5 I really appreciate the commitment and the
6 expertise that this committee has and it brings to
7 the county. I look at our role as providing you
8 with professional advice and staff experience that
9 then you can use to make an informed and a good
10 decision. I think we've got a really good
11 relationship between the planning department staff
12 and this commission and I look forward to continuing
13 that into the future.

14 CHAIRPERSON KALALAU: Jeff, just one concern.
15 It was brought up by one of the people testified
16 here, will the county be replacing your position in
17 Lahaina?

18 DIRECTOR HUNT: Yes, the position was a staff
19 position, it wasn't just for me. And we actually
20 have an office that's been created there. I don't
21 know if you're aware, but it took a while to get
22 through the process of getting an office
23 established. So we actually have a physical space
24 there now, we've got computers and printers and
25 furniture to put it in or to put in it, and all we

1 need now is a body to put in the office and run the
2 show.

3 CHAIRPERSON KALALAU: Yes, Dorothy.

4 MEMBER PYLE: I have another question, probably
5 more broadly based in policy ideas. One of the
6 things on our agenda is to look at the cultural
7 resources management plan for Maui County which was
8 done in 1984. And this, if you read it at all or
9 looked at it, it's sorely lacking in depth and
10 complexity and even in information.

11 Is this the information that is going to be
12 given to the General Plan Committee concerning
13 historic preservation?

14 DIRECTOR HUNT: I don't know. I don't believe
15 so, but I don't want to say that for a fact. So let
16 me look into it and report back to you.

17 MEMBER PYLE: Because if it is, I really
18 request as strongly as possible that some
19 representative from this commission be allowed to
20 speak directly with the planning -- General Plan
21 Committee.

22 DIRECTOR HUNT: Stan is familiar with that
23 issue.

24 MR. SOLAMILLO: The reason why you are given a
25 copy of that, and this was as you remember a

1 deferred agenda from last year item, we are going to
2 begin revising this plan and our revisions will go
3 to the general plan update.

4 MEMBER PYLE: But they only have six months and
5 it seems likely that we are not going to be
6 completing our work in six months if we're barely
7 even looking at it now. And I'm very concerned that
8 they are going to be getting very outdated
9 information to work on with no other input.

10 MR. SOLAMILLO: I am not presenting that
11 document to the general plan update.

12 DIRECTOR HUNT: Is that good? Anything else?

13 MEMBER KAPU: I think one of the customers that
14 came up this morning was based upon the position in
15 Lahaina, the Historic District Officer, but was
16 lacking a lot of things based upon its position as
17 criteria. So are you planning to look at that
18 position once again to implement certain changes in
19 there, not giving that Historic District Officer a
20 whole wide range of issues to look upon?

21 I think the applicant or the person that came
22 in to give us some information was saying that it
23 had everything to do with Lahaina, but what I got
24 was basically it was lacking a lot of things based
25 upon, you know, certain applications when people

1 want to do something over there, they just do it and
2 there is no enforcement, no person to direct those I
3 guess rules and regulations.

4 Are you going out for the same format based
5 upon what your position was in Lahaina Town, or are
6 you going to look at implementing different types of
7 ideas to add into that? Explicit responsibility
8 based upon the historic district officer's job.

9 DIRECTOR HUNT: We can take a fresh look at
10 that position. The thought in the past was that
11 there is so much development pressure on West Maui,
12 we have finite resources, that it doesn't make sense
13 to devote such a high percentage of our resources
14 just to the historic district. So we're trying to
15 say we'll try and tackle the historic district and
16 these other development issues.

17 The other thought was that a lot of development
18 issues are inter-related and it doesn't make sense
19 to take a very narrow focus planning perspective of
20 just the historic district or just Lahaina. Some of
21 the issues that affect the historic district or
22 Lahaina are inter-related. Transportation, parking,
23 tourism, those kind of issues.

24 So from a planning perspective, it makes sense
25 to take a more comprehensive look at West Maui to

1 try and address Lahaina. We understand the concern
2 and emphasis from this commission regarding the
3 historic district and the importance of those
4 resources. We agree with you on that. It's just
5 that it's a matter of allocation of resources. It's
6 not a lack of agreement on importance of the
7 historic district.

8 CHAIRPERSON KALALAU: Jeff, what we was
9 concerned about is that your position alone is
10 you're so overwhelmed just to handle the
11 responsibility that's already down there, that we
12 felt that maybe there should be a regular
13 enforcement officer that works with the planning
14 officer down there, so the planner can basically
15 work on the plannings and the enforcement guy goes
16 out into all the projects and do the enforcing.
17 Because as far as the planner's work, you're so
18 overwhelmed down there, so bogged down, that you
19 won't have time to go and cite the violations. So
20 maybe that's what we probably need is another
21 person, too, to work down there with the planner.

22 DIRECTOR HUNT: I agree with that analysis.
23 That job is overwhelming. I was just in that
24 position. You could have a full-time historic
25 district planner just focusing on the district

1 itself and that person would be overwhelmed, if you
2 want my opinion. There is so much going on there.

3 Our enforcement officers throughout the county,
4 James and I were just meeting yesterday regarding
5 enforcement, and it's an issue county-wide. It's
6 not just the historic district, it's not just
7 signage. It's a county-wide issue.

8 The way we were working it in the past was as a
9 planner I would try and resolve some of these issues
10 with the property owners. And some of them were
11 pretty cooperative. You'd explain the ordinance,
12 the reasoning behind it, that we're taking an
13 approach across the board, we're not just singling
14 out one property owner, and some of them were pretty
15 cooperative, they would go and remove their sign or
16 something. There were some that weren't. I mean,
17 as soon as I walked away, I watched people over my
18 shoulder they'd put the sign right back as you're
19 walking away. So in that instance, then we would
20 call in the enforcement officer. So the approach we
21 took was the planners try and get some resolution
22 and then if -- we try and work with them. If we're
23 not getting any results, then we call in the
24 enforcement officer. But again, that enforcement
25 officer that we call in is dealing with -- they have

1 got a full plate.

2 CHAIRPERSON KALALAU: I know, they're
3 overwhelmed, too. Maybe just for thoughts, maybe if
4 you guys look into district deputy enforcers. Just
5 something to think about. Whereas before they had
6 deputy game wardens and stuff, district deputy game
7 wardens where they're only in their district. When
8 the county needs something, some complaint come in,
9 they call the deputy and the deputy go out there and
10 see what the problem is. It's just something to
11 think about, you know. Deputy -- district deputy
12 enforcers.

13 DIRECTOR HUNT: We're going through the initial
14 stages of our budget and so we're definitely going
15 to be looking at our enforcement officer
16 allocations.

17 I also think it's more than just more
18 enforcement, stricter enforcement. I think the
19 enforcement issues on Maui County are so pervasive
20 and so overwhelming that it's going to take a county
21 approach. I don't mean county staff; I mean county
22 citizens.

23 When I was in one meeting in Lahaina, I
24 suggested that in the historic district, if you see
25 your neighbor doing some violation, go and talk to

1 then. Explain to then the rules so that we have the
2 community and the citizens helping out enforcement.
3 And the response I got was, "Are you crazy?" So
4 they the attitude is the citizens don't -- they
5 don't want to take the time to get involved, they
6 want to just point at the planning department and
7 say do better enforcement. Better enforcement. I
8 think it's going to take all of us to really address
9 enforcement issues.

10 MEMBER PYLE: I think part of the problem there
11 is absentee -- the owners. The tenants are not
12 going to take the responsibility of having someone
13 throw a rock through their window because they have
14 spoken up. Because there is such absentee
15 ownership, there is no responsibility. And that is
16 a major, major issue in Lahaina.

17 DIRECTOR HUNT: It's not an easy problem.

18 MEMBER MOIKEHA: I just think after listening
19 to Keoki Freeland this morning, also, I guess
20 because we are the commission, either which way, I
21 think as strong as we can, we would still like to
22 see a Historic District Officer there. I mean, I
23 understand what you are saying, but we understand
24 that's your responsibility. This is our
25 responsibility. We're not going to back away from

1 it. I mean, Keoki just got through saying that
2 here's a tenant that restored this one store. All
3 of a sudden it goes to two stores without it coming
4 to us, and then all of a sudden it goes to three.
5 You know, I've seen people where the county would go
6 and say you've got to break that down, you have no
7 permit. What happens with this. We know it's
8 against the rules. And yet nobody will go in and do
9 anything about it either. But either which way, I
10 think if we can just say it strongly enough and if
11 we got to go in, whatever we have to do, we would
12 like to kind of see that. So I don't know if I can
13 emphasize the point enough.

14 DIRECTOR HUNT: Again, we'll take a fresh look
15 at the job descriptions of the West Maui planner.

16 MEMBER MOIKEHA: I mean, Lahaina is the jewel.
17 You're going to develop for what? I mean, this is
18 why a lot of people come, I mean, and if there is a
19 guideline that needs to be -- all these guidelines
20 -- I mean, there is no measuring stick. If we keep
21 on breaking things or changing things, the measuring
22 stick that we say that this is what the measuring
23 stick should have been, it's just not going to
24 happen. And you lose preservation, that's why you
25 lose Maui. You lose it.

1 DIRECTOR HUNT: And we agree with your
2 assessment of Lahaina. We think it's a jewel, too.

3 MEMBER WATANABE: Jeff, I just wanted to, I
4 think you know, for Lanai, the planning commission
5 needs to realize that we do have a Cultural Resource
6 Commission and I don't see anything that -- I want
7 then to be aware of that. And it seems like
8 everything bypasses Cultural Resource Commission.
9 So I think it needs to be brought back to their
10 attention.

11 DIRECTOR HUNT: Okay.

12 MEMBER KAPU: In the historic district
13 planner's position, is there staff? Or you were
14 just the only guy? Was there staff behind that?

15 DIRECTOR HUNT: There was just one position
16 created, one person.

17 MEMBER KAPU: Maybe possibly look into the
18 historic district planner or whatever the position
19 you held, to entertain an idea of looking at
20 possibly having staff so maybe the staff can be
21 those who can be used to go out as enforcement
22 officers.

23 DIRECTOR HUNT: So additional staff besides
24 just the one.

25 MEMBER KAPU: One can take care of the land and

1 the traffic problems, but we really need somebody on
2 an enforcement side in the heart of Lahaina Town.
3 Keoki brought an example of these paper signs that
4 people stapling up on the poles because of events
5 coming around, yeah. So that probably alleviate the
6 problem by having more staff. I would like to go up
7 for the position. And at the same time, you know,
8 I'm with the Cultural Resources Commission, I
9 represent the Lahaina District. I need to know
10 basic clarity based upon whether or not we have or
11 can expedite a process as representatives of those
12 districts to help out in the enforcement area.
13 Because as far as I know so far, I'm an advisory to
14 the planning based upon the history and the culture.
15 But maybe it would be possibly that -- I don't know,
16 it probably would be up to everybody to take a more
17 responsible role in the districts that we represent.
18 Give me one badge.

19 DIRECTOR HUNT: Well, I really like the idea of
20 brainstorming on solving this, and not just thinking
21 that one simple solution of more enforcement
22 officers will solve it. It's a complex issue.

23 CHAIRPERSON KALALAU: Jeff, just another thing.
24 We've been issued our 2007 schedule, all the dates
25 of the meeting, and what I really want to see on

1 here is what month we're going to go to Lanai and
2 Molokai.

3 MEMBER PYLE: And Hana and Lahaina.

4 CHAIRPERSON KALALAU: Right. We've been trying
5 to do this for the past three years. I've been on
6 this commission for three years and we've been
7 trying to schedule meetings in these areas for three
8 years, and I think it's about time. Let's make it
9 2007 that we do show our face on Molokai and Lanai
10 and also the rural areas.

11 DIRECTOR HUNT: I'd suggest you talk to Stan
12 and schedule that as an agenda item and so staff can
13 do some research and come back. I think Stan can
14 deal with that one.

15 CHAIRPERSON KALALAU: Thank you. Any more
16 questions for Jeff? Well, Jeff, anyway,
17 congratulations.

18 DIRECTOR HUNT: Thanks, I think.

19 CHAIRPERSON KALALAU: Should we say good luck,
20 too?

21 DIRECTOR HUNT: And throw in a prayer.

22 CHAIRPERSON KALALAU: Thank you very much.
23 Okay. Stan, are you going to get into the next
24 demolition?

25 First of all, I just want to apologize to the

1 Yamasaki family while we go through our meeting.
2 The agenda was all kind of all mixed up because we
3 had people coming in different times of the meeting.
4 Anyway, thank you very much for waiting patiently.

5 MR. SOLAMILLO: I also wish to apologize to the
6 Yamasaki family because I prepared this agenda off
7 island, I was actually doing field work in Molokai.
8 And this -- the erroneous title, and I'll call it
9 erroneous, because two things have happened. The
10 main library at Kahului has been closed down, which
11 means you cannot get access to telephone records to
12 show you who lived at what address from 1900 through
13 today. And the other thing was that I didn't get an
14 opportunity to talk to the family about this
15 particular house.

16 So I've been informed that this was -- this
17 house was occupied by the father, who was a Maui
18 Electric employee. So the "Plantation Luna's House"
19 is erroneous. It was suggested by a stylistic
20 comparison with other houses that have been built by
21 Wailuku Sugar. And I'll still standing by the
22 suggestion that it may have been done by an Japanese
23 contractor active in Wailuku such as Kikuichi Honda,
24 but that has to be substantiated. So at this point
25 we will call it a house. Okay.

1 In line with that, however, there is going to
2 be an amended recommendation from a HABS Level I to
3 a HABS Level III. The house is located at 161
4 Mission Street and sited on 6,525 square foot parcel
5 that includes what we will call a main house and an
6 outbuilding. Although building records indicate
7 that a construction permit was let for this property
8 in 1938, the house appears to have been built
9 earlier, possibly late teens or twenties. This is
10 stylistically from several elements. They include
11 1/1 and 2/2 wood windows, single-light paneled entry
12 doors, engaged and free-standing wood porch columns
13 which are Tuscan, as well as four-panel wood doors
14 on at least one shot that appears of the interior.

15 The applicant is requesting a demolition permit
16 for this house so that a new dwelling can be built
17 on the site.

18 This is a parcel plan that shows the location
19 of the main house, which is the largest of the two
20 yellow rectangles, and an outbuilding.

21 These are photographs which were prepared and
22 presented with the application. And it is a typical
23 as we would say plantation period house that falls
24 in line with other houses that were being built for
25 private owners in Wailuku Town during the early 20th

1 century.

2 The simple columns at the front entry porch are
3 a little bit different from what we usually see in
4 Wailuku Town and that suggests that it was either
5 built for management, which in term would suggest
6 middle management such as Luna.

7 In the lower of the two pictures here, we've
8 got a four-paneled door which is earlier, and then a
9 later five horizontal panel door, so there has been
10 some change on the interiors. But the earlier door
11 may be reused. We'll have to substantiate that
12 through further research.

13 Like the house that we looked at earlier which
14 was a U-shaped plan house, this house is a
15 derivative of the Hawaiian Sugar Planters
16 Association standard plans which were enacted in the
17 1920s. Earlier we documented a HABS Level III, 580
18 Ukali Street which appeared to have been built in
19 1925 and relocated there to that site in 1946. This
20 was a plantation worker house.

21 The Masumoto house, which for all intents and
22 purposes we're giving it a circa 1925 date and it
23 was built at 259 Muliwai, was modeled after a
24 plantation house, but a lot of the detailing that we
25 found on the building was consistent with that being

1 built by Japanese contractors for Japanese merchant
2 families. And there were only Japanese merchants
3 who lived in this house with their families.

4 The significance for these types of buildings
5 is under criteria A, C, and D. This building as it
6 stands would be eligible for listing in the National
7 Register based upon those criteria.

8 We are recommending an amendment to the
9 mitigation for this project and downgrading it from
10 a HABS Level I to a HABS Level III recordation to
11 mitigate the adverse effect of the loss of the
12 building through demolition. HABS Level III
13 includes a historical narrative, which is the HABS
14 short form, which the department will prepare,
15 archival photography, and a sketch plan.

16 The applicant is here to talk to the commission
17 about this particular project.

18 MS. YAMASAKI: Hi, I'm Nani Yamasaki and my
19 husband and my family was fortunate to have this
20 home given to us by my mother-in-law and her
21 siblings. Actually it was a home that she actually
22 grew in. And I'd like to rebuild or demolish and
23 rebuild a home for my girls and get history because
24 my mother-in-law grew up in this home. But as far
25 as living in there now, it's so termite infested.

1 The right side of the house is ready to split and I
2 have this huge Japanese man, which is my husband,
3 walks around the house and it would creak and he
4 probably made some holes in then while walking
5 through the house. So we were planning to demolish
6 and rebuild and have a new home there for me and my
7 girls.

8 CHAIRPERSON KALALAU: Commissioners, questions
9 for Nani?

10 MEMBER WHELCHER: What style of home are you
11 planning to rebuild?

12 MS. YAMASAKI: A simple wooden home, three
13 bedroom, kitchen, bath.

14 MEMBER WHELCHER: Is it going to be
15 conventional or be plantation style, just out of
16 curiosity?

17 MS. YAMASAKI: We talked with our contractor
18 and the person that did our blueprints, we told then
19 we don't know what is required or what is -- what we
20 can do as far as the home, so we left it up to then
21 to decide what they want us -- we told then all we
22 wanted was a three-bedroom house, bathroom, kitchen,
23 living room, and they made the plans for us. And we
24 told then that they had to check with the county to
25 make sure, because I know there were requirements in

1 those areas as far as what we can do and what we
2 can't do. So we're going by what they're telling us
3 that we can do.

4 MEMBER WHELCHER: And are they going to
5 sterilize the soil once they remove that house?

6 MS. YAMASAKI: Yeah. That is -- he said it was
7 required.

8 MEMBER WHELCHER: If he didn't do a real good
9 job, it would be eaten up again in no time.

10 MS. YAMASAKI: Oh, yeah. There are so many
11 trees that -- it's ground termite, I believe it was.

12 And he said instead of wooden stilts, it will be
13 slab. He said that will protect the home longer.

14 MEMBER KAPU: I just got one question. I guess
15 when you go to the contractor that's building the
16 house, you might want to -- what I'm hearing is
17 you're taking advice from then based upon something
18 really simple, that being that you're the owner, to
19 sort of ask then to -- I mean, upon your request
20 that it be inclusive to the surroundings of the
21 area. Yeah? You know, in the neighborhood, so you
22 have that ambiance of the neighborhood.

23 Because like where we live, we have a lot of
24 old homes like this, and then all of a sudden we see
25 some concrete castles popping up in between.

1 MS. YAMASAKI: No, can't afford that. Simple
2 wood house.

3 MEMBER KAPU: Just as a reminder to the
4 contractor to make sure he stays with the ambiance
5 of the neighborhood as well.

6 MS. YAMASAKI: That's what we wanted.

7 MEMBER KAPU: That would be my recommendation.
8 Mahalo.

9 MS. YAMASAKI: Thank you.

10 CHAIRPERSON KALALAU: Any more questions? If
11 not, thank you.

12 Is there anyone else in the public that wants
13 to testify on this project? Please come forward and
14 state your name, sir.

15 MR. YAMASAKI: My name is Donald Yamasaki. I'm
16 a postal worker for 39 years. I just retired.
17 That's not what I'm trying to [inaudible.]

18 I'm the father-in-law of Lani. Okay. And what
19 they want to do is break down the house and make
20 another house, you know what I mean. Which I don't
21 blame then at all because you can renovate that
22 house, going to cost just as much, if not more. I
23 mean. And I've known my wife since 1966 and they
24 have done nothing to the house. Okay. The roof is
25 still shake roof. I wouldn't even try to get on

1 that roof. I mean, you're going right through the
2 roof, you know what I mean. As far much as the
3 floor.

4 We had a safe in there in the house. It was on
5 the right side. You see that window, the big window
6 on the right side, we had a safe in that room. And
7 they had to hire -- what do they call that company?
8 They had to make sure that the floor was safe enough
9 to bring the safe out. That's how bad the floor is.

10 So, you know, like I said, it's been since 1966,
11 41 years I've known this house and I've never seen
12 anything done to the house. No painting, no
13 nothing.

14 So you're talking about a house that -- you can
15 see already, you see the top of the roof? It's kind
16 of leaning this way already. It's not in the
17 middle. That gable looking thing. It's more
18 towards the right side. I'm afraid one day that
19 house is going to fall into the other guy's house.
20 We're hoping we're going to demolish the house
21 before it does. That's how bad it is. Okay. I
22 just wanted to say.

23 CHAIRPERSON KALALAU: Thank you.

24 MR. YAMASAKI: Can I make one comment? This
25 might hurt some of you guys, but this is one comment

1 that I have to make before I leave this place. I've
2 heard everything about you guys trying to, you know,
3 make everything the way this should be, that should
4 be, that should be. Okay? I'm from the camp. I
5 was born in 1944. I live in Camp 4 in Puunene. The
6 development that I have seen since I was born, I
7 shake my head, I'm sick. I can't believe what I
8 see. I can't believe the development that I see.
9 And you guys are arguing about getting a commission
10 to investigate and check on all the illegal things
11 people are doing.

12 I know a lot of things that are illegal that is
13 happening just where I live in Kahului. But what
14 I'm trying to tell you folks is you guys just
15 getting out of hand. You can't control. You guys
16 trying to make something that you guys can't
17 control. Which I think is foolish. That's all I
18 want to say. Okay.

19 CHAIRPERSON KALALAU: Okay. Thank you. Anyone
20 else from the public that wants to testify? Seeing
21 that there is none, Stan, you got any --

22 MR. SOLAMILLO: No. There is just an amended
23 recommendation for a HABS Level III mitigation.

24 CHAIRPERSON KALALAU: Okay. Commissioners?

25 MR. SOLAMILLO: Unless MEMBER KAPU would like

1 to add that the new design be contextual with the
2 neighborhood, as a condition.

3 MEMBER KAPU: I don't know.

4 MEMBER WHELCHER: I make a motion that in
5 reference to the demolition of the Luna's house,
6 that we concur with the recommendations for a HABS
7 Level III mitigation with staff recommendations.

8 MEMBER PYLE: Second.

9 CHAIRPERSON KALALAU: It's been moved and
10 seconded. Any discussions? No discussions? All in
11 favor, say aye. All opposed. None. Recommendation
12 is now passed.

13 MEMBER PYLE: Thank you for your patience.

14 MR. SOLAMILLO: This is a real awkward position
15 for me. I would rather be sitting. But anyway.
16 Under Communications, there are none at this time.
17 Go ahead.

18 MEMBER PYLE: This is a communication, I would
19 assume, written to Mr. Peter Nicholas. "Dear
20 Gentlemen." This is about La'au Point. We got a
21 copy of this from January 23, 2007. It is not to us
22 directly, but it is a communication. And so if this
23 was put in our packets, it must mean that we should
24 have some interest in this particular subject? And
25 I know I've spoken earlier about this, but I would

1 like the La'au Point Draft Environmental Impact
2 Statement to be on our agenda for review. Thank you
3 very much.

4 MR. SOLAMILLO: It will be on your agenda for
5 next meeting in March. Unfortunately, I asked Suzie
6 because she has been involved in the hearings for
7 La'au Point, and the comment deadline date, if you
8 want to be on it, we would have to meet prior to
9 February 23rd. Is that correct, Suzie?

10 MEMBER PYLE: Can I just simply ask why it was
11 not put on our agenda prior to this?

12 MR. SOLAMILLO: Did someone ask me to put it on
13 the agenda?

14 CHAIRPERSON KALALAU: Nobody from Molokai or -

15 MR. SOLAMILLO: No one has asked me to put it
16 on the agenda. Let me indicate. Usually the way we
17 put things on the agenda is a commissioner may ask
18 that something be specifically placed on the agenda.
19 Current planning has cases which are processed and
20 they get put on an agenda on a regular basis. And
21 then cultural resource issues or cases come through
22 and I place them on the agenda.

23 MEMBER PYLE: This is not a current process?

24 MR. SOLAMILLO: It is a current planning
25 process, but it has not been specifically identified

1 that this commission look at it. And again, it goes
2 back to what you were saying earlier, that a lot of
3 cases that go through the planning commission on
4 Maui, on the other two islands, do not routinely
5 come here.

6 If you want that changed, then you have to
7 write a letter to the director and indicate that you
8 want that changed. I concur with your synopsis on
9 La'au Point. But realize that the EIS is like that
10 thick, that the applicant specifically -- and this
11 was brought up in the hearings -- ran it during the
12 holidays, correct? I mean, they submitted it on a
13 fast track. So. As long as you're aware of that.

14 MEMBER PYLE: I know. And Stan, I am not
15 criticizing you --

16 MR. SOLAMILLO: No, I mean I'm open to
17 criticism.

18 MEMBER PYLE: I'm just concerned that these
19 kinds of things, we're all aware, I think we're all
20 aware, about La'au Point. And this is my
21 assumption, my bad in this, but something that is of
22 such public note, something that is of such major
23 concern to a large portion of people on one of Maui
24 County's islands, to me should be a no brainer on
25 our agenda. And if I had thought otherwise, I would

1 have personally called you and asked you to place it
2 on here.

3 But to me this is something of such importance
4 to such a large number of people that even if there
5 is not significant in the ground archeology sites
6 there, it is of such significant value that we
7 should be recording as part of our charge as the
8 Cultural Resources Commission, we should be
9 recording the cultural aspects of this site, if not
10 to have anything to do with the permit necessarily,
11 but to gather and record the information the same
12 way we're asking for HABS things on these houses.
13 And there is a lot of other sites like this
14 throughout the islands, Maui County, that have the
15 same level of importance. And we can't let them go.

16 MEMBER KAPU: I would just like to add. Do we
17 have a representative from the resources commission
18 on Molokai?

19 VOICE: Yes.

20 MEMBER WATANABE: I think our problem is we're
21 always lost. I think it's the -- our islands, I
22 think we need to be recognized that there is a
23 Cultural Resources Commission representative on our
24 islands. And I think that's where the communication
25 is. And planning commission should be aware of

1 that. But I don't --

2 MS. ESMERALDA: It may still come through
3 during the process, it's just going through the
4 state process right now.

5 MEMBER KAPU: I think the important thing to
6 that is in spite of the state account, the community
7 has an open -- an opportunity to view or give
8 comments to certain projects, yeah, and I don't know
9 what the state's process is on the community level,
10 but we have -- and which is the Cultural Resources
11 Commission for everyone to come forward and share
12 their opinions based upon the project. And the bad
13 part about this is it's never been in front of us.

14 So I guess that's another thing I'm bringing up
15 about the Cultural Resources Commission's so-called
16 responsibilities. What is our responsibilities?
17 Just is it based on whatever applications come from
18 the planning department that we are to review these
19 applications on whatever has been implemented
20 already? You know, I would like to see some
21 straight up clarity because if our representative
22 from Molokai had known that she had to take a
23 position or is allowed to take a position in certain
24 development perspectives, then I guess maybe that
25 would open up the window of opportunity for these

1 things to be placed on our agenda.

2 So just clarifying that based upon our position
3 as a Cultural Resources Commission of what I seeing,
4 it's really this much, yeah, real slight
5 responsibility, where it could be even more broad.
6 Just sort of help out with the planning, the
7 procedural kind of stuff so we don't start always
8 wondering how come only now we're looking at this
9 when we looking at one deadline on the 23rd, too.

10 CHAIRPERSON KALALAU: You know, Stan, I know
11 the La'au Point thing over there, you know, the
12 people been negotiating mainly with the State of
13 Hawaii and OHA. When does it become the county's
14 responsibility to get involved in that dispute over
15 there or like Ke'eaumoku was saying, when do we get
16 our feet wet in what's happening over there?

17 I know it was with the LUC, which was the Land
18 Use and Codes people for a while, OHA with the water
19 projects over there, too. It all ties into that
20 La'au Point project. But like Dorothy was saying,
21 when are we just going to get specific with the
22 cultural resources there or whatever archeological
23 sites or sites that concerns this commission?

24 MR. SOLAMILLO: I would have to ask Clayton
25 Yoshita on where Cultural Resources Commission would

1 be -- if we were going to get in the pipeline, where
2 we would get these cases and how we would schedule
3 then.

4 CHAIRPERSON KALALAU: Okay.

5 MR. SOLAMILLO: In addition, I sat in on a
6 portion of the hearings last week. And Hawaiians
7 were coming in saying that this place is sacred.
8 And sacred in mythology as well as places that might
9 have been inhabited. And from what I was hearing,
10 it was -- it sounded more and more like Black Rock.
11 And so it was disturbing to me to hear that the
12 project actually was going through, given that I had
13 not seen anything that documented this level of
14 importance to the Native Hawaiian population. So it
15 was a surprise to me.

16 So I concur with, you know, the vice chair's
17 position that we should have -- or that this
18 commission should have a say on particular
19 developments that impact lands, because lands are
20 not just important because they may have been
21 occupied, they're important also to the psyche and
22 the religion of kanaka maoli, and that is something
23 that is often neglected today.

24 MEMBER KAPU: I would like to add as caution
25 that once I guess all this is completed, the EA is

1 completed, it comes -- we're going to find one time
2 that this comes to us. It's an after the fact kind
3 of thing that the caution will be that in spite of
4 what position we hold on this, we will get bashed by
5 the Hawaiian community. And despite it wasn't our
6 say from the beginning that we getting all this
7 information afterwards. We're going to get bashed.

8 MEMBER PYLE: I understand completely. Stan,
9 it seems like as far as -- and my mind is probably
10 -- my memory is probably a little fuzzy here, but it
11 does seem that what I understand this is is this is
12 now an environmental impact statement that is being
13 done on the state's level and that it is being, I
14 would hope -- now, I have no proof of that -- it is
15 being also considered by and commented on by the
16 state historic preservation office. I would assume
17 so.

18 My memory of my previous go-round on this
19 Cultural Resources Commission -- which is a while
20 ago now -- was that the State Historic Preservation
21 Office would have asked us as the County Cultural
22 Resources Commission to comment on it at the level
23 it's at now, so that we would be giving information
24 to the State Historic Preservation Office.

25 MR. SOLAMILLO: I have received no such letter.

1 MEMBER PYLE: I understand. But this is why
2 I've been saying over and over again we need to meet
3 with them. We truly need to work out a much better
4 system.

5 MR. SOLAMILLO: And every month when I speak
6 with Susan Tasaki, I say, "We want a workshop,"
7 that's the first thing, that was the first request
8 from this commission that we get a workshop supplied
9 by SHPD and have an opportunity to meet with you
10 about substantive issues in Maui County. And we
11 don't have a committal date and they're overwhelmed
12 and that's the way things stand.

13 MEMBER PYLE: But look at this.

14 MR. SOLAMILLO: And we are overwhelmed, too.

15 MEMBER PYLE: There is our cultural resources
16 going down the drain. I don't know the answer.

17 MR. SOLAMILLO: Well, I would like to get
18 clearer direction with regards to La'au Point
19 because it is, as you know, a very politically
20 charged issue and a charged project. So I would ask
21 MEMBER KAPU when do you think we ought to be issuing
22 comments or reviewing the EIS?

23 MEMBER KAPU: Do we have it?

24 MR. SOLAMILLO: I can get a copy for you.

25 MEMBER PYLE: Perhaps because it is this thick,

1 the only sections we really need are the parts that
2 concern --

3 MR. SOLAMILLO: History and cultural resources.
4 That's fine.

5 MEMBER PYLE: History and cultural. We don't
6 need the whole thing.

7 MEMBER KAPU: So it's in the litigational
8 process right now.

9 MR. SOLAMILLO: I don't know. Because I'm not
10 involved directly on this project.

11 MEMBER KAPU: That's the hard part.

12 CORPORATION COUNSEL: I know an attorney from
13 our office has been going to Molokai and my
14 understanding is that they're in the Draft EIS
15 public comment period. So my understanding is that
16 there is a Draft EIS, it's produced, and now the
17 public has got a chance to read it and make
18 comments, and that they have come before the Molokai
19 Planning Commission and that the comment period has
20 been extended for a little while by the developer in
21 order to have the Molokai Planning Commission either
22 do a site visit and make sure that their comments
23 are in.

24 So you could either make a request that it be
25 reviewed, or, if that doesn't happen, maybe send a

1 communication to the Molokai Planning Commission and
2 let then know that you feel that you haven't been
3 included in the process and that's something that a
4 comment that might be included in the Draft EIS is
5 that the Maui Cultural Commission has not reviewed
6 the document and not been given a chance to comment.

7 But I think the first thing is maybe try to get
8 a review of it and try to get a comment in before
9 the close of the public comment period.

10 MR. SOLAMILLO: If I were to go and get a copy
11 and mail it out to the commission in a separate
12 mailing separate from our normal business, could I
13 get a commitment from the commission members that, A
14 -- you have two options. You could do written
15 comments and send them back to me, or that we have a
16 meeting, a special meeting.

17 MEMBER PYLE: A special meeting would allow
18 public testimony; written comment would not.

19 CORPORATION COUNSEL: And also if you have a
20 meeting, you could vote as actually adopting
21 comments that would be from the commission itself.
22 Otherwise, you would just be putting in comments as
23 members of the public. So a meeting that's with
24 notice, public comment.

25 MR. SOLAMILLO: It's got to be before the 23rd.

1 I don't have a calendar.

2 MEMBER PYLE: Today is the 1st.

3 MEMBER KAPU: So the 23rd triggers what, the
4 deadline of the Draft EA?

5 MEMBER PYLE: The comments.

6 MEMBER KAPU: The comment period. Then once
7 the final, then it kicks in the 45-day, once it
8 becomes the final.

9 CORPORATION COUNSEL: I think there is 30 days
10 after the final is accepted by the Land Use
11 Commission, I think there is a 30-day ligation
12 period.

13 MEMBER PYLE: But if this is a draft, then a
14 final has to also be produced and there needs to be
15 comments about that, I would think.

16 CORPORATION COUNSEL: Right, they would have to
17 make comments on --

18 MEMBER PYLE: But it's better to do this sooner
19 rather than later. How many of you can come in two
20 weeks? I can come.

21 CHAIRPERSON KALALAU: Okay, what day?

22 MEMBER PYLE: It would be two weeks from today,
23 so it would be the 15th. Thursdays are our normal
24 day. That's the only reason I chose that.

25 MR. SOLAMILLO: Suzie has probably got the most

1 intensive hearing schedule right now. Can you
2 accommodate a meeting on the 15th?

3 MS. ESMERALDA: As long as Molokai doesn't
4 decide to go on the 15th.

5 MEMBER KAPU: Is that appropriate time for an
6 item to be placed on the agenda? Two weeks. Okay.

7 MR. SOLAMILLO: And also getting a copy of the
8 EIS with the pertinent sections. Do we have a copy
9 of it in-house here? Okay. Give that to me and I
10 can copy it for you.

11 MEMBER MOIKEHA: Would we have enough
12 information to even make a -- I mean, so we can take
13 a stand on this together. I mean, do we have enough
14 information? Can we get enough? I mean --

15 MR. SOLAMILLO: I haven't seen the document
16 myself.

17 MEMBER MOIKEHA: Do we need more from -- I just
18 -- I just, you know, you're talking about the
19 brothers over there saying, you know, why you guys
20 talking about this, you know nothing about it. I
21 mean. Have you even heard the issues? I mean, I
22 can honestly say I don't know as much as I would
23 like to. I can understand what some of the people
24 are talking about, things I've read and seen on
25 Akaku and things like that.

1 MEMBER PYLE: I think really all that we would
2 be able to do would be to read through to formulate
3 questions that we might have where the information
4 that is in this Draft EIS is unclear, seemingly
5 incomplete, perhaps contradictory, lacks depth.
6 There is many, many ways that we can look at the
7 information that's in there from our own
8 perspectives on that way. And we can certainly
9 comment on all of those and say those things.

10 In this letter that we have, there are some
11 questions that have already been asked by the
12 department, but we may have others when we have a
13 chance to review it. And also, if we have public
14 testimony -- who knows how long this will be, it
15 will be very interesting -- if we have public
16 testimony, it's possible that those that come to
17 bring information will add some clarity for us when
18 we finally make our comments. Does that make sense?

19 CORPORATION COUNSEL: The important thing is
20 the comments are on the sufficiency of evidence.
21 They're trying to produce a document that will be
22 informational so that when there are people who have
23 to make decisions based on the project, they can
24 turn to the document and have sufficient information
25 to make a decision based on fact.

1 So if you're looking at the document and you
2 feel that there is insufficiencies, then that's the
3 comments that need to be made. Like if they only
4 focus on archeology and not history, if they focus
5 only on modern period, not ancient period. Those
6 are the types of comments that you want to look at.
7 So it's about sufficiency of the document.

8 CHAIRPERSON KALALAU: And I believe I think,
9 you know, it's a good thing that we are concerned
10 about what's happening over there on Molokai because
11 it could be in reverse in the bashing, too, you
12 know, if we don't even -- it's like we don't care
13 about what's happening on Molokai. And this
14 commission is supposed to serve all of Maui County.
15 So.

16 MEMBER KAPU: I would rather get bashed in the
17 beginning than get bashed for something I wasn't a
18 part of.

19 MEMBER PYLE: Thank you, Stan, for your
20 patience.

21 MR. SOLAMILLO: Okay. So as we stand now, I've
22 got to post haste, hopefully tomorrow, get a
23 mail-out together and we've got a special meeting on
24 the 15th, La'au Point.

25 CHAIRPERSON KALALAU: Mahalo. I know I've been

1 to one of those heavy meetings over there on
2 Molokai. You know, it's just -- I know what
3 Ke'eaumoku thinks because we're from Maui, it's
4 like, when we go there, I'm in the middle over here.
5 And then Maunaloa and Kaunakakai guys is on this
6 side. And I get relatives on both sides of the
7 fence, you know, uncles and cousins and everything.
8 And it's like whoa, I'm in the middle. But it's
9 good. They are going to have to -- this is why I
10 think they haven't come to the county yet because
11 the issue is basically with OHA and the state. They
12 feel that those are the two biggest guns. They feel
13 that the county is just, you know, whenever -- if we
14 need a little bit more wait, we might just use the
15 county. Other than that, it's between those people.

16 But anyway, it's important that we do show some
17 concerns. Okay, Stan?

18 MR. SOLAMILLO: Are there any other comments?

19 About Communications. Or lack thereof.

20 MEMBER PYLE: You did tell us that in spite of
21 your best efforts, we're not getting anywhere with
22 the State Historic Preservation Department.

23 MR. SOLAMILLO: I think I will pen a specific
24 letter, but that's going to come under Director's
25 Report.

1 Now comes my time to bash. Bash me. I don't
2 know -- I've talked in short about my history and
3 that my father was born in Puukalii on West Maui and
4 that I was there as a child and that I came back in
5 2004 -- actually 2003 permanently after spending
6 22 years in the great state of Texas. And I wanted
7 to come home. And I wanted to be able to -- for me
8 it's like being in a candy store because I had been
9 doing minority history in Texas under a lot of
10 duress, and I was really happy to get to a place
11 where there were so many different people who had
12 come, settled, work, died, et cetera, gone through
13 hell, and then made that process of moving up the
14 social ladder of the territory.

15 To my chagrin, I have never seen so much dirt
16 flying since I was in Texas during the 1980s, and it
17 is a real shock to me. We cannot as a commission
18 tell people, no, you cannot tear down your
19 termite-ridden house, even though the termite-ridden
20 house is really, really important. And we can't
21 seem to tell people who are hell-bent or hades-bent
22 on swallowing up every piece of land to make a buck
23 off it, that you can't do it. And I don't know.
24 And we got illegal stuff happening all the time.
25 And I keep telling people, look, in big D -- and I

1 hate making efforts to big D -- we order a bulldozer
2 in and knock it down and charge the owner for his
3 infraction. But you can't do it here. You know,
4 we're going with this after-the-fact permit and
5 aloha. And I don't honest to God know what to say.

6 Which brings us to the biggest and most
7 important issue which is the Cultural Resource
8 Management Plan. The Planning Department has been
9 running after the fact for a long time. Maui County
10 last surveyed for a cultural resources 1972 to 1974.
11 Do we have records of this survey here? No. Do we
12 have maps? No. Do we have [inaudible] boards? No.

13 So we're at a loss when we go through this
14 process of ascertaining what is really important.
15 And frankly, everything is important. You know.
16 You go up to Kula, you see old Hawaiian walls, you
17 know, you go to places that you know there is a
18 Hawaiian name, but no Hawaiian -- nothing on the
19 surface that indicates that Hawaiians lived there.
20 These places are very old. And all the names get
21 taken, placed on a new development that goes in its
22 spot.

23 On the Mainland I call that cultural erasure
24 when they erase you, your physical remains, and
25 somehow in this process of repackaging you or your

1 culture or the place name, it loses its sacredness,
2 and it loses all attachments to the people who made
3 it important.

4 And when you go from here to Lahaina and you
5 look at Chinese graveyards that are abandoned or
6 seem to be abandoned, and old Hawaiian graves, and
7 it's hundreds and hundreds of graveyards. I think
8 that was the thing that most impressed me about Maui
9 when I came back, I said it was filled with so much
10 death. And a lot of it is written in languages
11 where the names I cannot read, you know, or the
12 people who remember are no longer here, and that is
13 I think my biggest fear and should be our greatest
14 fear as cultural resource people that we be erased
15 and that no one remembers why this place is
16 important or why certain places are important.

17 Our Maui County Cultural Resource Management
18 Plan was written, as synopsised by Vice-Chair Pyle
19 this morning, in 1984, following the 1980 adoption
20 of the Community Plan Process by Maui County, and
21 the document has not been updated since.

22 The Maui General Plan is occurring now. And
23 the Cultural Resource Management Plan should be
24 updated simultaneously to ensure that there is an
25 inclusion of pertinent recommendations into that

1 document, especially now when perhaps in the
2 greatest part of our history we are under large
3 scale assault by development. And it is assault.

4 So I don't know how we want to do this. I know
5 that by the time we get -- especially with the
6 fuller docket than what we had today, by the time we
7 get to this point, we're tired. So we either have
8 to do it as a special meeting or a special workshop.
9 And honest to God, the only relevant pages are 12.
10 Vice Chair Pyle was correct, it has very little
11 substance. So it's only 12. And the most important
12 thing that I gleaned from it were objectives and
13 implementation because these are policy measures
14 that absolutely must be put into the General Plan.
15 And we need to read through those at least for next
16 meeting, or if we want to have a special meeting, or
17 if we want to go to each island and visit it and
18 have -- which would be the most optimum thing. Have
19 members of the public come up to you and tell you
20 what they think and what's happening.

21 I've heard -- I've been really lucky and I very
22 feel blessed to have been able to go to Molokai and
23 to go to the La'au Point hearings, but also to be
24 told by aunties and uncles who have lived adjacent
25 to fish ponds what is happening to these places that

1 are listed in the National Register. And they're
2 saying that people who own adjacent house lots are
3 filling then, you know, with soil to bring them up
4 above the floodplain and build on them. But what
5 this is doing is changing how water comes through
6 that whole ahupuaa, changing -- they're either
7 covering up springs in the process or the fish ponds
8 are becoming heavily silted because of run-off.
9 There is always all sorts of environmental things
10 that are happening. And these are really pertinent
11 issues that although they deal with the National
12 Register listed site, or sites in this case, they
13 also deal with environmental issues. And the
14 long-term issue of, you know, the goal which was a
15 lot of the fish ponds should be functional and
16 functioning.

17 So it's up to you, commissioners, tell me what
18 you want to do and we can do it.

19 CHAIRPERSON KALALAU: Okay, Dorothy.

20 MEMBER PYLE: Can I just ask a couple
21 questions? For our information or our update of
22 this General Plan -- our cultural resources plan,
23 when do we have to have this information available
24 for the General Plan? It has, I understand, six
25 months.

1 MR. SOLAMILLO: Right. And there are -- within
2 the General Plan -- and I've been pulled out of that
3 direct involvement at this point. But within the
4 General Plan, and specifically the policy plan right
5 now, there are several items that do pertain to
6 cultural resources. I was involved partly to a
7 certain degree on the development of those items.
8 Since I've been removed and placed full time doing
9 cultural resources, I'm no longer in that particular
10 specific loop.

11 What I think should happen is that the policy
12 plan items which relate directly to cultural
13 resources should come to the commission for the
14 commission to concur or revise accordingly. And
15 that is your involvement in the policy plan. All
16 right.

17 This document has to be completed by you and
18 then submitted to the General Plan at a later date.
19 I don't have a calendar outline of how this works
20 within the overall six months. But all I'm saying
21 is the first thing is the policy plan, and then
22 revising this document which will actually get
23 adopted and has to be adopted later by council as a
24 separate standing document.

25 MEMBER PYLE: So what we could do is in the

1 policy part of the General Plan, have it be stated
2 or I guess it would have to be stated that the
3 revised Cultural Resources Management Plan as
4 approved by the proper authorities, meaning the
5 council, will be enforced as part of the General
6 Plan. That would be one of the policy statements.

7 So it would give us a little longer to actually
8 implement the changes we need to make. We don't
9 have to have it done in six months.

10 MR. SOLAMILLO: That would be good.

11 MEMBER PYLE: Does that sound reasonable?

12 MR. SOLAMILLO: Yes.

13 MEMBER KAPU: I would like add a little bit of
14 information. I mean, reading this, it talks about
15 the preservation program is found in Chapter 60 of
16 the Hawaii Revised Statutes. The criteria of the
17 Section 60 is from like -1 to -66. Yeah. Just
18 looking at this, you know, that's fine and dandy,
19 but what gives even more clarity to the history, the
20 integrity of the island, is basically missing. It's
21 basically missing. And how we can handle this in
22 one simple page or docket in this to make a revision
23 that will help the process for even a longer term, I
24 mean, this is totally out of date. To also make a
25 suggestion to implement certain other laws like the

1 Article 12, Section 7. HRS 7-1. HRS 1-1. Because
2 those things all fall on the Section 6-E. And it's
3 not in here.

4 MEMBER PYLE: Well, most of those weren't in
5 existence.

6 CHAIRPERSON KALALAU: I say this thing really
7 needs to --

8 MEMBER PYLE: That is a really good idea
9 because there are a lot of things that are covered
10 by statutes that can be referenced into this kind of
11 a document.

12 MEMBER KAPU: Hawaii Revised Statute Section
13 6-E, that's -- well, in 1976 was implemented for a
14 really -- how do you say -- like an embryo issue.

15 MEMBER PYLE: It was a narrow thing at the
16 time.

17 MEMBER KAPU: Yeah, it was real simple. But
18 there is other things that was left out, is what I'm
19 trying to say, that those things need to be
20 implemented in the plan as well so it gives a
21 broader idea, especially to the GPAC. When they
22 start looking at these things, these things need to
23 be considered even more now just by implementing
24 those simple processes. HRS 7-1. HRS 1-1. In this
25 plan. So they have a real good guideline on how to

1 address certain things when they look at the broader
2 perspective of preservation.

3 MEMBER PYLE: I guess for the time frame that
4 we have to work in, which is a short time frame, if
5 we can get the GPAC to buy into the idea that they
6 agree that the plan that is developed should be or
7 will be part of the General Plan, and they make that
8 statement, then as our plan is developed, it becomes
9 part of the General Plan even though our plan might
10 not be finished in six months.

11 CHAIRPERSON KALALAU: I'm going to ask corp
12 counsel to address that.

13 CORPORATION COUNSEL: I've not seen -- I looked
14 at the draft of what was produced I guess as the
15 policy. So the way it's separated into a general
16 policy plan and then later they are going to be
17 getting the Maui island plan. And so this general
18 policy plan basically has really broad statements,
19 you know, like "we're going to diversify our
20 economy."

21 MEMBER PYLE: Do they say that we're going to
22 follow the Cultural Resources Management Plan for
23 Maui County? They say that?

24 CORPORATION COUNSEL: They might say that we
25 will devise a cultural plan and have that followed.

1 But again, you're establishing a general policy
2 document, which then gets narrowed into specificity
3 with the island plan and your community plans.

4 MEMBER PYLE: Still the general policy would be
5 to follow a plan that is created. And then this
6 plan can have specific island by island information
7 in it.

8 MR. SOLAMILLO: Okay. I guess my question is
9 do you want a separate workshop to deal with this
10 Cultural Resources Management Plan for Maui County?
11 Do you want to have -- or, and I guess that's the
12 other thing, do you want to go visit every island
13 and then have a hearing at every island that
14 addresses cultural resource issues? Which might be
15 the better thing to do.

16 MEMBER PYLE: How about we need to do both. We
17 can do both at the same time, actually.

18 MEMBER MOIKEHA: My answer would be yes, but I
19 would still come back to what Dorothy was kind of
20 talking about, I mean, if the GPAC says no, all this
21 work that we do would be for not. I think we need
22 to -- -

23 MR. SOLAMILLO: Actually, all this work is
24 going to go into the Cultural Resource Management
25 Plan. What we need to do is get a communication

1 from this body to the GPAC that says what she just
2 said.

3 MEMBER MOIKEHA: Exactly. But what if they
4 don't accept it, though? Are we saying that this
5 plan is going to be -- is separate and distinct from
6 the GPAC stuff? It is?

7 MR. SOLAMILLO: It's a separate, stand-alone
8 document.

9 MEMBER MOIKEHA: We don't have to check with
10 then --

11 MEMBER PYLE: We do if we want it to be part of
12 the General Plan.

13 MEMBER MOIKEHA: That's what I'm asking. So
14 what I'm saying is that if they say you can't do
15 that, you still got to come in through us, we want
16 to hear exactly what you're doing. I mean, I'm
17 saying we're going to do all this and they say no,
18 we're not going to accept that. I mean, that's all
19 I'm talking about. I mean, I don't know. Because
20 that's a good question that you brought up. You got
21 to have then buy it. And if they all say wait a
22 minute, we have this commission here set up in such
23 a way to hear all these things, we can just segment
24 out, everybody do their own and bring it back, and
25 that's not what they want.

1 MR. SOLAMILLO: Remember that the Cultural
2 Resource Management Plan is a document that covers
3 cultural resources for Maui County. It is going to
4 be authored by staff and this commission and it has
5 to be adopted. And you have your own line to walk
6 as well as the GPAC. As a matter of policy,
7 cultural resources are important to Maui County.
8 Lots of money is derived, indirectly and directly,
9 from cultural resources and not necessarily to the
10 benefit of those who it should.

11 That said, you know, there is -- there are very
12 serious linkages between the document that you will
13 have to work on as well as the general plan. And I
14 frankly don't see there is going to be a case where
15 a GPAC would say "oh, no." Because it is a matter
16 of policy. And because there is this linkage
17 between ethnotourism, even though they don't call it
18 that, but, you know, and our cultural resources, you
19 know, you cannot separate them at all. And you
20 can't separate the life of Maui from its past or its
21 future.

22 MEMBER KAPU: I think the part for us is if
23 this all of a sudden gets sidelined somewhere within
24 the GPAC process, are we going to be viewing the
25 GPAC's so-called information based upon what they

1 got that has to deal with cultural resources?

2 MR. SOLAMILLO: No. I mean, you'll get some of
3 it. Like the reason why I've been on the other
4 islands is to do a scenic corridor tour or -- tour
5 is not the -- survey. Tour is a misnomer. What
6 we're trying to identify came out of Maui. It came
7 out of the fact that, okay, that grove of trees that
8 I talk about going through Olowalu, all of a sudden
9 was -- the trees were disappearing, right, and the
10 DOT was cutting them down. So we're trying to
11 identify views that are extremely important that are
12 timeless, they have been there a hundred years, you
13 remember them from your childhood, and you want your
14 grandchildren to remember them, and you know,
15 therefore these are places that absolutely must be
16 preserved. That's from just what's visible from the
17 roadways, and that is in addition to cultural
18 resources.

19 But frankly, we don't -- we have to use island
20 inhabitants and island kapuna to know anything about
21 cultural resources on their islands because we don't
22 know. I don't know.

23 CHAIRPERSON KALALAU: Stan, this is one of the
24 reasons when we do work on this Cultural Resource
25 Management Plan that we include the newly organized

1 group of the Ahamoku Council. I think that would be
2 a very good reference for part of this planning.

3 MR. SOLAMILLO: Thank you.

4 MEMBER PYLE: Can I just offer a couple of
5 ideas? It seems like we've already mentioned that
6 we should have some of our meetings on Molokai,
7 Lanai, Hana, and so on. And I think that those
8 meetings with serve a double purpose. We can have
9 our regular meetings, but part of the meeting time
10 can be set aside for input and information gathering
11 for the Cultural Resources Management Plan. So we
12 can do both, you know, we can -- ideally, and I
13 don't know if it's possible, it's great for the
14 commission to have the opportunity to go on some
15 kind of a site visit when they go, to have a public
16 meeting, and then also an information gathering so
17 it's kind of a combined process. But that would
18 mean that this wouldn't be done in the next
19 six months because I don't think we can make all
20 these places and do the rest of the work of the
21 commission in that span of time. So we're back to
22 the original thing about buying into.

23 One of the things that we have done in the past
24 -- I don't know if this particular commission has
25 done -- is to have a subcommittee of the commission

1 that specifically works on a particular subject.
2 And that subcommittee agrees to come at 8:00 and
3 work for -- and then the regularly scheduled
4 meetings start at 9:30 on those days, and that gives
5 the subcommittee an hour and a half to work on this
6 particular issue and then they report to the
7 commission. It doesn't take the whole commission's
8 regular scheduled time to work on this particular
9 item, but they can get input. And those are just
10 ideas.

11 MR. SOLAMILLO: So it's up to the commission to
12 decide how they want to handle.

13 CORPORATION COUNSEL: Just a word. I talked to
14 OIP about the whole idea of subcommittees. And from
15 what I got from our discussion with their staff
16 attorney was that the sunshine law allows for the
17 exception -- the two or more gathered together
18 exception -- if you're doing a specific
19 investigation, a specific investigation. But when
20 that investigation goes on for more than two or
21 three meetings, it becomes what they consider a
22 standing committee and that then needs to have the
23 regular formalities of a regular meeting, meaning an
24 agenda posted, minutes taken, and that sort. So it
25 has to be something that's very -- you really got to

1 think it out because I think the exception was
2 really carved out to where there was maybe something
3 that needed some investigation where they need to
4 appoint two or three people to go out there, gather
5 information for the whole committee, bring it back,
6 hash out, make some kind of report, and then have it
7 reported back to the body of the whole.

8 And even then with that type of investigative
9 committee, what happens is that first you vote to
10 assign the people, then those people are given a
11 specific duty on the record, they have their meeting
12 or they do their investigation, they have their
13 meeting, they come back, and all they do when they
14 come back is present the report. There's no
15 discussion or anything at that time. Then at the
16 next meeting, it's agendaed on the regular meeting
17 and then there is discussion and community comment
18 and stuff.

19 So it's -- just to make it clear that if that
20 is the direction you're going to go, you've got to
21 be aware of the ramifications of how long you're
22 going to have this committee held together and --

23 MEMBER PYLE: Do you think we could have like
24 three meetings spread over six months? No, three --
25 like a subcommittee -- three subcommittee meetings

1 spread over six months so the members of the
2 subcommittee could do considerable amount of work,
3 come back and meet with each other, do some more
4 work, come back and meet with each other, and then
5 at the end of the third one do the report? Am I
6 pushing the envelope here?

7 Because to be really perfectly frank, if we
8 have to have noticed public meetings and have this
9 as part of our regular agenda, we'll never get the
10 work done. We just simply won't.

11 MEMBER KAPU: What about as the GPAC goes along
12 with compiling this stuff, the bible for the next
13 10 years, how is it possible to have the Cultural
14 Resources Commission be a part of the process to
15 implement certain things, at the same time it
16 changes on the Resource Management Plan? You see
17 where I'm coming from?

18 CORPORATION COUNSEL: One possible scenario
19 would be if as a body there is a consensus about
20 what you want to present to the GPAC. And then as a
21 body, elect somebody to I guess be a resource to the
22 GPAC at a given meeting where they're going to
23 agenda it, they're going to -- they're going to have
24 like a workshop or whatever, and have you -- a
25 presentation by Cultural Resource Commission and

1 then have somebody elected to be the spokesperson to
2 deliver the information that you want delivered from
3 this body to that body.

4 MEMBER KAPU: The reason why I say that is
5 because I see some problems already if we go and
6 start looking at this as a body. Just basically
7 take on the responsibility of the resource
8 management plan. It's going to fall into another
9 GPAC commission.

10 So I'm trying to alleviate that problem by --
11 how we going to be a part of it? In reality, we're
12 not a part of it. I can go over there as a regular
13 community member and stress some concerns based on
14 what should be implemented in the General Plan. So.
15 Is there a process where we can --

16 CORPORATION COUNSEL: A lot of this is -- what
17 I heard at the meetings was that if the community
18 was going to participate, what would be the greatest
19 help to the GPAC is actually suggesting language
20 that you want to see incorporated into the document.
21 Because they're being given a lot of studies, they
22 have been given a lot of things to surveys and a lot
23 of things to look at, but the actual language that
24 goes into a General Plan policy is more like we want
25 -- we want to see things preserved, we want to see

1 these types of things preserved. And what does it
2 mean to "preserve"? What do you -- when you use the
3 word "preserve," I mean, 50-foot buffer, does that
4 cut it? You know, I mean, preserve, you want to be
5 able to influence the document with the words that
6 you choose, and also define how you're using those
7 words.

8 Because I think if you just use "cultural
9 preservation," it really doesn't -- somebody goes,
10 oh, well, yeah, okay, we'll culturally preserve
11 that, and then the next thing you know there is a
12 10-story building next to a heau, that's not what
13 you meant.

14 So what they want is -- from this body is
15 language and definition as far as how --

16 MEMBER PYLE: In the general policy.

17 CORPORATION COUNSEL: Yeah. Because that's
18 going to guide the end user. The end user is going
19 to be people coming in for permits, people coming in
20 -- the county when they do projects, that's the end
21 user.

22 MEMBER MOIKEHA: Mr. Chair, I think in general
23 thought we're trying to once again update. I don't
24 know if we're trying to get too detailed and trying
25 to get too many -- I mean, we are from different

1 areas of the island, of the county. I think, number
2 one, we should just sit down and tear it apart
3 already rather than try to go into maybe other
4 places and try to get so many more people involved.
5 But it needs to be done.

6 MR. SOLAMILLO: It has to be done.

7 MEMBER MOIKEHA: Yeah, it has to be done. So
8 we just settle on let's just do it. Rather than
9 going to other -- I mean, let's gather, call another
10 meeting, it has to be done.

11 CORPORATION COUNSEL: I think one suggestion is
12 look at the draft document now and see what does it
13 say about cultural preservation and how can this
14 body add language to strengthen that area.

15 MEMBER KAPU: Draft document?

16 MEMBER PYLE: This is the old one.

17 CORPORATION COUNSEL: The GPAC document was
18 just transmitted.

19 MEMBER PYLE: It would be nice if we got that,
20 too. We don't have that.

21 MR. SOLAMILLO: So I will give you a copy of
22 the policy plan. And then you can suggest language
23 changes. And then we will just -- you can do that
24 internally. I can hand it to long-range staff and
25 have then take it to GPAC.

1 CORPORATION COUNSEL: We can do is have that on
2 an agenda, we could look at people's suggestions and
3 we could actually by vote vote on the language that
4 this body most endorses by majority.

5 MEMBER PYLE: By our next regular meeting.
6 Would be March 1st. You won't be in Tahiti.

7 CHAIRPERSON KALALAU: Stan, I just got one
8 concern. I have a 12:00 meeting.

9 MR. SOLAMILLO: Okay. I'll make this quick.
10 That said. New Business. There is nothing that has
11 to be done right now after what we've talked about
12 this morning.

13 MEMBER PYLE: I have a couple questions. Very
14 quick. And these might have -- new business, they
15 might have to be on our agenda. I noticed in the
16 newspaper that the St. Joseph's Church is going to
17 demolish their church hall. Is that going to come
18 up for a demolition permit? I have also heard via
19 the grapevine -- maybe you know more about this --

20 MR. SOLAMILLO: What is the date of St.
21 Joseph's Hall?

22 MEMBER PYLE: I don't know what the date is.

23 MR. SOLAMILLO: I only get it if it's over
24 50 years.

25 MEMBER PYLE: Oh, I think it's older than that.

1 I thought you meant what was the date they were
2 going to demolish it.

3 Also, there is the planned demolition of some
4 of the old sugar buildings down at the harbor to
5 make way for the Superferry. Those are definitely
6 older than 50 years.

7 MR. SOLAMILLO: Yeah. We're in discussions
8 with HC&S about that. And there are supposed to be
9 mitigation plans that are supposed to go into
10 effect. But are those not the ones that we brought
11 before you, the sugar bin that we brought here last
12 year? We brought -- HC&S came here with --

13 MEMBER PYLE: That's the only ones?

14 MR. SOLAMILLO: Yeah. But I know and you know
15 that they will be going after the tanks and other
16 things, too.

17 MEMBER PYLE: So we do need to keep an eye on
18 that.

19 MR. SOLAMILLO: Absolutely.

20 MEMBER PYLE: Can we put on our agenda under
21 New Business for the next time to discuss the need
22 for the planning department to hire an archeologist?

23 MR. SOLAMILLO: You can. Okay. Under Sign
24 Enforcement Program in the Lahaina Historic
25 District, there is nothing to report at this time.

1 Under Director's Report, there are several
2 issues. I'm going to try and make this short and
3 sweet. First of all, Pioneer Mill office building
4 in Lahaina built by Hackfield, 1910. Currently
5 sporting broken out buildings and a lot of
6 vandalism. The county owned property which was
7 assumed by the county I believe eight years ago --
8 or six years ago -- and most of the vandalism has
9 occurred this year. They built a new community
10 center on the site, multimillion dollar deal, and no
11 money was put and no plan -- preservation plan was
12 put in effect for that building.

13 So a nonprofit is getting a lease for it, but
14 the council, when they agreed to allowing the lease
15 last year I think the statement was made by an
16 unnamed official or council member that they weren't
17 going to get any money from the county. Since the
18 county had not maintained the building over time,
19 there was a leak in a roof, and you know what leaks
20 in roofs do. So we've got an issue there.

21 And what I'm trying to do is actually do an
22 assessment of the building and have some necessary
23 things put into place so that we can actually come
24 up with a tax incentive program and see if we can
25 sell the tax incentives to a developer to help raise

1 money. We're working with the Hawaii Foundation on
2 that.

3 Another issue. Hawaiian churches. Ever since
4 the big quake on the Big Island, we've all of a
5 sudden had this called to our attention and I made
6 the request to SHPD, do we have records of any of
7 these churches? Plans? Anything? No. And in
8 doing recent trips to Molokai especially, and parts
9 of this island, we've come across church buildings
10 with no roof. The congregations are still using
11 these churches because they're meeting under tents,
12 you know. The pews are under tents. And this begs
13 at least a mention in the county-wide policy or the
14 management plan, what are we going to do about these
15 very important resources because a lot of the
16 churches were built from stones that were taken from
17 heaus. This is like this direct kind of lineal
18 thing in connection.

19 And what we need to do is come up with a plan,
20 long term, I would like optimumly have a roof on
21 every church that is structurally capable of
22 supporting it and has an active congregation and
23 then do long-range preservation activities for what
24 we'll call ruins. They are mostly caretaker
25 families.

1 I got a contact from one regarding Piiloa
2 church on the way to Hana and they were having some
3 concerns about United Church of Christ and we need a
4 communication that comes from this body to United
5 Church of Christ that says that whatever long-range
6 plan for the preservation of this church, the
7 Cultural Resources Commission needs to be involved
8 in.

9 I think that's all that's hot right now.
10 Demolition permits. What I do have, I've got an
11 assessment of demolitions, the numbers of, and
12 that's in a presentation that was made for SHPD to
13 try and effect some change to state policy with
14 regards to how mitigations were coming about. It
15 got tabled, unfortunately. But what I would like to
16 do is show the presentation here, suggest the same
17 things, which is across the board we just come up
18 with mitigation standards so that we don't have to
19 go through what we do or what we did today. So that
20 that guarantees at least a minimum amount of
21 documentation for old historic sites.

22 And then this morning I have been told that you
23 would like communications to the GPAC with regards
24 to the policy plan statements, and we're going to do
25 that in concert with some revised language that will

1 come from this body.

2 We would like some communication to the
3 planning department as well as the planning
4 commission which states in effect that you want
5 involvement in certain types of projects, and I'll
6 just kind of fudge it. If it's beyond certain
7 square feet and involves known cultural resources.

8 I think what -- there was a project where they
9 came in last year and they built this housing
10 development and the Hawaiian ruins, which were above
11 ground, were kind of incorporated into the site plan
12 almost like this kind of child's playground. And I
13 find things like that kind of use of cultural
14 resources to not be acceptable.

15 And then we are looking forward to our special
16 meeting on the 15th for La'au Point.

17 MEMBER KAPU: You know, can I add just one
18 little thing that if the GPAC meeting is not only be
19 up in Pukalani -- I guess that's where they are. In
20 Paia. That's too far for us west side guys. I
21 mean, they should at least move around so give us an
22 opportunity to go.

23 MEMBER PYLE: I agree. What a good idea.

24 CORPORATION COUNSEL: I think that suggestion
25 was made at the last meeting.

1 MEMBER KAPU: I going to make 'em again.

2 MEMBER PYLE: Good idea. This is really -- I
3 think Stan needs to hear this, too, and eventually
4 I'll say it again. You know, the Cultural Resources
5 Commission should have a budget. We're supposed to
6 have a budget. I don't know how it's been woven
7 into the department's budget, but when you talk
8 about the churches, you know, it seems like perhaps
9 it's possible, and I know you don't have the time,
10 but this is an ideal project to try to apply for
11 some kind of federal funds for.

12 MR. SOLAMILLO: Absolutely.

13 MEMBER PYLE: And that's part of what we're
14 supposed to be doing, too, is doing projects that
15 enhance the cultural resources. And the church one
16 is a just a really, really good one.

17 MR. SOLAMILLO: I know, I'm extremely
18 apologetic because quite frankly I'm one person, I
19 cannot clone myself. And right now I'm running to
20 Lanai and Molokai. And it's insane. So I need to
21 look into a budget because we do need a budget and
22 we should have one.

23 CLG has become competitive. It was announced
24 by Melanie [inaudible] last year that it will be
25 competitive. So it will be based upon the projects

1 that you do in fact propose, which will indicate
2 what your award may or may not be.

3 Suzie just handed me a calendar. On the 15th
4 of next month we need to reschedule because we have
5 in the morning Board of Water Supply meets here. In
6 the afternoon, I'm off to Molokai for a GPAC
7 meeting. So. The 14th is occupied here as well.
8 The 16th is occupied. It's looking full.

9 MEMBER PYLE: 13th?

10 MR. SOLAMILLO: Maui Planning Commission has
11 this room on the 13th. Board of Ethics has this
12 room on the 14th from 12:30 p.m. to 4:30 p.m. We
13 might be able to book the morning. Suzie? The
14 14th? Molokai? Molokai Planning Commission? So
15 she's not here.

16 MEMBER PYLE: Is there another room available?

17 MEMBER KAPU: Mayor's office.

18 MR. SOLAMILLO: It's really hard to get. The
19 only dates that look -- 19th is a holiday. The only
20 dates that look open far enough ahead are the 9th
21 and the 23rd. The 9th is out. So it would be the
22 23rd, which is the day of when comments are due.

23 MEMBER PYLE: Do we have to have the meetings
24 in a county facility? Wailuku Public Library?

25 MEMBER KAPU: How about the Trask Building

1 across? Never thought of that.

2 (Discussion off the record.)

3 MR. SOLAMILLO: Let me see about getting an

4 alternate date and time. We'll try for the 15th.

5 Wait, we can't, because we're out that day. And the

6 14th, you're gone, so the earliest would be the

7 13th? Suzie?

8 MS. ESMERALDA: Except I go for Lanai GPAC that

9 afternoon.

10 MR. SOLAMILLO: So it would either be 13th a.m.

11 or the 20th? How does the 20th look?

12 MS. ESMERALDA: I don't have anything.

13 MR. SOLAMILLO: Do the 20th. 13th or 20.

14 MEMBER PYLE: Those are Tuesdays.

15 MR. SOLAMILLO: Whatever we can come up with.

16 And that's it.

17 CHAIRPERSON KALALAU: Thank you very much.

18 MEMBER KAPU: Just a short announcement. But

19 first of all, I like mahalo you for the information

20 you shared. Any time you go up there with the

21 laptop, I feel like I get one history lesson about

22 houses and all that kind stuff. Very good.

23 Also wanted to mention that -- and the Chair

24 brought it up before previously about Ahamoku

25 Council. And this Ahamoku Council is out there

1 educating the community on traditional management
2 versus contemporary management. And what this whole
3 thing is about is trying to get more of the
4 community -- the kapuna, a lot of the ocean
5 practitioners as well as land practitioners, to come
6 together to share about traditional versus
7 contemporary management and what went wrong that we
8 didn't -- we didn't follow in compliance based upon
9 living on an island concept, that everything just
10 went totally out of the window.

11 So I just wanted to, you know, just one small
12 announcement that the first big meeting for the
13 Ahamoku Council is an educational format for the
14 community. It's going to be at Lahaina Civic Center
15 on the 15th. And what's going to happen from there
16 is this educational Ahamoku Council is going to go
17 from district to district and try to get more people
18 involved in this process.

19 MEMBER WATANABE: What time is it?

20 MEMBER KAPU: From 6 to 9 p.m. And it'S not
21 only Maui County. Every island has a contingency
22 statewide. Molokai has an Ahamoku. And right now
23 there is three resolutions in -- legislation right
24 now, the Senate and the House.

25 MEMBER PYLE: One last thing. April 1st is the

1 end of people's terms and the beginning of new
2 terms. We have to understand who's going to be -- I
3 don't even know -- you're leaving? Are names being
4 recommended? Is there a list? Is any -- what's
5 going on with that?

6 (Discussion off the record.)

7 CHAIRPERSON KALALAU: Okay. Is there any more
8 questions before we adjourn this meeting? Okay.
9 All in favor? All opposed? Thank you very much,
10 commissioners, for coming.

11 (Concluded at 12:04 p.m.)

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1 C E R T I F I C A T E

2

3 I, LYNANN NICELY, C.S.R., do hereby certify:

4

5 That on the 1st of February, 2007, the meeting
6 minutes were taken by me in machine shorthand and were
7 thereafter reduced to print under my supervision by means
8 of computer-assisted transcription; that the foregoing
9 represents, to my best ability, a true and accurate
10 transcript of the proceedings had in the foregoing
11 matter.

12

13 I further certify that I am not attorney for any of
14 the parties hereto, nor in any way interested in the
15 outcome of the cause named in the caption. Dated on
16 02/26/2007.

17

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19

20

LYNANN NICELY, RPR

21

Notary Public, State of Hawaii

22

My commission expires: 1/24/10

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