

KAUA‘I COUNTY HISTORIC PRESERVATION REVIEW COMMISSION  
Lihu‘e Civic Center, Mo‘ikeha Building, Meeting Room 2A/2B

MINUTES

A regular meeting of the Kaua‘i County Historic Preservation Commission (KHPRC) was held on October 27, 2016 in the Lihu‘e Civic Center, Mo‘ikeha Building, Meeting Room 2A/2B.

The following Commissioners were present: Chairperson Anne Schneider, Vice Chair Victoria Wichman, Larry Chaffin Jr., Charlotte Hoomanawanui, Stephen Long, and Deatri Nakea.

The following Commissioner was absent: Althea Arinaga, Pat Griffin, and David Helder.

The following staff members were present: Planning Department – Kaaina Hull, Shanlee Jimenez, Myles Hironaka, Leanora Kaiakamalie; Office of the County Attorney – Deputy County Attorney Jodi Higuchi Sayegusa; Office of Boards and Commissions – Administrator Jay Furfaro (*left at 4:22 p.m.*), Commission Support Clerk Darcie Agaran.

**CALL TO ORDER**

The meeting was called to order at 3:00 p.m.

Deputy Planning Director Kaaina Hull: Good afternoon, Chair and members of the Commission. First agenda item is Roll Call. Commissioner Arinaga is excused. Commissioner Chaffin?

Mr. Chaffin Jr.: Here.

Mr. Hull: Commissioner Griffin is excused. Commissioner Hoomanawanui?

Ms. Hoomanawanui: Here.

Mr. Hull: Commissioner Long?

Mr. Long: Here.

Mr. Hull: Commissioner Nakea?

Ms. Nakea: Here.

Mr. Hull: Commissioner Schneider?

Ms. Schneider: Here.

Mr. Hull: Commissioner Wichman?

Ms. Wichman: Here.

Mr. Hull: We have quorum.

### **APPROVAL OF THE AGENDA**

Mr. Hull: The second agenda item is Approval of the Agenda. Chair, given that there are some applicants on Kaua'i today from other islands, we recommend moving our Unfinished Business, G.1. and 2., to after K so that we can accommodate them at a sooner time.

Ms. Schneider: Do I have a motion to adjust the agenda as stated?

Mr. Chaffin Jr.: I'll make the motion.

Ms. Schneider: Do I have a second?

Ms. Wichman: Second.

Ms. Schneider: Any discussion? All in favor? (Unanimous voice vote) Motion's approved 6:0.

### **APPROVAL OF THE AUGUST 25, 2016 MEETING MINUTES**

Mr. Hull: Next on the agenda is Approval of the August 25, 2016 Meeting Minutes.

Ms. Wichman: Move to approve the minutes.

Ms. Nakea: I second.

Ms. Schneider: All in favor? (Unanimous voice vote) Anybody opposed? No? Motion carries 6:0.

### **NEW BUSINESS**

**Re: Honolulu, Ltd  
TMK: 3-8-04:14  
4479 Rice Street, Lihu'e, Kaua'i  
Proposed New Roof for Existing Restaurant Building.**

Mr. Hull: Okay. With the adjustment to the agenda, the next agenda item is H, New Business. Business Item No. 1, Honolulu, Ltd., TMK: 3-8-004:014, 4479 Rice Street, Lihu'e, Kaua'i, a proposed new roof for existing restaurant building. Is the applicant here?

Ms. Schneider: Is the applicant here?

### **PUBLIC COMMENT**

Mr. Hull: Excuse me, Chair, the attorney is reminding me that we actually skipped the Public Comment Period, so bear with me. (Laughter)

Agenda Item D, Public Comment. Individuals may orally testify on items on this agenda during the public comment period. Are there any members of the public that would like to testify on agenda items?

Ms. Schneider: Guess not.

Mr. Hull: Thank you, Jodi. (Laughter)

### **NEW BUSINESS (Continued)**

**Re: Honolulu, Ltd  
TMK: 3-8-04:14  
4479 Rice Street, Līhu‘e, Kaua‘i  
Proposed New Roof for Existing Restaurant Building.**

Mr. Hull: I would recommend...because I believe that the applicant's representative for the restaurant building did plan to appear, so perhaps we could table that agenda item.

Ms. Schneider: Do we need a motion for that?

Deputy County Attorney Jodi Higuchi Sayegusa: Could you please get a motion for that?

Mr. Chaffin Jr.: I'll make a motion to approve...

Mr. Hull: Oh, it would be a motion to table Agenda Item H.1.

Mr. Chaffin Jr.: Thank you.

Ms. Schneider: Do we have a second?

Ms. Wichman: Second.

Ms. Schneider: All in favor? (Unanimous voice vote) Motion carries 6:0.

**Re: National Historic Preservation Act, Section 106 and Hawai‘i Revised Statutes, Chapter 6E, Memorandum of Agreement Discussion**

**Hanapēpē Bridge Replacement Project, Project No. HI STP SR50(1)  
Waimea District, Kaua‘i Island, Kōloa Ahupua‘a  
TMK: [4] 1-9-007: 001 Hanapēpē Canal, [4] 1-9-007:013, [4] 1-9-007:034, [4] 1-9-007  
Kaumuali‘i Highway Right-of-Way, [4] 1-9-010:015, [4] 1-9-010:014, [4] 1-9-010:046,  
[4] 1-9-010:050, [4] 1-9-010 Kaumuali‘i Highway Right-of-Way**

Mr. Hull: So the next agenda item is H.2. National Historic Preservation Act, Section 106 and Hawai‘i Revised Statutes, Chapter 6E, Memorandum of Agreement discussion concerning Hanapēpē Bridge Replacement Project, Project No. HI STP SR50(1), Waimea District, Kaua‘i Island, Kōloa Ahupua‘a, TMK: 1-9-007:001 Hanapēpē Canal, and TMKs: 1-9-007:013; 1-9-007:034; 1-9-007 Kaumuali‘i Highway Right-of-Way; 1-9-010:015, 014, 046, 050, and 010. I believe the applicants are here.

If you guys could speak into the microphone and at least identify yourselves for the minutes, and then...

Thomas Parker: Thomas Parker, Environmental Specialist with the Federal Highway Administration.

Mike Will: My name is Mike Will. I am the Engineering Program Manager with the Federal Highway Administration, Central Federal Lands Division.

Mr. Hull: Sorry, gentlemen, for the sake of the minutes, if you could, while giving the presentation, speak into the microphone. Thank you.

Mr. Parker: I apologize. It’s a little out of focus. Good afternoon. We wanted to meet with the Commission regarding the Hanapēpē...the State 1938 Hanapēpē River Bridge and the proposed replacement, and to discuss the Memorandum of Agreement that has been initiated with the State Historic Preservation Division to see if the Commission would like to be a concurring party to that Memorandum of Agreement. So for those familiar with the 1938 Hanapēpē River Bridge, it is located in Hanapēpē Town and it has been identified as a structurally deficient, scour critical structure that is in desperate need of replacement. We have recently completed the HEPA/NEPA process and all approvals for the replacement of this structure. We understand that the County is also working on a 1911 bridge. I don’t want to confuse it with the county bridge just upstream, so that’s the location of this structure.

Some of the structural deficient natures find the foundation deterioration. It currently doesn’t meet load or seismic requirements for this type of structure as well. Here are just a few snapshots of the existing state of the structure and its debilitated nature.

Ms. Hoomanawanui left the meeting at 3:07 p.m.

Mr. Parker: So the goals of the project are to, obviously, maintain a safe and functional stream crossing given the high usage of this bridge while maintaining design similarities with the existing

historic structure. So that's the existing structure and its current view shed, and then this is a rendering of the proposed replacement structure.

Mr. Long: Are you not focused?

Mr. Parker: I don't know why this...

Ms. Schneider: It's hard to see the detail.

Mr. Parker: We do have a view...a better rendering of the actual rail. This is more the...you can see the shape of the arched girders...

Mr. Long: No. I can't.

Mr. Parker: Okay.

Mr. Long: I can't. I can't see anything. There you go.

Mr. Parker: Let's go back. That's the existing structure. Obviously, some of the aesthetics of the existing girders are hidden by a debris shield which protects a utility line on the structure that was added post-construction. Our current design places utilities in a safer location between girders so that they aren't at risk of impact from debris coming downstream; so there is a sewer line and a water line that are...that cross the river on this structure. Here's the rendering of the proposed replacement. Obviously, without the debris shield, you can actually see the arched girders and some of those aesthetic treatments for that structure.

Mr. Long: Can you put them side-by-side? Instead of going back and forth, can you...can we look at them together?

Mr. Parker: Currently, it's in a PowerPoint, but I can do a quick manipulation if that's beneficial.

Mr. Chaffin Jr.: I have a question while you are working on that.

Mr. Parker: Of course.

Mr. Chaffin Jr.: We have a submittal for H.2. that's about a quarter half-inch thick.

Ms. Hoomanawanui returned to the meeting at 3:09 p.m.

Mr. Chaffin Jr.: Is this your executive summary of this?

Mr. Parker: No, the Memorandum of Agreement was included with the letter, so that's the actual Memorandum of Agreement that's been executed with the State Historic Preservation Division.

Mr. Chaffin Jr.: I don't think that answers my question.

Mr. Parker: No, an executive summary was not provided with this. I believe my predecessor who...Nicole Winterton had met with the Commission to discuss the project in its past, but she has taken a new position and I'm stepping in as her replacement. So it was my understanding that the Commission had some briefing in the past regarding the proposed structure.

Mr. Long: When was that?

Mr. Will: It was probably a year and a half ago perhaps.

Ms. Schneider: Yes. It came before us before. I think the question was the spacing of the balustrade and how it was going to look.

Mr. Long: Well, thank you. That was really (inaudible) of you to do that.

Mr. Parker: So...I mean, one thing of note on the existing structure, baluster spacing is irregular. Towards the center of the existing structure – I don't know if I can show you with the mouse – but on the right side, you'll notice in the center span there are three (3) balusters which are irregularly spaced. The proposed design would be a more uniform spacing. One main criteria is that the existing rail does not meet current crash-testing or safety requirements. There are several protrusions on the inner...or extend beyond current standards. So we chose a crash-tested rail that would closely mimic the existing rail, and I do have a more close-up visual.

Ms. Schneider: It's really hard to see in this...

Mr. Parker: No, and that one, of course...so this is a more close-up view of the proposed rail and baluster spacing.

Mr. Long: And how does that compare to the existing? Like the before/after. Can you just go back to before?

Mr. Parker: Yeah. So the existing does have a slightly different window opening.

Mr. Long: Right.

Mr. Parker: But that existing design doesn't currently meet the same standards.

Mr. Long: Do you have a picture of it? I mean, I can't see it. A picture of the existing and...I mean, no, a picture of the rail and the window. Are you...so you don't have it?

Mr. Parker: No, we are not replicating directly (inaudible).

Mr. Long: Right. But you don't have a picture of the two (2) to compare?

Mr. Parker: No.

Mr. Long: We've run into this issue before and the engineers have been able to come up with something that's similar, but since you don't have a photo here for us to talk about...

Mr. Parker: Well, no, I understand, but...so the problem with modifying a rail is that crash-testing standards are quite rigorous. So modifying a crash-tested rail, even slightly, can trigger physical crash-testing, which is a labor-intensive and cost-intensive proposal. So the standard position when you are proposing a replacement structure...especially when we did a rehabilitation analysis and given the major structural deficiencies of this, preserving the character-defining features of this structure is not possible. So just to restore the foundational elements would require demolition and damage and adverse effects to those historic character-defining features. So we did a full replication analysis in coordination with the State Historic Preservation Division to make sure we were fully vetting that alternative. It was identified that we are obviously having an adverse effect of this historical property.

Mr. Long: Yeah, and aren't there, like, standard details developed? I mean, there are standard Federal/State Highway details. And so I just want to know that since you don't have a photo here for us to look at, before and after – you have the after, but you don't have the before – we can't really comment on it, but to ask you, are there a number of different profiles that you examined would that fit within that crash...

Mr. Will: So just to give you an idea, we reached out nationally; comparing various types of rails, looking for something that...I mean, you are never going to replicate something that doesn't meet a standard, but found something that compliments it and that's...you know, that's as close as we got. Really, there are two (2) goals here. When we went out to the public with our first public meeting, you know, the bridge is scour-critical and it's got severe deficiencies with the foundation. The truckers communicated to us, as they are going across the bridge, this bridge is spongy and it's scary, so there's an apparent urgency to advance the construction of this project. So when we go back and we starting looking at crash-testing bridge rail, I know that's kind of a good fallback to try and get a closer look, but what happens is the engineers, when they go through and design something that replicates it, you think you've got something that might pass, you'll run through this whole process. It could take two (2) years to find out that you are still not meeting the right crash-test level, so then you have to circle back, redesign, and (inaudible).

Mr. Long: Yeah, thanks a lot. You answered my question, so I'm satisfied with that. Thanks.

Mr. Will: Okay.

Mr. Long: This element here, are you replicating that in any way?

Mr. Parker: The end monument?

Mr. Long: Yes, end monument.

Mr. Parker: So the current end monuments, as you can see, have a large protrusion, and so our proposed end monument provides a safer transition for an errant vehicle that could contact the rail or the W-beam guardrail.

Mr. Long: Can you go back?

Mr. Parker: Of course.

Mr. Will: So our safety folks are (inaudible) that 3-foot notch-in (inaudible) laid against those kinds of features within the clear zone that's...

Mr. Long: Okay, so...after?

Mr. Parker: Of course.

Mr. Long: Okay. So here's a question for you. I understand that that end monument pedestal needs to be flush with the guardrail for safety purposes. Yet, couldn't it look more like the before? I mean, go back to before. See, that's got a flush face on it, you know, with some fancy little scroll and this and that. Couldn't one replicate that and still adhere to the flush crash codes?

Ms. Schneider: Without the (inaudible).

Mr. Long: Yeah, just move it this way.

Mr. Parker: So, the existing rail has several notches and protrusions to give some of this...in the center photo, you can see there's several chamfered edges. In discussions with our safety engineers and standards, even a magnitude of inches is a consideration that we must look at because curbs and protrusions within these rails can result in rapid deceleration of a vehicle or snag hazards if a vehicle encounters...

Mr. Long: If you go to after, basically what you have is a guardrail that comes in and terminates at some kind of flushed surface that's flushed with the face of the guardrail.

Mr. Parker: Correct.

Mr. Long: So, you even have part of that new end monument that goes past the rail; you have it rectilinear. I mean, it doesn't do anything to protect the safety of cars going over the bridge or crashing. So I'm asking, why can't your rectilinear end monument have some scroll curvilinear aesthetic feature that doesn't interfere with the function?

Mr. Parker: So I think one important distinction is to note that the final structure is proposing standard roadway shoulders as well, which...

Mr. Long: Why couldn't you just add this...see this... So what I'm asking is, if this element here, the curvilinear element, cannot even just be stuck onto the new proposed – right here – behind the new proposed guardrail to maintain the aesthetic feature without impacting your safety concerns.

Mr. Parker: No, I understand your point. I think a primary criteria is that, currently, W-beam has to be bolted and secured for that continuity at this location as well, which currently does not exist on the existing structure. In addition, standard roadway shoulders have been added to bring this bridge up to code. So an important note is, if you look in that photo...sorry, that photo there, you have the roadway lane going straight into the sidewalk. The existing structure is a multi-modal design which accommodates a proper roadway shoulder which could facilitate bicyclists and then a grade separated sidewalk, so it is a wider structure as well, which helps provide some of the additional safety considerations for the structure so that errant vehicle doesn't immediately contact a curb. I mean, I understand this half-moon shape at the end of the structure, but it does tie to the bolting point to that W-beam.

Mr. Long: I don't think you heard me. Did the other gentleman understand what I said?

Mr. Will: Yeah, I think I understand what you're saying. (Inaudible)

Mr. Long: Okay. Could you help me out a little bit?

Ms. Higuchi Sayegusa: Perhaps maybe, you know...

Mr. Long: Because every single word you said doesn't address anything that I'm concerned about, so if we have a miscommunication (inaudible) graphically.

Ms. Higuchi Sayegusa: Perhaps you can direct your questions through the Chair.

Mr. Long: Okay.

Ms. Higuchi Sayegusa: And then the Chair can control, you know, the course of the meeting, and perhaps we can allow the presenters to finish their presentation.

Mr. Long: Okay.

Ms. Higuchi Sayegusa: Thank you.

Mr. Long: Go ahead.

Ms. Schneider: Go ahead. I understand Stephen's concerns, and if you can illustrate in some way how it could be accomplished, or if it could be.

Mr. Will: Okay, so I think what you're trying to ask is, is there a way to add some of the more aesthetic features to that end terminal to what we're proposing, and we did some of that. I mean, we've got this little indentation to allow for the naming of the bridge, the stamping of the year of

the bridge...of the new replacement structure. As far as the end section goes, you know, it's...those curvilinear aspects, they create rolling hazards if a vehicle ramps up on it. Tri-beam rail has deflection, right? So the tri-beam rail is going to deflect as a vehicle hits it. I think there is some potential safety concerns. I don't think it's something that cannot be designed. It's something that we certainly could take a look at and speak with our safety folks. I'm not quite sure the benefits. I know where you're going with it. I mean, there's always a desire to create more of an aesthetic feature that compliments the historic nature. I think we've gone through a pretty exhaustive effort focusing on the main component of the bridge, which is the rail itself. The transitional section replicates transitions on other quadrants of the bridge. The quadrant that you're looking at...we were there this afternoon looking at that and I did see that arched shape. You know, it's more for the structural and safety folks. I don't know, because that tri-beam is going to be this thick, that you're really going to be able to see the arched shape because it's going to have to be...the rail is going to have to be mounted in front of it, so I don't know that you'll truly get the benefit that you're seeking from an aesthetic standpoint.

Mr. Long: Maybe not from the bridge, but from outside looking in you would.

Ms. Schneider: The other side, yeah.

Mr. Will: From the outside looking in.

Ms. Schneider: And it would look more finished.

Mr. Parker: The other important consideration, if I may, is that on one portion of this project on the mauka, eastern edge, you have a flood levee wall that ties into the end of the bridge, which is an important connection point for continuity of the structure into this flood protection levee. And the existing half-moon shape, you know, you're discussing is a harder connection point in that flood transition, especially at this point. They have had to retrofit that in, if you visit the structure.

Mr. Long: Madam Chair?

Ms. Schneider: Yes.

Mr. Long: Could I ask if the applicant could put the two (2) photos together – before and after – like on the other one?

Ms. Schneider: Could you do that for us, please?

Mr. Long: Excuse me. I really don't mean to be giving you a hard time, but it's...I'm looking at it and I think that we can all do a better job, you know, combining the aesthetics and the structural and the safety concerns. It's just a feeling. I think if we talked about it a little bit more, I think we might be able to...

Mr. Will: Yeah, you know, and we value the aesthetics. We heard from the community the significance of the aesthetics.

Mr. Long: Okay.

Mr. Will: So we also heard from the community the significance of the aesthetics. And just to, kind of, give you a little chronological timeline on the process, traditionally, when we approach bridge work, we look at the function initially. So when we went to the public, we presented two (2) different bridge types. It's significantly less expensive to build a traditional, straight girder bridge that could be constructed significantly faster, significantly cheaper, but we heard that the arched shape was very prominent...was a very prominent feature, so we honed in on that. Those girders that we're proposing are all going to be custom cast girders. The bridge rail, again, that was a national search to try and find something that replicates.

Mr. Long: Okay. So I'm just winging it here, but what I see here is this element at the beginning of the end monument. That element and that element are similar, you know? They're...they mark an end and they're rectilinear and they stick up above the railing, and you have a step on it. Now, your step is only stepped on two (2) edges, not on four (4) edges.

Mr. Parker: Correct.

Mr. Long: Such as that and I don't know, you know, if taking away a little bit of concrete on the edges, you know...

Ms. Schneider: Could we do a cast repair?

Mr. Long: So that's one...that's just one small, you know, detail that one might consider. Then, you come over here. I see this recessed panel here and here, but on the existing, I see another end monument that sticks up above the railing height. So I don't know why one couldn't take, in the new example, this element here and repeat it right here.

Mr. Will: Because that's a higher elevation. We need to transition from the top of the guardrail to the top of the bridge rail and it needs to be a (inaudible) transition.

Mr. Long: I understand. Could it be this much higher? So the pedestal doesn't have to come all the way straight on. I understand that you have to transition it, but couldn't one put another vertical end monument element like that that's similar? I mean, I see one, one, one, one. And then on this curvilinear element, it's really just taking off part of that or extending it. And also, I see that the ledge, here, at the bottom of your railing on the existing extends all the way across, so it kind of forms like a base and so, here, on yours is just straight and disappears. So in my looking at it, there's maybe five (5) or six (6) small aesthetic changes that one could consider and balance with the safety.

Mr. Will: Sure. And, again, you know, those minor changes...I mean, absolutely. They are something we could take a look at. I think there's...

Ms. Schneider: I think that that would make...

Mr. Will: I'm sorry?

Ms. Schneider: I think it would improve the design, somewhat, at the end and give it a little bit more look as the original did.

Mr. Will: Sure. So from a Federal Highways standpoint, historically in the past when you have a crash-tested rail that has been given a certification passing of various test level, in the past, Federal Highways would allow minor modifications to that rail to address some of the aesthetic features. More recently, they pulled back on that due to liability risk. The second you modify an existing design that has been crash-tested, you're sticking your neck out for liability. You lose that certification. As it relates to the transition rail, whether or not that's a standard transition rail or if that's a specifically designed transition rail, that's something I'm not sure about. I'm questioning it just because of some of the features associated with it. It doesn't appear to be a standard transition rail, and if that follows the same process that we deal with with regards to the actual bridge rail in itself.

Mr. Parker: The Commission's comments are noted and it's something that I think we can take back to our safety experts and design group to see what thresholds exist.

Ms. Schneider: Go ahead, Stephen. Go ahead.

Mr. Long: Yeah, and just in closing, thank you very much for listening to me. I really believe that we're just...I mean, what you propose, those chamfered steps on top of that pedestal, if you can do it there, why can you not do it at something that looks similar down at the other end? And the other...the curvilinear thing could just be a tack on. I mean, literally, just...you got your break wall here, just stick it; it just goes...a curvilinear tack on. And that way you see that from the other side...I mean, from the...outside the bridge elevations and it's a prominent feature.

Mr. Will: Sure, and we'll take a look at that.

Mr. Long: Thank you.

Mr. Will: We'll take a look at that. I just...I know where our safety folks sit sometimes and that's a critical element in the crash effectiveness of the bridge because it is transitioning from a flexible barrier to a rigid barrier.

Mr. Long: When you do comeback in front of us, could you please have...

Ms. Schneider: A before and after.

Mr. Long: Not like this, but could you have elevation drawings, not just that.

Ms. Schneider: Yeah, (it'd) be much clearer for us because this is...

Mr. Will: Sure.

Mr. Long: Elevation drawings, you know, existing and proposed, so then we can start lining up the bases and some of those elements that you can push and pull.

Mr. Will: Sure.

Mr. Long: Thank you.

Ms. Schneider: Thank you.

Mr. Parker: The main purpose for our attending this meeting, as well as to see if the Commission wishes to be a current party on the MOA and some of those... So, the temporary...given the structural deficient nature of this, a temporary bridge is anticipated with advertisement this winter as a bypass around this structure, and with a permanent bridge advertisement in 2017 of sometime to be determined.

Ms. Schneider: And how long would it take to build this bridge?

Mr. Parker: Approximately eighteen (18) months total is what we're estimating at this time. It's a very complicated site. It's a...the temporary structure has to go above the existing flood wall to ensure continuity and protection of the community throughout construction. It's a multiple-span temporary structure. Obviously, in addition to historic resources, there's a concern for endangered species, water quality, and all of those require even more diligence on our part for construction oversight and management, so...

Mr. Will: Again, back to the urgency, you know, we're actually advertising for the temporary bridge. That solicitation's planned to go out by the end of the week; maybe early next week. So there will be a temporary bridge construction mauka of the existing bridge between the county bridge and the state bridge, okay? That is anticipated to start in late January. At the completion of that, I believe, we're still waiting on funding direction from the State, but with the temporary bridge going in, there's a desire to immediately follow up with the permanent bridge contract.

Mr. Chaffin Jr.: I assume you have all the roadway right-of-ways in place.

Mr. Will: We are in process, so there's offer letters with the owners. If there's issues, the functional need and the need for the transportation project is there to support any activities that would be necessary to make sure that we can continue with that action.

Mr. Chaffin Jr.: That may take longer than you anticipate....suspect.

Mr. Will: We've just gone through that with our Saddle Road project on the Big Island. It's funny how obligation of Federal funding in the millions of dollars tends to nurse things along. (Laughter in background)

Mr. Parker: During our consultation with the State Historic Preservation Division, we did initiate and executed a Memorandum of Agreement with numerous stipulations regarding HAB/HAER

documentation of the existing structure, and obviously ensuring that that documentation is provided and cataloged with the National Park Service, as well as...more importantly to note that we identified a potential interpretation possibility by salvaging existing segments of rail and an end monument with the name or end date that could be used in an interpretation to ensure that that historic design does have some continuity going forward. So this E stipulation is speaking about a larger interpretation that could be available, not only about the bridge, but it's setting within Hanapēpē Town, the river, that valley, and it's history. So it's...it even provides a possibility where you could include interpretation of the upstream 1911 bridge and how they relate to each other. We've even discussed possibilities of mounting an interpretation plaque on the outside of the rail, so that pedestrians walking across the sidewalk would have an interpretation opportunity on the bridge. So that is one of the main mitigation measures in addition to the design considerations that were given to the structure. And a lot of the layout and formalization of that interpreted material is to be done in a collaborative manner with all concurring parties, so if the Commission elects to be a concurring party and participate in those discussions, then they would be a party at the table along with other members.

Ms. Schneider: So you have our concerns. (Laughter)

Mr. Parker: Yes.

Ms. Schneider: Our resident bridge expert is actually not here today who has been able to comment on many bridges and it would be good if she was here.

Mr. Parker: And I know that there was initial consideration that the Commission did give during the HEPA/NEPA process on this project and those considerations were taken into account during development of the design that you saw.

Ms. Schneider: Thank you. Commissioners, any questions? Do we have a motion? Do we need a motion?

Ms. Higuchi Sayegusa: Yes.

Mr. Chaffin Jr.: I have, not a question, but a comment. I think this submittal that was in our packet could've been or should've been an executive summary because going through all this, it's time consuming and (inaudible) questioning (inaudible) this large stack of papers.

Mr. Parker: Understood.

Ms. Schneider: Stephen.

Mr. Long: I have another comment, and that is that what the public sees are the really curvilinear ends and the bridge end. There's nothing in this package that we were given today...the slides that you showed us aren't in this package, so there was no way for us to prepare ourselves, you know, for the presentation; that's why I went on (inaudible).

Ms. Schneider: Right. There were no elevations, no sections, no...of the bridge.

Mr. Parker: No, understood.

Ms. Schneider: Yeah.

Mr. Parker: And, you know, I'll apologize for that. It was my understanding that some of the initial design material had been provided to the Commission as part of the initial reviews and discussions regarding the status of the project.

Ms. Schneider: Right, but that was some time ago and commission members may have changed, so they're not all...been privy to the original.

Mr. Will: And, really, the purpose for us coming in front of the Commission was to talk through the MOA and the desire for...

Ms. Schneider: Memorandum.

Mr. Will: Yeah. For the Commission to participate in some of this mitigation work that we are going to be working on.

Mr. Long: I have a question, Madam Chair.

Ms. Schneider: Go ahead.

Mr. Long: From this meeting, has the applicant proposed that they're going to go back and take a look at some of the design features we discussed and come back and show us or tell us what you found out?

Mr. Will: We can certainly do that. We can certainly do that. Again, I feel like it is off-topic, though.

Ms. Schneider: Are we taking you off your timeline?

Mr. Parker: Just so the Commission is aware, final design had already been completed on this project as part of this replacement bridge, so, you know, the comments require reopening that component of the project. As part of our completion of the HEPA 106 and 6E process and those numerous components of this project, the FONSI was signed for this project in September of this year, and as Mike indicated, the temporary bridge was the first component moving forward just given the urgency of the structure, but the permanent replacement was proposed shortly thereafter.

Mr. Will: So it was more of a courtesy to check-in.

Mr. Parker: On the MOA and, specifically, the mitigation measures that had been identified through consultation with SHPD, especially on the development and what those interpretation

materials could look like; locations. Obviously if we salvage a large section or section of rail and an end monument, those are very large, bulky components, so where that is housed and what that interpretation looks like have a lot of options.

Mr. Will: And that's where your input would be appreciated as being a party to that.

Ms. Schneider: Yes, Larry.

Mr. Chaffin Jr.: I have a specific comment on your mitigation measures on the second page on the back. It says FHWA shall ensure that all documentation activities will be performed or directly supervised, and I don't approve that directly supervised by architects; we observe, we don't supervise. So I think that word should be changed.

Mr. Hull: Commissioner, I would restrict the comments more towards the historic preservation aspect of it. While I think we can definitely appreciate the professional insight that you can give to the proposal, given the body's role in reviewing and addressing projects, we would ask that you restrict the comments more to the historic preservation.

Mr. Chaffin Jr.: Well, if that's the case, why submit this to us and ask us to go over it if we're not going to comment on it.

Mr. Hull: Well no, it is definitely for you to comment, but within the realms of historic preservation. I mean, there's things like urban planning and engineering technicalities in here. We definitely wouldn't expect this Commission to bring an engineering perspective to it, and while you may have...like I said, we can appreciate the professional guidance you can lend on it. Given that this is an official body of the County of Kaua'i reviewing this proposal and the purpose of this body is for historical preservation purposes, there are a fair amount of historical preservation things that can be reviewed on this and that's all I'd ask is that you kind of hold the comments to the historical preservation aspect.

Mr. Parker: And I will note that several of the stipulations regarding the HAER documentation came directly from the National Park Service and were inserted verbatim per their review and request, so some of that language could (inaudible).

Ms. Schneider: Commissioner Wichman.

Ms. Wichman: I have a question, please. The question is to Kaaina. Does this Commission have a precedent for signing MOAs? Have we done that before? Or is this something new?

Mr. Hull: To tell you the truth, I'm not that familiar with it. I would actually look back at the applicants (inaudible).

Ms. Higuchi Sayegusa: Your mic.

Mr. Hull: Sorry. I, personally, have never presided over a Commission while it's done this. Now, I'm going to look at the applicants, actually, to see how often they've come to various Historic Preservation Commissions or something similar to get a concurrence with an MOA.

Mr. Parker: It doesn't happen that frequently. I actually have never had a Commission sign an MOA as well. (Laughter in background) So we're both in uncharted territory to some extent, but I understand your role (inaudible).

Ms. Schneider: So we might to research this first?

Mr. Will: And again, it's a courtesy, right?

Mr. Hull: The Commission can...just in an action, can concur with the MOA. As far as actually signing off on it, yeah, that...we might have to have a legal...

Ms. Higuchi Sayegusa: Yeah, I mean...well, I'm just going back to the powers of this Commission and one of it is to advise and assist the Federal agencies in carrying out your duties under...to preserve historic preservation, but whether that is an actual sign-off on an MOA or being a concurring party, I mean, I think I would advise the Commission that, you know, they can provide you some guidance and some suggestions on your project, but I would hesitate to go...to ordain signing off on an MOA.

Mr. Parker: Understood. It's a non-binding signature, obviously, because there's no stipulations within the MOA that have direct action other than advising by the Commission. There are no actions within it that require you to own a portion of that other than advising on the interpretation, etc. of that. And as such, the MOA was executed the moment Federal Highways and State Historic Preservation Division signed as signatories to the MOA. Concurring party is a different classification of signature on the MOA.

Ms. Wichman: May I? So I saw that Historic Hawai'i Foundation has signed on the MOA as well.

Mr. Parker: As a concurring party as well.

Ms. Wichman: As a concurring party.

Mr. Parker: Correct. And that is so that they can provide guidance and assistance in the interpretation as well.

Ms. Wichman: Oh I see. Okay. Thank you.

Ms. Schneider: So Jodi, what is...?

Ms. Higuchi Sayegusa: I can review the document. I just didn't have time to closely look at it.

Ms. Schneider: I think we'll have to let our attorney review it before we take any action.

Ms. Higuchi Sayegusa: Yes.

Mr. Parker: Of course.

Ms. Schneider: Thank you. Anything else?

Ms. Higuchi Sayegusa: You could even take a short recess and I can take a look at it now if you wanted to.

Ms. Schneider: Sure. Do you want to take a 5-minute recess?

Ms. Higuchi Sayegusa: Unless Kaaina had something else.

Mr. Hull: No. You think you'll be able to determine in the next five (5) minutes?

Ms. Higuchi Sayegusa: I haven't fully closely read it.

Mr. Hull: One opportunity is...because they also have another presentation from the General Plan.

Ms. Higuchi Sayegusa: Okay.

Mr. Parker: And if the Commission needs more time, obviously, this isn't the last time that we can discuss this with you.

Ms. Higuchi Sayegusa: Yeah.

Mr. Parker: We're not unreasonable folks. (Laughter in background)

Ms. Nakea: Can I just kind of sum up for myself to make sure I'm understanding what's going on?

Ms. Schneider: Go ahead.

Ms. Nakea: Your purpose of the visit was to see if we would like to be concurring signatories on the MOA.

Mr. Parker: Correct.

Ms. Nakea: The bridge, as designed as you showed us, is going forward...is moving forward.

Mr. Parker: Correct.

Ms. Nakea: Okay. And now we're trying to figure out whether or not we can actually be those concurring...a concurring member on the letter?

Mr. Parker: Yes.

Ms. Nakea: Okay. I understand.

Mr. Hull: And Commissioner, historically, something like this, the Commission would just issue a memorandum of saying agreement or approval; however, these concerns...look at this. So generally, we would just...this body would just issue a memorandum to that effect. So taking it a bit further to actually signing off as a concurring party is what they're requesting in this situation.

Ms. Schneider: Like I said, we'd have to let our attorney research it first before we can take any action on it. Myles?

Staff Planner Myles Hironaka: Hi. Myles for the record. So if the Commission were to be a...I guess a concurring or a signatory party to this, what would their obligations be?

Mr. Parker: It would be participation in concurring party and signatory meetings to discuss execution of the stipulation. So obviously, HAER documentation is not a stipulation that you'd have to participate in, but interpretation material concepts and layouts, etc., interim design reviews because obviously, interpretation sites and plans can take many shapes, they could be placards and the layout, etc. of those.

Ms. Schneider: So it would be beneficial for us (inaudible).

Ms. Higuchi Sayegusa: Well...

Mr. Hull: And how would you anticipate this body being a participant in those discussions? Would, essentially, it have to send a representative? Or would, say, you folks come to this Commission during those discussions to have it with the full body?

Mr. Parker: I think it would be coming to the Commission while also including representation from SHPD, HHF, etc. to make sure all signatories and concurring parties on the memorandum can discuss those materials.

Ms. Schneider: Commissioners, is anybody...

Ms. Higuchi Sayegusa: Well, just as an overarching caution that's why, we have to conduct meetings pursuant to Chapter 92, HRS Sunshine Law, so we need to have meetings agendaed, notice...publicly noticed, and quorum, and discuss and vote on certain things as a body. So, I mean, that's one of the concerns, but, you know, without having reviewed the MOA and exactly what it's obligating the Commission, I mean, I can't speak to that. But as you describe it, yeah, I mean, it would...you would have to come here and discuss it with the body.

Mr. Hull: So I guess the next question, Jodi, is would you need, like, the next thirty (30) minutes? Or would you need a few more days? (Laughter in background)

Ms. Higuchi Sayegusa: Ideally...I mean, yeah, couple days would be ideal for me.

Mr. Parker: Understood.

Ms. Higuchi Sayegusa: And more thorough.

Mr. Parker: And there's no obligation to sign, obviously.

Ms. Higuchi Sayegusa: Okay.

Ms. Schneider: Well, thank you for your presentation.

Mr. Parker: There is no obligation. And like I said, the moment SHPD and Federal Highways signed, the MOA became active because of the two (2) primary signatories.

Ms. Schneider: But if we want to be a party to it...

Mr. Parker: Yes.

Mr. Hull: For all intents and purposes, Commission, it sounds like they want to include you more in the discussion, which you could look at after Jodi reviews the form and legality of the document. But from what it sounds like, they want to include you more in the process.

Ms. Schneider: Sounds good. So I hope you'll come back to us...or we'll get back to you.

Mr. Parker: You can twist my arm to come back. (Laughter in background)

Ms. Higuchi Sayegusa: But for the purposes...I mean, if I'm able to take a look at it and it's, perhaps, maybe deferred to the next meeting, I mean, how would that affect your timeline?

Mr. Parker: Well, I guess...you all meet every 4<sup>th</sup> Thursday, I believe.

Ms. Schneider: The next meeting is November 17<sup>th</sup>.

Mr. Parker: November 17<sup>th</sup>.

Ms. Schneider: If you could come back at that meeting, hopefully Jodi will have an answer and we'll be able to take some action.

Mr. Will: To give you an idea, I think that the commitment in the MOA is for us to have this plan constructed and completed prior to the end of construction.

Mr. Parker: Correct.

Mr. Will: Of the permanent bridge. So that's the commitment. How we get there...

Mr. Parker: With an 18-month...yeah, with an 18-month anticipated schedule, there's obviously time for development of interpretation materials throughout the life of that period of the project.

Mr. Hull: And as I understand it, because this is put on hold for the Commission, this doesn't...you guys are still moving forward on your process.

Mr. Parker: Correct. (Inaudible)

Mr. Hull: So, essentially, the longer we take is just the less time this body can potentially participate in the process, right? Yeah.

Ms. Schneider: Well, thank you very much.

Mr. Will: Thank you.

Mr. Parker: Thank you.

Ms. Wichman: Do we need to make a motion to defer?

Mr. Hull: Yeah, so a motion...if that is the intent of this body, a motion for deferral would be necessary.

Ms. Schneider: Can I get a motion?

Ms. Wichman: I move that we defer the discussion of the MOA with Federal Highways until our next meeting in November.

Ms. Schneider: Do we have a second?

Mr. Chaffin Jr.: Second.

Ms. Schneider: All in favor? (Unanimous voice vote) Anybody opposed? No? Motion passes 6:0.

Mr. Hull: Thanks you guys.

Ms. Schneider: So we'll see you on the 17<sup>th</sup>, I think it is.

**Re: Presentation by the Planning Department Regarding Overview of the General Plan Process and Schedule Moving Forward, and a Review of the Draft Heritage Resources Map.**

Mr. Hull: The next agenda item is presentation by the Planning Department regarding overview of the General Plan process and schedule moving forward, and a review of the Draft Heritage Resource Map. And the Planner just stepped out of the room.

Ms. Schneider: We'll take a 5-minute recess and hopefully she'll return. 5-minute recess.

The Commission recessed this portion of the meeting at 3:55 p.m.

The Commission reconvened this portion of the meeting at 3:58 p.m.

Ms. Schneider: Call the meeting back to order.

Mr. Hull: Again, sorry, as previously stated, we are now on Agenda Item H.3., presentation by the Planning Department regarding overview of the General Plan process and schedule moving forward, and review of the Draft Heritage Resources Map. Leanora is our planner today.

Staff Planner Leanora Kaiakamalie: Lea Kaiakamalie for the record. Thank you, Commissioners, for having me here this afternoon. I have a 20-slide presentation – hopefully I can move through it pretty quickly – of the Kaua'i General Plan. I'm just wondering how many of you were involved in the last General Plan Update; that one was done in the year 2000. Yay. Okay, one (1) person. (Laughter in background) That's good, that's good.

Ms. Kaiakamalie presented a PowerPoint Presentation on the Kaua'i General Plan and the Draft Heritage Resources Map for the record (on file with the Planning Department).

Ms. Kaiakamalie distributed the General Plan Update – Draft Policies document and the Heritage Resources – Draft Actions document to the Commission (on file with the Planning Department).

Ms. Schneider: That's something we're working on right now.

Ms. Kaiakamalie continued with her PowerPoint Presentation.

Ms. Schneider: Can you partner with outside (inaudible)?

Ms. Kaiakamalie: Yes, that it could say something like that because then you can turn back and say this is something that the General Plan is directing us to do.

Ms. Kaiakamalie continued with her PowerPoint Presentation.

Mr. Hull: Lea, correct me if I'm wrong, but also in the Heritage Resources Map, it does identify the National and State Registry process.

Ms. Kaiakamalie: Yes. In fact, I'm getting there.

Mr. Hull: Oh okay.

Ms. Kaiaokamalie: Perfect. That is perfect.

Ms. Kaiaokamalie continued with her PowerPoint Presentation.

Administrator Furfaro left the meeting at 4:22 p.m.

Ms. Schneider: Thank you. Commissioners, any questions?

Mr. Hull: So it was a lot of information, Commissioners. Ultimately, at the end of the day, the General Plan, as Lea was discussing, is the document of documents. It guides everything from Engineering Divisions to Historic Preservation Divisions to, even, capital improvements to regulations. It is the guiding document of the island. And all the various State, County, Federal agencies, as well as non-profits and property owners look at this document as we move forward. So Lea is just here to see if you guys have any initial comments you want to give to the document as far as inclusion of, say, certain types of policy recommendations...

Ms. Schneider: I think you guys have done a great job.

Ms. Kaiaokamalie: Thank you.

Mr. Hull: The – I think she talked about it earlier – the first rough draft...the first preliminary draft will be coming public in about two (2) weeks, and that's when I would imagine everybody's...that's when, really, people are going to start swarming as they begin to try and red line it and look at edits that they want made, and I think the Commission will definitely have a stab at it then as well. But before we get to that...before we even release it, we just wanted to kind of run it by you folks to see if there's anything on the onset at the very beginning that you wanted to, as a body, include, potentially, in that document.

Ms. Kaiaokamalie: Or questions.

Ms. Schneider: I think we should give a handout for historic preservation that...

Ms. Kaiaokamalie: Okay.

Mr. Hull: Oh yeah, on a separate note, while we're doing the General Plan outreach in various places, what Lea is alluding to is the fact that the Open Space Commission has asked if they could tag along; not just only to participate in the community meetings, but as well as to have a table there to let the public know what the Open Space Commission is. So I believe the Commission Chair or somebody from the Commission will be there to represent the Open Space and what it does. So kind of what Marisa and Lea have decided is to say well, we should also make that offer to KHPRC to see if anybody from the Commission would like to participate in the General Plan process, but also, if interested, to just serve as a liaison or cheerleader for preservation.

Ms. Kaiaokamalie: Talk story with people.

Ms. Schneider: Commissioners?

Mr. Hull: So that's one side, and the other side is the General Plan itself and whether you guys have comments.

Ms. Schneider: Any Commissioners...Stephen.

Mr. Long: I would be interested in doing that at one of the public meetings. I mean, I'm north shore so...

Ms. Kaiaokamalie: Okay.

Mr. Long: Kīlauea.

Ms. Schneider: Kīlauea. Me too.

Mr. Long: But we should...I feel that we should have a presence at all of those public meetings.

Ms. Schneider: If possible.

Ms. Kaiaokamalie: Absolutely. You're very welcome to come.

Ms. Nakea: I would be willing to help, too, in Kapa'a or Līhu'e.

Ms. Wichman: Yeah, I'd be willing to help, too.

Mr. Long: Okay.

Ms. Schneider: So just email us.

Ms. Nakea: But I'd be terribly nervous to do it by myself. (Laughter in background)

Ms. Wichman: We can team up.

Ms. Nakea: Okay. (Laughter in background)

Ms. Kaiaokamalie: It should be very lively. We are definitely being very...our policies are bold and how that translates into recommended land use changes is probably going to be very interesting (laughter) to take up discussion with our community.

Ms. Schneider: Stephen.

Mr. Long: Did we fill the slots for all of those public meetings?

Ms. Kaiaokamalie: Do I work with Staff?

Mr. Long: What was solicited?

Ms. Schneider: Kīlauea, Līhu‘e.

Mr. Hull: We can have...Shan or myself can shoot an email to you folks to see. Yeah, to let you know the exact dates and the times.

Ms. Schneider: That would be great.

Mr. Long: And we'll sign up, and who wants to be there, and we'll cover it.

Ms. Schneider: Yeah.

Mr. Long: Thank you.

Ms. Kaiakamalie: Thank you.

Ms. Schneider: Thank you.

Mr. Hull: So – I just want to make sure – so concerning the actual General Plan itself, did you folks have any comments at this time that you wanted to create? Or...because what you have before you folks right now, what Lea handed out, was the draft actions, so those are various things that are currently within the draft plan. You guys are getting a sneak peek at it because nobody else has really seen it. Nobody has seen the full document itself, but this is just a portion of the preservation side that's being included, so if you folks had any issues with these particular recommendations and/or did you have any specific additional things you folks might want to see in there right now.

Ms. Kaiakamalie: Yeah, and of course I alluded to some of the ideas that I had for you folks based on the CAMP workshop, but it's up to you.

Ms. Schneider: Well, we'd like to see the inventory reflected in this for sure.

Ms. Kaiakamalie: And if there's any way to make the actions stronger – the language on it – I think that that's where we, internally, struggle with...you know, we have what we think it should be, but you guys are working on it.

Ms. Schneider: Stephen.

Mr. Long: I know that historic preservation's covered with its own section and yet, I think that past comment about having historic preservation as part of, you know, the 1 through 21 items could be a good thing.

Ms. Kaiakamalie: Is that something you want Staff to work on? Or is that something you guys would like to provide language for? I guess that was my question.

Mr. Long: Oh, I'm sorry. Personally, I think you're doing a great job (inaudible).

Ms. Schneider: Yeah, I think it's more in your realm to provide the language than for us.

Ms. Nakea: I appreciated how you highlighted everything that was...pertained to the historic preservation and that you pulled things from CAMP. The language really does carry over, yeah? Not only to historic preservation.

Ms. Schneider: And thank you for coming to the CAMP training.

Ms. Kaiaokamalie: Oh, no, that was really good. Keeping a rural lifestyle is one of the biggest policies that we have here, and that is so much in line with what was being talked about during the training and I was like ho, well, this is just perfect. (Laughter) There's so many places that we can definitely meld and it doesn't have to be, you know, a double effort on the part of the Planning Department and the Commission itself to get things done because it kind of works together with some of the things we're already looking to do anyway.

Mr. Hull: Other than that...oh.

Ms. Schneider: Stephen.

Mr. Long: I'm just looking here. Item No. 7, Build a Balanced Transportation System, and you have a little blurb about that. It might include something about historic nature of some of our transportation systems, like, the north shore (inaudible).

Ms. Schneider: Bring back the train. (Laughter)

Mr. Long: (Inaudible) National Heritage Road. So, you know, we're just trying to plug in historic preservation wherever we can.

Ms. Kaiaokamalie: We...comments are not, you know, due until, like, the 2<sup>nd</sup> of December. I don't know if you guys want to take some time with it and then bring it back to...

Ms. Schneider: Yes.

Mr. Hull: Yeah, and in fact, I think...that's exactly what I was going to recommend is that you guys are just getting this now. It's a little hard to say, like...

Ms. Kaiaokamalie: Yeah, I was not expecting...

Mr. Hull: Do you have any policy changes for the island of Kaua'i for the next twenty (20) years?

Ms. Kaiaokamalie: No.

Mr. Hull: Give it to us now. (Laughter) So I think if you guys want to sit with this document, let it digest, we can put it on the November 17<sup>th</sup> agenda, as well as...or the December agenda. I think we can work with both Lea and the Chair to figure out when it would be most appropriate. And then you guys can possibly come back with more comments, and if...

Ms. Kaiaokamalie: Comments in the form of specific language is always welcomed. (Laughter) Kind of at our wits end coming up with, you know, exciting generalities. (Laughter)

Ms. Wichman: True. And then during the public meetings, we might hear other things as well.

Ms. Kaiaokamalie: Yes.

Ms. Schneider: Yeah, I'm sure we will.

Ms. Kaiaokamalie: Yes, so it should be lively. (Laughter)

Ms. Schneider: Come to the north shore. You'll hear...(laughter)

Ms. Kaiaokamalie: Thank you.

Ms. Schneider: Thank you.

Ms. Wichman: Thank you very much.

Mr. Hull: Technically, you need a motion to defer or...

Ms. Schneider: Commissioners, do we have a motion to defer?

Ms. Wichman: I move that we defer providing comment for the Kaua'i Kakou General Plan Update until our next meeting.

Ms. Schneider: Do we have a second?

Mr. Chaffin Jr.: Second.

Ms. Schneider: All in favor? (Unanimous voice vote) Any discussion? No. Motion carries 6:0.

Mr. Hull: No discussion needed (inaudible).

**Re: Honolulu, Ltd  
TMK: 3-8-04:14  
4479 Rice Street, Lihu'e, Kaua'i  
Proposed New Roof for Existing Restaurant Building**

Mr. Hull: So the...I think to go back to the tabled item for that agenda is Agenda Item H, New Business. Honolulu, Ltd.; TMK: 3-8-004:14; 4479 Rice Street, Līhu‘e, Kaua‘i; proposed new roof for existing restaurant building. So we have been informed that the representative did not actually intend to appear before the KHPRC. He just submitted the letter, pictures, and renderings for your review.

Ms. Schneider: And based on the pictures, we...

Mr. Hull: Oh, and – excuse me – and then also what was placed at your seats prior to the meeting is the Kaua‘i Historic Resource Profile for this historic structure.

Ms. Schneider: So does...we feel that the metal roof is not in keeping (inaudible)?

Mr. Hull: Yeah, go ahead, Chair. (Laughter)

Ms. Schneider: The proposed metal roof is certainly not the original material that they’re saying they are going to reroof with. We would rather see the original material, which is the shake.

Mr. Long: What was the original material?

Ms. Schneider: We think it was the shake.

Mr. Hull: The earliest picture we can find, at this point, in the 1960’s shows the wooden shingles.

Mr. Long: Shingles or shakes?

Ms. Schneider: Not really sure.

Mr. Hull: Sorry. Shakes.

Mr. Long: Okay.

Mr. Hull: And so, this roof has, of course, been altered. It has composite shakes and what they’re proposing is a metal roof now.

Ms. Schneider: Which is a completely different change of material. Yes, Stephen.

Mr. Long: Well, the existing roof with the existing cedar shakes has been modified somewhat with the Hardie plank...

Ms. Schneider: Right.

Mr. Long: Top as a repair and maintenance quick-fix issue. So the fact is is that most of the building still has the original roof on it; original-type roof, if not the original roof if this was built in...when?

Mr. Hull: 1943.

Mr. Long: 1943. Because cedar shake roofs last a long time.

Ms. Schneider: Do we have a recommendation or a motion? Stephen.

Mr. Long: As I'm looking at it, I think that the materials, specifically cedar shake roofing material, is a distinctive design feature of the original building that a substantial part of maybe even that original roof still exists with a minor repair with the Hardie shake. So on a historical basis and aesthetic basis, I personally would like to see them replace the roof as it was installed originally with cedar shake.

Ms. Schneider: Do we have a second?

Ms. Nakea: I second.

Ms. Schneider: All in favor?

Ms. Nakea: Well, I had to think about how this works, about the order, because there's still a discussion that can happen.

Mr. Hull: Yeah, after the second, there's a discussion.

Ms. Nakea: (Inaudible) not going to be discussed if there's...okay.

Ms. Schneider: Any discussion? Because if they change it...

Ms. Nakea: I wish I had the Interior Standards in front of me right now, but it does say something about using original materials if possible.

Ms. Schneider: Yes, I have it right in front of me. A property will be used as historically or given a new use that requires minimal change to the distinctive materials, features, spaces, and spacial relationships.

Ms. Nakea: Okay. Thank you. So then it makes sense that that's what we should recommend as...because that's our job.

Ms. Schneider: Yes. From the restoration will be retained and preserved. The removal of materials or alteration of featured spaces and spacial characterized the period will not be undertaken. So in keeping with the original material, that's in line with...

Mr. Hull: I'll say that, traditionally, this Commission has generated...when a recommendation or proposal is adopted, it's automatically submitted to the applicant as the action of this Commission. I would actually, in this situation and as we begin to progress as a Commission, but in this situation, I'd actually request that you make a concerted effort to have this not only submitted to the

applicant, but submitted as recommendation to the Planning Department because ultimately, the Planning Department will be reviewing the permit for this and our action on this, we can use your comments, in effect, as we go through the permitting actions.

Ms. Schneider: So what should we do at this point?

Mr. Hull: Well, I would just recommend that, if you guys are adopting that language, that it both be not only issued to the applicant, but also issued to the Planning Department.

Ms. Schneider: Sounds good.

Ms. Nakea: In the motion that we make, or...?

Mr. Hull: A motion was made.

Ms. Nakea: Okay, okay.

Ms. Schneider: And seconded.

Mr. Hull: And seconded.

Ms. Schneider: So now...did we vote on it?

Mr. Hull: So, Jodi, how would that...?

Ms. Higuchi Sayegusa: You could modify, but I would...maybe for clarity sake, maybe you could retract your second, retract your motion, and then make a new motion.

Mr. Long: Okay. First of all, I should retract that last statement.

Ms. Higuchi Sayegusa: I'm sorry, so...

Mr. Long: Now, I would like to make a motion.

Ms. Higuchi Sayegusa: Oh, wait. Sorry.

Ms. Nakea: I retract my second.

Ms. Higuchi Sayegusa: Okay. And then...

Ms. Schneider: Make your new motion.

Mr. Long: Thank you. I would like to make a motion that in considering the applicant's proposal, that the original cedar shake type roof that was used on the original constructed structure and which

may also still be substantially in place be the roofing material which is used to reroof this historical structure, and that this recommendation be given to both the Planning Commission and...

Mr. Hull: Planning Department.

Ms. Schneider: Planning Department.

Mr. Long: The Planning Department.

Ms. Schneider: Do we have a second?

Ms. Nakea: I second.

Ms. Schneider: All in favor? Oh, any discussion?

Ms. Higuchi Sayegusa: Further discussion, yeah.

Ms. Schneider: Any discussion?

Mr. Chaffin Jr.: Yes. Are we setting ourselves up for some legal action if the roof catches fire, they can blame it onto us?

Ms. Schneider: I couldn't make that determination. (Laughter)

Ms. Higuchi Sayegusa: I mean, they can always make...we get sued all the time. (Laughter in background) But whether it's a prevailing claim, I mean, there's a lot of assumptions in that. (Laughter) It'll probably be a negligence action, but, you know, I can't analyze exactly. It's factual circumstance. And it is also just a recommendation by you folks.

Ms. Schneider: Yes. We are only advisory. They can probably go do whatever they want.

Mr. Hull: Yeah, the Commission is advisory, and that's why I asked that the motion be made to both the applicant, as well as to the Planning Department because as we move forward, and we've talked about before, there hasn't been much teeth in the actions of this body when it hears applications because those recommendations are ultimately made and the applicant is able to kind of nod and agree, or disagree if he or she wants to and move on. As we move forward, in looking at trying to further implement historic preservation, the Department – and that's why some of the officialdom has been created for this body – the Department is looking at and intends to implement you folks' actions and take your recommendations and seriously look at imposing them as conditions of approval during zoning permit review. So this is a particular structure where we would look at putting, say, a condition of that type onto their approval. So ultimately, if they do have to change it, it's because the Planning Department says so.

Ms. Schneider: So all in favor? (Unanimous voice vote) Anybody opposed? (None)

Mr. Hull: I don't know if you wanted to check if there's a little bit more discussion. (Laughter)

Ms. Schneider: Is there any more discussion? Nope. All in favor? (5 ayes) Nobody opposed? Passes.

Mr. Chaffin Jr.: I oppose.

Ms. Schneider: Oh, Larry opposes. It still passes, right?

Mr. Long: Okay. What does that do?

Mr. Hull: Yeah.

Ms. Schneider: Yeah, still passes. Motion carries 5:1.

### **KAUAI HISTORIC RESOURCE INVENTORY UPDATE COMMITTEE**

**Re: Report from investigative committee (Permitted Interaction Group) to discuss and explore draft update of the Kaua'i Historic Resource Inventory.**

Mr. Hull: Okay. The next agenda item is the... Agenda Item J, Kaua'i Historic Resource Inventory Update Committee. A report from investigative committee, a Permitted Interaction Group, to discuss and explore draft update of the Kaua'i Historic Resource Inventory.

Ms. Schneider: Stephen.

Mr. Long: I have an update on that interaction group's activities. And once again, with the support of Myles and the extent of the documentation and photographs and charts and maps that he brought with us, it made our job efficient and professional, so thank you, Myles.

Ms. Schneider: Yes.

Mr. Long: What I have to report is that of the 500 historic structures that were identified by the consultant, we've reviewed 341 of those; both on slides, on Google, and in the car going around the neighborhoods and site visits. Of the 341 that we've looked at, we have a net loss of 80 being removed from the survey. So we have a remaining of 160 properties to review; both in the meeting room and then out in the field, which we should have done, hopefully, by the very first of the year.

Ms. Schneider: Thank you, Stephen. And thank you, members of this group.

Mr. Hull: So I think you'd need a motion to receive that report.

Ms. Schneider: Do we have a motion to receive the report?

Mr. Chaffin Jr.: I'll make that motion to receive the report.

Ms. Schneider: Do we have a second?

Ms. Nakea: I second.

Ms. Schneider: Any discussion? All in favor? (Unanimous voice vote) Motion passes 6:0.

### **HISTORIC PRESERVATION PUBLICITY COMMITTEE**

**Re: Update on the permitted interaction group (PIG) for publicizing historic preservation efforts.**

Mr. Hull: The next agenda item is Agenda Item K, Historic Preservation Publicity Committee. Update on the Permitted Interaction Group for publicizing historic preservation efforts. I believe this was specifically requested to be placed on the agenda by Commissioner Griffin. So ultimately, I would recommend deferring at least in respect to her to be able to have her chime in when she returns, but if you guys have any discussion for it before then.

Ms. Schneider: Do we need a motion to defer?

Mr. Hull: Ultimately, you need a motion to defer.

Ms. Schneider: Do we have a motion?

Mr. Hull: I would check to see if you have discussion first. (Laughter)

Ms. Schneider: Any discussion on this item that...publicizing?

Mr. Hull: Oh, correct. I stand corrected. (Laughter) Before the deferral happens, I'll also notify you guys. I believe Shan sent you the email of the...Sarah Blane helped the Department and the Commission draft an article for The Garden Island Newspaper celebrating thirty (30) years of the Kaua'i Historic Preservation Commission's establishment and fifty (50) years of the Historic Preservation Act. So you guys got that email. It was a nice piece that Sarah did.

Ms. Schneider: Right. And it was in the newspaper.

Mr. Hull: Did it get picked up?

Ms. Schneider: Yes, it was in the newspaper.

Mr. Hull: It did get picked up. I didn't even see the newspaper. So thank you guys for that. That was initiated here for...you folks had instructed the Department to go ahead and do that

publication, so that was the...thanks to you folks. (Laughter) Okay, so I think you're looking for a motion to defer.

Ms. Schneider: So we need a motion to defer.

Ms. Wichman: I move that we defer Item K.1., the update on the Permitted Interaction Group for publicizing historic preservation efforts, until our last meeting or until Pat Griffin returns.

Ms. Schneider: Do we have a second?

Ms. Nakea: I second.

Ms. Schneider: Any discussion? All in favor? (Unanimous voice vote) Motion carries 6:0.

### **UNFINISHED BUSINESS**

**Re: Proposed draft Rules of Practice and Procedure of the County of Kaua'i Historic Preservation Review Commission.**

Mr. Hull: Okay. Next agenda item going back to the moved Agenda Item G, Unfinished Business. G.1., proposed draft Rules of Practice and Procedure of the County of Kaua'i Historic Preservation Review Commission. So the Commission is in receipt of the draft parliamentary rules that the Department submitted over. Both Jodi, myself, and Chance Bukoski of our staff worked on these draft rules. So all commissions in the County of Kaua'i generally have administrative rules on how they...the procedures are rolled out on how practices are. This is the one commission that doesn't. So we went to the official capacity of drafting these rules for you folks. They are strictly parliamentarian procedures. Absent these parliamentarian procedures, we've been relying on a de facto set of rules under the Robert Rules of Parliamentary Procedures. So we are officially submitting these to you folks for your review for, hopefully, ultimate adoption so that you have these rules in place. If there's any discussion, we can definitely discuss them today. It's more or less being submitted to you folks for your review because ultimately, Jodi and myself, should you want to move on a set of rules, whether it's these or an amended version, have to take them to this Small Business Regulatory Review Board on O'ahu. It's a requirement of Hawai'i Revised Statutes that any administrative rules first be reviewed by that entity, and then we can bring it back to you folks for official public hearing. But before we bring it to them, we would like you guys to hopefully work on it so that you're all kind of on the right track of where it wants to go.

Mr. Long: My only thought is – and I brought it up before – is now the time to take a look at the number of commissioners on the Commission because we have more commissioners than other commissions and we sometimes have a difficulty making quorum.

Mr. Hull: I think we can work with Staff on that, but that's not a function of the rules. Unfortunately, or fortunately, it's actually a consequence of the ordinance itself, so we'd have to actually propose an ordinance change that was reviewed and ultimately acted on by County

Council. I think that issue is definitely one of merit, Stephen, so I think we can look into that because there have been several meetings where we just can't make quorum. So we would want to work with Jay's office, but I'll follow up on that.

Mr. Long: Yeah, and while we're going through it, you know, creating humbug, administrative humbug, there's the name – Kaua'i Historic Preservation Review Commission – which might have one more word in it than it might need. So if we're going to do this, maybe it's the time we take a look at both sides of it; the rules, which I don't have any comment about, and other issues.

Mr. Hull: Okay. I think we can look at...because if we did send something up to the County Council, it would be reviewed by you folks first and would have to ultimately take your approval.

Mr. Chaffin Jr.: There is a typo on 1-2-23; several pages into it. Computation of Time. In the third line, it says "...that act, event, or default, and includes the last say of the period..." It should be "day".

Mr. Hull: Sorry. Excuse me, Commissioner, where was the typo?

Mr. Chaffin Jr.: 1-2-23, third line down in the middle. "...that act, even, or default, and includes the last say of the period..."

Mr. Hull: Okay. (Laughter) We'll definitely work on that. Thank you.

Ms. Schneider: Anything else?

Ms. Wichman: I have a question. Just something that I'm not sure about. What does it mean when rules are silent? It says, "For good cause, the Commission may vote to suspend the rules." I'm not quite sure what that means.

Mr. Hull: What section are you looking at?

Ms. Wichman: 1-2-27.

Ms. Higuchi Sayegusa: So, I mean, if there's a situation where the rules don't technically govern or direct how to engage in...or how to go forward, then the Chair can suspend the rules and just sort of attempt to do it beyond the rules. (Laughter)

Mr. Hull: It is essentially where, procedurally, if something arises that is not specifically covered by the rules, and it's real rare of course because these things are fairly thorough. But in the case of some parliamentary proceedings – I know it's happened on the Planning Commission a few times – where the rules don't explicitly say what to do in a particular situation and therefore, the Chair can just suspend the rules, so that they can proceed forward as the Chair essentially sees fit.

Ms. Schneider: There's no executive session?

Mr. Hull: No, an executive session is a different issue.

Ms. Schneider: Yeah.

Ms. Higuchi Sayegusa: And also, the rules do specify the role that the Chair plays in which the Chair has discretion on how to conduct the meeting and go forward.

Mr. Hull: Because technically, right now, you folks are operating, essentially, under silent rule right now. There is no rule, period. So you've essentially...

Ms. Schneider: Robert's Rules of Order.

Mr. Hull: Yeah.

Ms. Higuchi Sayegusa: The default rules are the Robert's Rules, so I mean, technically, right now we're engaging the meeting under Robert's Rules. And procedurally for the rules, we do have to go to the Small Business Regulatory Review Commission [sic] for their review on the rules' effect on small businesses in general and then we'd have to do a formal public hearing, which will be noticed thirty (30) days prior to a meeting. And then at that meeting we could...you folks could choose to adopt the rules or amend them, etc. but...

Ms. Schneider: And the public hearing is in this agency?

Ms. Higuchi Sayegusa: It would be conducted here.

Ms. Wichman: Are there other commissions that are doing the general provisions as well? Or are we the only one that doesn't have one of these?

Ms. Higuchi Sayegusa: Have rules? We...Kaaina and I went through and did a recent amendment to the Open Space rules, but this is...

Mr. Hull: I believe you folks are the only to not have a set of administrative rules. Open Space has had some for several years now. We just went in and had to tweak it because some of the parameters in which they operated wasn't working, so we (inaudible) clear the way for them.

So I guess it would be up to you folks if you want to defer it to...for you folks to digest it and come back at a later meeting with, perhaps, insight.

Ms. Schneider: I think we need a motion to defer it, so that we have a chance to read them over well (inaudible).

Mr. Long: I have a comment.

Mr. Hull: Yeah.

Mr. Long: Discussion. I believe we've deferred this already once; the rules.

Mr. Hull: No, this is the first time you guys have them.

Mr. Long: Okay.

Mr. Hull: Yeah.

Ms. Schneider: Do we have a motion?

Ms. Nakea: I move that we defer Item G.1. of instituting the new rules for our Commission to a later date...the next meeting...to the next meeting.

Ms. Schneider: Second?

Ms. Wichman: Second.

Ms. Schneider: Any discussion? All in favor? (Unanimous voice vote) Motion passes 6:0.

**Re: Discussion on the status of the Certified Local Government.**

Mr. Hull: The last agenda item is G.2. Discussion on the status of the Certified Local Government. Of course the SHPD Staff isn't here to discuss that with you folks. They are still traveling around the State, or resting from all the travel around the State. I did speak with Anna yesterday. The two (2) applications we had for CLG funds...one (1) has not been submitted to them yet; that's concerning the repository. And there was just a question as to whether or not the Commission, which is essentially attached to the hip to the Planning Department, can apply for funds that will then be given to a different agency, the Parks Division, to administer those funds. So Anna is checking to see if there can be a third party agreement established in which the Department would take that money, hand it over to the Parks Department, and that third party agreement would be established. So that's just why that's still stuck in limbo, so she's checking on that now. The second application for CLG monies for the Hanapēpē Bridge was submitted to SHPD. They did deem it complete and acceptable, so it has been forwarded on to the...

Ms. Schneider: Oh, great.

Mr. Hull: Well it has been forwarded on to the National Park Service, so we haven't been awarded it yet, but it was deemed complete and acceptable.

Ms. Schneider: Does the State have the CLG money?

Mr. Long: That's a big deal.

Mr. Hull: No, they don't have...they have not been awarded the CLG money. So ultimately, the National Park Service has to determine whether or not they are going to approve the application, but it was deemed complete and ready to review.

Ms. Schneider: That's a step in the right direction.

Mr. Hull: So it's a step in the right direction, but it does not mean the monies are...

Mr. Chaffin Jr.: A baby step.

Mr. Hull: Yes. (Laughter in background)

Mr. Long: And who prepared that application?

Mr. Hull: Myles and myself.

Mr. Long: Excellent. Thank you.

Ms. Schneider: Thank you very much.

Ms. Wichman: Yeah, thank you.

Ms. Schneider: I'm sure the people of Hanapēpē really appreciate it. (Laughter)

Mr. Hull: Yeah. We're moving along, so hopefully we'll have good news shortly on that.

And then lastly and finally, I will say that we have had the Planner position, the Historic Preservation Planner position, now listed online for several months and we have not had a single applicant. So much of what the Commission can do and so much of what they are talking about in the CAMP is contingent upon having an actual planner for this position, so it's something that...especially Anne's been on the Commission, I think, for as long as Larry has been on it, and that this Commission has wrestled with not having an actual staff member has really (inaudible) with the Department to get a staff member assigned. Finally, this year we were able to get the monies for that and put the position out...

Ms. Schneider: But we can't get anybody to fill the position.

Mr. Hull: But we can't get anybody. It has been listed on the County website, it has gone to various places on the mainland because – I'll be quite frank – I mean, if there is a planner of that level in Hawai'i, we would love to see them apply for it, but I am of the suspicion that there may not be, so we're fine with it being advertised even on the mainland, but we still have not had any bites. So this is somewhat of my plea to you folks, if you folks know anybody because I'll be quite honest, of...

Ms. Schneider: What are the qualifications? What are they asking for?

Mr. Hull: There has to be four (4) years of experience in planning. There has to be years of experience within the preservation field.

Mr. Chaffin Jr.: Education requirements?

Mr. Hull: There is...there was a college degree level. There is a college degree level of...it can be architectural, it can be planner, it can be preservation-oriented.

Ms. Schneider: But they need the five (5) years' experience.

Mr. Hull: Four (4)...they need the four (4) years' experience. It's at a higher pay ratio as well.

Ms. Wichman: So is it a BA? Or a MA?

Mr. Hull: What is the salary (inaudible)?

Ms. Schneider: I think it was...it was good with the salary.

Mr. Hironaka: The person would have to meet the minimum qualifications of having professional planning work of at least four (4) years of experience, and some of that can be covered through education like having a Master's in Planning may cover for so many years of experience, but then there would actually be a minimum of at least two (2) years of work with historic preservation, so of that four (4), two (2) years must be involving historic preservation.

Now, what Kaaina was saying, we've posted this advertisement for several months now; well, actually I would say...I think around July is when we started. We were successful though. It was an entry level position, a Planner IV, but we were able to convince the Human Resources to allow us to hire at a higher range at a higher series in order to attract.

Ms. Schneider: How much is the salary?

Mr. Hironaka: About \$60,000 is what we have for Planner IV.

Mr. Hull: Planner IV. So four (4) years' experience is at about \$60,000 salary.

Mr. Hironaka: That's the highest range that we could go.

Mr. Hull: And so the reason I bring it up...

Ms. Schneider: Just in case anybody knows anybody.

Mr. Hull: One, it is kind of a last, desperate plea. If you folks know anybody...we've been pleading with people at SHPD if they know anybody, sending it to people, you know? If you know anybody, because I got to be quite honest folks, it can last only maybe a month or two more up there. After that, the position more than likely will be lost.

Mr. Long: First of the year?

Mr. Hull: Yeah, it has to get looked at being readjusted, and that's why I just want to be honest with you guys. We fought hard to get it for you guys and we fought even harder with HR to get that salary higher, but it's still not enough to attract anybody at this point, so if you know anybody, or just even a whim of somebody...

Ms. Schneider: Stephen.

Mr. Long: In addition to people that we might know, can we suggest that you expand your advertising?

Mr. Hull: We have. It's not just...we've put it on National websites, National that would deal both with the planning and preservation industries.

Mr. Chaffin Jr.: How about the schools?

Mr. Long: Yes, that's what I was going to say. What about universities on the west coast?

Ms. Schneider: Yeah, but you get somebody who's just graduating. (Laughter)

Mr. Long: Well, no, you get somebody with a Master's and that's two (2) years, and then they worked here and there for a couple of years and they qualify that, so they're younger (inaudible).

Mr. Hull: We can definitely look into it further, yeah.

Mr. Long: That would be my recommendation; would be to also market the planning departments on all of the west coast schools from Nevada west, and send them to the department heads and let them know. Because what we're really looking...it's a great opportunity for somebody with four (4) years of experience right out of college to make \$50,000 on Kaula'i if we can (inaudible).

Mr. Hull: 60, 60.

Ms. Schneider: 60.

Mr. Long: 60?

Mr. Hull: 60.

Mr. Long: Oh.

Ms. Wichman: I might apply. (Laughter in background)

Ms. Schneider: Go ahead, Victoria. You'd be perfect.

Ms. Wichman: Also, UH at Mānoa, they have the urban planning.

Mr. Hull: Yeah, and we even have a staff member currently getting her Master's at that (inaudible), so she's had (inaudible) out there as well.

Mr. Long: Thank you.

Ms. Schneider: Thank you.

Mr. Hull: Yeah, thanks.

**DATE AND AGENDA TOPICS (November 17, 2016)**

Mr. Hull: So the next agenda...excuse me. The next date of the Commission, because of the Thanksgiving interruption, will now be November 17, 2016.

Ms. Hoomanawanui: 17?

Mr. Hull: November 17.

Ms. Schneider: Are we adjourned? We're adjourned. See you on the 17<sup>th</sup>.

**ADJOURNMENT**

The meeting was adjourned at 5:04 p.m.

Respectfully Submitted,



Darcie Agaran  
Commission Support Clerk

Date: 11/10/16