

MAUI PLANNING COMMISSION

COUNTY OF MAUI

AUGUST 4, 2009

REGULAR MEETING

Held at the Lahaina Civic Center, 1840 Honoapiilani Highway,
Lahaina, Maui, Hawaii, commencing at 1:30 p.m. on August 4,
2009.

REPORTED BY: JEANNETTE W. IWADO, RPR/CSR #135

1 ATTENDANCE
 2 MAUI PLANNING COMMISSION
 3 REGULAR MEETING
 4 AUGUST 4, 2009
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 7 CHAIRMAN: WAYNE HEDANI
 8 COMMISSION MEMBERS: KENT HIRANAGA
 9 BRUCE U'U
 10 JONATHAN STARR
 11 LORI SABLAS
 12 WARD MARDFIN
 13 DONNA L. DOMINGO
 14 JOHN GUARD IV
 15 WARREN SHIBUYA
 16
 17 PLANNING DEPARTMENT: JEFFREY HUNT, DIRECTOR
 18 KATHLEEN AOKI, DEPUTY DIRECTOR
 19 MICHAEL PANIER
 20 MARK KING
 21 JULIA STALEY
 22 DEPUTY CORPORATION COUNSEL: JAMES GIROUX
 23
 24
 25

1 I'm going to give you a very brief description of not only
 2 the methodology that we used to develop the directed growth
 3 boundaries, kind of what we are, describe the differences
 4 for you between the General Plan Advisory Committee
 5 recommendations and the department recommendations. And
 6 then at that point we're hoping to get input specifically on
 7 those boundaries. But there are no rules per se, all right.
 8 You can testify concerning whatever issues you want.
 9 As a bit of a background, I've been involved with
 10 the Maui Island Plan since 2005 with one hiatus. I used to
 11 be a young man, I used to not have grey hair, but that has
 12 all changed. We are in the process now of working the
 13 approval process through the Planning Commission. It still
 14 goes to Council, right, it will go to Council, so there's
 15 another six or eight months -- well, actually, in theory,
 16 another year to comment on this plan. So please don't think
 17 that this is it.
 18 And finally, if you have any questions about
 19 either the directed growth strategy or the planning in
 20 general, feel free to come grab me at a break, and I will be
 21 glad to sit down with you and clarify anything that is
 22 unclear.
 23 The first thing I'm going to give you a sense of
 24 is some of the sort of philosophical underpinnings of the
 25 Maui Island Plan so you get a sense of what the basis of it

1 MAUI PLANNING COMMISSION
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 6 CHAIRMAN HEDANI: The Planning Commission meeting
 7 of Tuesday, August 4th will come to order. I would like to
 8 welcome the entire population of West Maui to the Planning
 9 Commission meeting.
 10 What we have in our agenda for today is the staff
 11 presentation of the Draft Maui Island Plan's proposed growth
 12 boundaries for the West Maui region, and the directed growth
 13 strategy. So who is on tap for the planning staff? Mr.
 14 Summers.
 15 MR. SUMMERS: Thank you, Mr. Chairman. We have
 16 Dave Michaelson, Senior Planner, Long-Range Planning
 17 Division, who will provide the committee with a short
 18 presentation on the West Maui growth boundaries and the Maui
 19 Island Plan growth strategy.
 20 MR. MICHAELSON: Thank you, John. My name is Dave
 21 Michaelson, I'm with the Long-Range Planning Division. It
 22 looks like we got your attention, which was the purpose for
 23 coming out here. So I'm glad to see as many people here as
 24 there are.
 25 Just to give you a sense of the format for today,

1 is. And then I will walk you through how we develop the
 2 boundaries, what they mean, and take it from there. And I
 3 am going to try to be very quick, because we're here to hear
 4 you, not just to hear me.
 5 First of all, a couple of assumptions that are
 6 really important. The first is, Maui is going to grow.
 7 West Maui is going to grow, all right. If the debate
 8 becomes no growth versus a lot of growth, if that's how the
 9 debate sort of ends up falling out, you will be very
 10 disappointed in what the outcome will be. So that's the
 11 first assumption. And I will talk to you a little bit about
 12 the population projections, how they're generated.
 13 Finally, you do, as a community, all of us as
 14 residents of Maui have the ability to define our future.
 15 Don't ever give up on that. And it's very important when
 16 you are looking at a forecast window as far out as we are.
 17 The forecast window for the Maui Island Plan is 2030, all
 18 right. To give you a sense of how far out that is, in 2030
 19 I'll be almost 70 years old. All right. So keep that in
 20 mind when we look at some of these projections.
 21 One thing that people that work with me will tell
 22 you is that I'm not a very good bureaucrat sitting in a
 23 cubicle looking at spread sheets and things like that. I
 24 like to go out into the community. One thing that we did
 25 very early in the process, last fall in fact, was I went out

1 to Baldwin High School. I love working with high school
2 kids, all right. I love working with high school kids. And
3 then what I did is I walked in with a bunch of maps and a
4 laptop and talked to them about the future of Maui.

5 And I asked them three questions. And several of
6 you have heard this story, but I think it really has a lot
7 of relevance. I asked them how many folks in that room, the
8 kids, the seniors, were born on Maui, and about 85 percent,
9 I think, raised their hand, they were born on Maui.

10 The second question I asked them was, "How many of
11 you want to live the rest of your life on Maui?" And about
12 the same number, about 85 percent. And the final question I
13 asked them is, "How many of you think you will live here in
14 ten years?" And the hands vanished, and that was a bell
15 ringer for me as a planner.

16 So I started peeling the onion back a little bit
17 and asking them, "Why don't you think you will live on
18 Maui?" And I think you all have a sense of what they said.
19 "What am I going to do for a living? Can I afford to live
20 here? Will it still be the Maui that I remember as a kid
21 growing up here?"

22 So the idea is kind of who are we planning for?
23 Who we're planning for are kids like that. They're not
24 second homeowners, they're not the offshore market. It's
25 all of us in this room and our ohana, right. That changes

1 how you look at planning a little bit.

2 There's another concept that's permeated through
3 the whole plan, and it's the word "sustainability," and it
4 means a lot of different things to a lot of different
5 people. If you were here when the developers made their
6 presentation, that was probably -- besides smart growth,
7 neo-traditional design and sustainability, those were the
8 three words that just kept reverberating.

9 I want to give you a sense of what it means to me
10 is that you can do something over and over and not
11 compromise either the environment or the people in that
12 environment. If you can do that, that is in fact
13 sustainability.

14 And the other concept was the seventh generation
15 idea. And I'm only aware of three cultures that think in
16 terms of decision-making seven generations out. The first
17 are Hawaiians, Buddhists, and Native American Indians. It's
18 a really very important concept, because if you think we're
19 just planning for us in this room, again, I think the
20 ultimate plan you will be very disappointed, because it will
21 be shortsighted.

22 Now, the directed growth strategy isn't something
23 that we just cooked up in the Planning Department, all
24 right. It was actually in the legislation, and it was very
25 specific. It said that as part of this planning process we

1 had to develop urban growth boundaries and rural growth
2 boundaries. Those are not zone districts, they're
3 essentially a growth scenario for the island that would
4 direct growth to places where it belongs and places where it
5 doesn't belong. And we've had an interesting debate with
6 the community and with ourselves about what that means.

7 But what we found when we started doing that is
8 the island is so different, all these communities are so
9 unique, that those two sort of general boundaries didn't
10 work for us. And we've come up with four boundaries, and
11 I'll describe what those are. They're described in detail
12 on this page here. Feel free during the meeting, you can
13 get up and walk around and look at whatever you like. This
14 describes those boundaries, then they're articulated on
15 these maps, and then there are some summary sheets.

16 So to begin the process we did a very detailed
17 land use forecast and a socioeconomic forecast. The idea
18 being we wanted to know how many people could we conceivably
19 have on the island in 2030. We disaggregated that to the
20 community plan areas, of West Maui is one. There are six on
21 the entire island. And I'll give you a sense of how these
22 growth rates were laid from an historical perspective so you
23 can kind of get your hands around it.

24 The point is that the best planning that I've ever
25 seen, and I have been doing this for probably too long, is

1 that if you plan for more and you get less that's good
2 planning. If you plan for less and you get more, which is
3 what happened to Maui in the seventies and the eighties,
4 things break down. Infrastructure breaks down, public
5 services aren't available, basic lifestyle is compromised.
6 So the way we look at this, let's hope we get less, all
7 right, but let's make sure we're ready for more, if that's
8 what ultimately occurs.

9 So how do these growth rates in the population
10 forecast relate to what we've seen in historical terms? And
11 this was the best way I could figure out of trying to sort
12 of depict it. The green line represents 10 year growth
13 increments from 1970 all the way through the 2030 forecast
14 year. So what this tells you is that -- how many people
15 were here in 1970 and 1980? A fair amount of you, I
16 suspect. That was explosive, to-the-wall growth rates. I
17 don't care where you're a planner, that is really, really
18 significant.

19 What our model is indicating is that by 2030 that
20 rate will never match that in our forecast window. And in
21 fact, represents about a quarter of that growth rate over
22 that 2030 forecast window, and this just shows essentially
23 the linear direction of the population. So my point is that
24 the population projections that we're working with are
25 radically lower than what you experienced in that 1970 to

1 1980 boom, all right.
 2 There was a lot of discussion with the General
 3 Plan Advisory Committee about the forecast, all right.
 4 There was a lot of debate. And what I suggested and staff
 5 suggested is that just because you ratchet the number down
 6 doesn't mean those people go away, all right. The way the
 7 model is structured it factors in in-migration,
 8 out-migration, deaths, births. And there's a socio and
 9 econometric model that short of predicts job shifts and
 10 where those people might come from.
 11 So if you constrain supply, all right, if you
 12 essentially say we are not going to allow that much housing,
 13 what happens is that you constrain the market and prices
 14 inevitably go up. So you have to be very, very careful when
 15 you mess with supply. Then the question became can we
 16 constrain demand. Can we somehow get into the numbers and
 17 keep those people from migrating here.
 18 One interesting number I think is important is
 19 about two months ago 1400 kids graduated from Maui High
 20 schools. That's a demand that has nothing to do with the
 21 offshore market. It doesn't have anything to do with job
 22 creation. It's home grown demand. So that's still there.
 23 So we talked about what can we do with that
 24 demand. Well, people at least for now have freedom of
 25 movement, and they have babies, all right. That's growth in

1 They wanted to direct growth where it was close to jobs,
 2 close to services, in areas that didn't have significant
 3 infrastructure constraints that would require significant
 4 investment, either through the private sector or the public
 5 sector.
 6 And finally, within these boundaries we should
 7 have a growth pattern that's a little more liveable than
 8 what we've experienced over the last 15 years in terms of
 9 mixed uses, parks, open space, those sorts of issues. We
 10 also based a lot of the map on what's called overlay
 11 analysis. And this is a fellow named Ian McHarg who wrote a
 12 book called Designs of Nature. I think many of you have
 13 probably been exposed to it. I worked with him a little bit
 14 when I was in school.
 15 He wasn't a great fan of the human species,
 16 unfortunately, but he recognized that there are places where
 17 growth makes sense and places where growth doesn't make
 18 sense. And I will give you a really quick version of this.
 19 This is a digital elevation model of Maui, and the first
 20 thing in pink is just conservation districts. Then we put
 21 on important agricultural lands, all right. Obviously
 22 that's what came out of the public process. Next, we added
 23 critical habitat.
 24 You see what starts happening, is you start seeing
 25 natural areas where constraints are not there. Now, these

1 and of itself, all right.
 2 The other thing, well, there is one way to
 3 constrain growth on Maui, and that would be a sovereign
 4 Hawaiian nation. You could do it with immigration, all
 5 right. You could tell who can come and who can't. But
 6 until that occurs, we have still got to work under sort of
 7 this kind of reality.
 8 Now, the GPAC did do one thing with the numbers,
 9 and I will describe the best I can what they did and why
 10 they did it. This is sort of a laundry list of basic land
 11 use principles that percolated through the plan since day
 12 one. It came out of Focus Maui Nui process work. It's come
 13 through all our workshops. It came through the GPAC
 14 recommendations. And they're important.
 15 The island lifestyle and culture I think is really
 16 important. We are not the mainland, we are not Oahu. We
 17 are a unique island with unique culture. A somewhat unique
 18 way of making decisions, all right. So you have got to
 19 respect that in the plan. And I think the other ones kind
 20 of speak for themselves.
 21 We also had a regional framework that came out of
 22 the public process, and it was pretty unanimous that they
 23 wanted to, the community wanted to limit development in
 24 Northwest and East Maui, all right. They wanted to protect
 25 agricultural lands, particularly prime agricultural lands.

1 are unweighted. You can say ag land is the most important
 2 thing, and you can build a model to predict that. And
 3 finally, there's one more layer, slow constraints. And you
 4 can do this in both directions. You don't have to use it
 5 just to identify where you are not going to grow, you can
 6 identify where you might want to grow. So that was the
 7 approach we used, and all those maps that are in the back
 8 are the data sets that went into this exercise that we did
 9 internally.
 10 This is the process. This looks a lot more
 11 complicated than it is. But this is the process that we
 12 went through when we developed the very first boundaries in
 13 April of 2008. The first thing we did was map all these
 14 environmental constraints and that map is back there. Feel
 15 free to take a look at it. I believe it's all on our website
 16 as well.
 17 Then we did the projection process, where we said
 18 how many people, how many houses, all right, worst case
 19 scenario. Then we met with all the members of Public Works
 20 and all of our agencies that deal with water, sewer, parks,
 21 things like that to get a feel for what kind of constraints
 22 and what kind of growth scenarios were just unacceptable to
 23 them from either a physical perspective or a fiscal
 24 constraint perspective.
 25 Then we went and did Focus Maui Nui, and after

1 that I did four or five design charrettes that I think
 2 several of were you there to get a sense of how does all
 3 this work in terms of what people feel are important on
 4 Maui. Then we looked at these sites. There's a map right
 5 here that summarizes the areas that we looked at, and then
 6 these are the final allocations from GPAC and the Director's
 7 recommendations.

8 We didn't look at projects, all right, and here is
 9 why. I have been on both sides of the design of projects as
 10 well as review a projects, and the fact of the matter is
 11 that oftentimes what comes off the drawing board is not what
 12 ends up on the ground for a lot of reasons, Pro Forma,
 13 investment, market, unintended or unexpected environmental
 14 constraints. So we looked at them as geography, the ground,
 15 and what constraints were associated with those areas. We
 16 mapped them, we made some land use assumptions in terms of
 17 density, and we can talk about that.

18 Then we went back and looked at that on the site.
 19 We did what was called a supply and demand assessment, which
 20 are in fact reflected on these two sheets, both the GPAC
 21 strategies as well as the Director's strategies. The idea
 22 being that we didn't want to constrain the market too much,
 23 right, and we also wanted to be able to accommodate growth
 24 that we expect. And finally, we sort of ran this back
 25 through, and that was the outcome of these recommendations.

1 it's higher density doesn't mean it's a good project. So
 2 that's the first, urban infill.

3 The second one is just expanding out, and we are
 4 showing that model around Wailuku, Kahului, around Pa'ia,
 5 Pukalani, and Lahaina. Just a natural sort of concentric
 6 growth pattern. Finally, you can build new towns, all
 7 right, and there are at least two, and a third, Olowalu,
 8 Hali'imaile, those are on the board. They're being
 9 represented as new towns. You have got to be careful with
 10 that, because is that what we're going to get? So there's
 11 some responsibility on the part of the county as well.

12 Pulelehua is somewhat of a sort of a new
 13 settlement pattern, but what you have got to make sure of is
 14 that you get what you think you're going to get. That's
 15 it's a true live/work/play scenario, it's not just a suburb,
 16 all right.

17 Next we have towns now. All these four strategies
 18 are articulated on these maps where we thought it was
 19 appropriate. And finally, this is interesting. You can
 20 learn a lot from the past, and we developed these maps for
 21 all the islands. And what's interesting about Lahaina, we
 22 talk about distances to jobs, right. Well, the old
 23 plantation camp development pattern was just that, it put
 24 these places close to the places that they worked.

25 And I will just run you through the sequence.

1 I won't walk you through this. This is the
 2 criteria that we used when we assessed these areas. They're
 3 very traditional. They deal with is the site, is it
 4 feasible to develop it, is there some reason, slope, flood
 5 plane, natural hazards, tsunami, critical habitat, those
 6 sorts of issues. We looked at regional infrastructure, how
 7 close it was to jobs, was it compatible with what's on the
 8 ground, what's the ability to provide affordable housing.

9 For example, a beach front lot has the least
 10 likelihood of developing into affordable housing for
 11 residents than Wailuku, Kahului, and so we factored that in.
 12 I talked a little bit about the ag impacts, and then we
 13 looked at how these areas connect from either the
 14 transportation system we have now or maybe a future
 15 transportation system.

16 So very quickly, there's three or four -- there's
 17 four or five ways that Maui can grow, and it won't just be
 18 one of them, it will be a combination of them. The first is
 19 an urban infill. Urban infill is incredibly efficient.
 20 You're essentially taking an under-utilized lot or
 21 redeveloping a parcel into a mixed use project. It's close
 22 to schools, roads, parks, hospitals, libraries.

23 It's the most efficient way to develop, but there
 24 are some constraints. Whenever you increase density there's
 25 a fear factor. It's got to be done right. Just because

1 This is 1933. What these bold areas are are where there was
 2 actually a settlement. Now let's work it out. Here is
 3 1955. It started to sort of contract, right, in response to
 4 changes in agricultural production, for the most part. Next
 5 is 1978, and finally this is 2004. So this development
 6 pattern also reacted to jobs, right. We went from an ag
 7 based economy to a tourism based economy.

8 There are four different boundaries, if you will,
 9 on our maps, and the first is an urban boundary. Lahaina is
 10 an urban boundary. Kihei is an urban boundary.
 11 Wailuku/Kahului urban boundaries. They're what you would
 12 expect, right. It's a full compliment of land use patterns,
 13 including jobs, including shopping. And the idea of that
 14 boundary is to push growth where services are already there,
 15 roads are already there, jobs are already there, parks are
 16 already there.

17 The next one we have is what we call country
 18 towns. Makawao is a country town, Hana is a country town,
 19 Pa'ia is a country town. The idea is these are what makes
 20 Maui so special, in my mind. It's the most important thing
 21 we have on the island, and we have to be really, really
 22 careful with them.

23 What we've essentially done here is in cases where
 24 we thought there should be a hard-to-find edge we have drawn
 25 it like that, where it made sense to us. Where the General

1 Plan Advisory Committee, they allowed expansion
2 opportunities around these areas.

3 The next one is a rural residential pattern. Kula
4 200 is a really good example, where you essentially have got
5 large lots, residential uses in some cases with some limited
6 agricultural sort of subsistence kind of farming. We have
7 identified those areas. The idea is that we want to avoid
8 that sprawl pattern which has sort of occurred by default.

9 And finally, the last boundary is what's called
10 the rural service center. These are like Keokea is probably
11 a good example, which is shown on the maps. This is one of
12 the differences here in West Maui between GPAC and the
13 Director's model, and I will describe that in just a second.

14 Also, you have to keep in mind that there were
15 multiple instances where particularly with GPAC we felt as
16 staff that they were really doing community plan level work.
17 And that the best place to do community plan level work is
18 with that community in that process, the community plan
19 process. So the idea is it's about a sense of place. If we
20 lose this on Maui, we have not done our job, and it would be
21 a shame if that would happen. I think the base of the plan
22 is sensitive to this.

23 So there's two spread sheets, and these are also
24 on the web. You can pull them up on the website if you want
25 to know where that is. I can help you find it. It's a

1 units at Olowalu. Staff is not showing Olowalu on our
2 recommendation, so that's the biggest part of that number.

3 There are also some differences in Makila. We're
4 showing what's called a rural service center, providing
5 services to the units that are already up there, the large
6 lots that you see mauka. GPAC also has a little different
7 plan for that, but we will have plenty of time to discuss
8 those differences. And if you want to get into any more
9 detail, just come find me.

10 So there are two maps. This is the first one. It
11 essentially runs from Kapalua to Lahaina. The second one is
12 Lahaina to Olowalu. On these maps are both the Director's
13 recommendation and the GPAC recommendation on the same map.
14 So you can see where these lines change, all right. And
15 again, for the most part, we're pretty consistent.

16 The other big difference was Pulelehua. On the
17 GPAC maps there was -- and there's several GPAC members in
18 here, so please keep me honest -- but one of the concerns
19 with Pulelehua for the GPAC was the proximity to the
20 airport. I think that was probably the most salient
21 discussion. So GPAC pulled back from the airport itself.

22 The department's recommendation has left Pulelehua
23 on the map for two or three reasons. One, it's already gone
24 through -- it's going through the planning process. The
25 department has already supported the project. And from the

1 summary of the GPAC recommendations and the Director's
2 recommendations, and they match up to this numbering, this
3 geographic system, all right.

4 The primary differences we felt that when we
5 disaggregated the community plan numbers that we should be
6 true to those. And when we did it, the point was that we
7 didn't think that any particular community plan region on
8 the island should get -- should have a more proportional
9 growth than any other place.

10 For example, right now I believe Wailuku/Kahului
11 has about I think it's in the neighborhood of like 40
12 percent of the population as a whole on the island, and we
13 felt that that should be maintained to 2030. They're going
14 to grow, but proportionally that growth is shared among the
15 island as a place on the ground.

16 The biggest differences between GPAC the
17 Director's growth for West Maui is that the GPAC is
18 recommending a surplus in West Maui of about 2000 more units
19 than we think there's a demand for, all right, and that was
20 a philosophical difference between the General Plan Advisory
21 Committee and staff.

22 Primarily where those units went was Olowalu.
23 Olowalu was hands down the most emotional debate we had,
24 which is fine, but it was intense. And GPAC with a vote I
25 think of 13 to 12 voted to include the Olowalu plan, 1500

1 airport standpoint, it went through FAA review. It went
2 through state transportation and aviation review. It had an
3 EA that was certified, or I'm sorry, an EIS that was
4 certified. So we felt those issues were dealt with. If you
5 look at a site plan, if we get that site plan, it's
6 sensitive to the airport. So those are the primary issues.

7 And again, the GPAC recommended rural lots in
8 Makila, I believe, we have got a rural service center, and
9 then obviously Olowalu, which is different. So those are
10 the two primary differences.

11 That's it for me. Again, if you have any
12 questions about either the maps in the back, the summary
13 tables, or these maps, just come find myself or a member of
14 my staff and we will be glad to help you out.

15 CHAIRMAN HEDANI: Thank you very much, Dave. We'd
16 like to go ahead and open it up for public testimony at this
17 time. We have a total of 50 people that have signed up on
18 two sheets so far, and I'm told there's another sheet that
19 you are working on out there. With 50 people at three
20 minutes apiece, it's going to take two-and-a-half hours to
21 get through the public testimony. If we have three minutes
22 of questions, that's going to be five hours of public
23 testimony. And we most probably will not get to consider
24 the general plan in deliberations with the Commission.

25 On that basis, since we are scheduled to end

1 tonight's session at 8:30, I'd like to encourage you to keep
2 your comments brief, if possible. You have three minutes.
3 Julia has a timer, and she's going to let you know when two
4 minutes have passed, and you will have 60 seconds to
5 conclude your remarks. You don't have to use all three
6 minutes. If you can get your point across in one minute or
7 two minutes, all the more power to you.

8 To the Commissioners, again, I ask that you try to
9 refrain from asking questions, because I'm sure at some
10 point in the testimony one of the 52 people will actually
11 answer your question. With that, I am going to go ahead and
12 call the first person. And I am also going to call the
13 second person, so you know that you're next up for
14 testimony.

15 We have a podium set up over here for you. You
16 can either use the podium or you can sit at the chair that's
17 been provided. The first person is Irene Bowie, to be
18 followed by Gordon Cockette.

19 MS. BOWIE: Aloha. (Bell rings)

20 DIRECTOR HUNT: Time's up, Irene (laughter).

21 MS. BOWIE: Aloha. My name is Irene Bowie. I'm
22 Executive Director with Maui Tomorrow Foundation. Maui
23 Tomorrow supports smart growth principles that direct
24 development towards existing communities already served by
25 infrastructure, and encourages projects that follow these

1 4,000 new housing units.

2 Of the five projects, we rated Kaanapali
3 Development Corporation's project at Waine'e as the highest,
4 primarily because it's expected to have mostly affordable
5 housing and is very near existing jobs. Its proximity to
6 schools, a fire station, and the state highway, as well as
7 water and sewage lines that would easy to extend to this
8 land also factored into its high rating. The project's
9 primary development constraint is dealing with mauka storm
10 drainage.

11 Olowalu Town was rated the lowest because it is
12 expected to have the minimum affordable housing required,
13 and because its location is far from jobs in both West and
14 Central Maui. Affordable housing would be difficult because
15 of the extraordinary costs to build needed infrastructure
16 and provide basic public services. It would be necessary to
17 build at least one school, a fire station, a water and
18 sewage treatment systems. The state is not financially
19 prepared to build and staff a school at Olowalu, nor is Maui
20 County financially prepared to build and staff a fire
21 station in the area. It's estimated that approximately 2500
22 of the project's 3500 anticipated residents would be driving
23 on an already congested highway to jobs in other areas.

24 In closing, Maui Tomorrow asks the Commission to
25 support those urban growth boundaries that place future

1 principles. As part of that process, we've developed an
2 evaluation chart ranking proposed development projects which
3 is based on the Countywide Policy Plan and the Maui Island
4 Plan growth area evaluation criteria, and I believe that's
5 been passed out to you folks.

6 We offer this evaluation chart as a tool to the
7 Planning Commission as you consider various projects. For
8 this meeting we've taken five major projects proposed for
9 West Maui and based our ratings on nine criteria. Of those
10 nine criteria, Maui Tomorrow believes that affordable
11 housing and proximity to jobs are the most important.

12 West Maui's lack of highway capacity, the need for
13 various public facilities, such as fire and police, and a
14 lack of capacity in our public schools must also be
15 considered along with a project's proximity to existing
16 county systems for water supply and sewage disposal.
17 Agricultural impact, environment and scenic and cultural
18 impacts must be considered as well. We plan to include
19 efficiency and conservation of water and energy as our tenth
20 criteria as more details for particular projects become
21 available.

22 The GPAC has recommended 6,000 new housing units
23 for West Maui, while the Planning Department recommends
24 considerably less, as Mr. Michaelson referred to. The three
25 projects that Maui Tomorrow supports for West Maui total

1 development near already existing communities. Thank you.

2 CHAIRMAN HEDANI: Good timing. Next person is
3 Mr. Gordon Cockette, to be followed by Kai Nishiki.

4 MR. COCKETTE: Aloha. My name is Gordon C.
5 Cockette, and I have lived on Maui for all of my 78 years.
6 I'd like to remind everyone that we live on an island. West
7 Maui is only part of that island, and we can't keep growing
8 forever. Maui Tomorrow considers affordable housing to be
9 the most important issue being addressed in this update of
10 the Maui General Plan.

11 CHAIRMAN HEDANI: Gordon, can you pull the
12 microphone down, please.

13 MR. COCKETTE: Maui needs affordable housing for
14 Maui workers, not mansions for rich people, second homes for
15 retirement. An applicant for an affordable home should not
16 own property anywhere else. By affordable housing I mean
17 \$200,000 to \$300,000, not \$500,000 to \$600,000.

18 Affordable housing should remain affordable
19 forever, not just for five or ten years. Affordable housing
20 also should not be used for vacation rentals. Not too long
21 ago I heard of applicants getting affordable homes and then
22 turning them into affordable -- vacation rentals. This
23 cannot be allowed.

24 And I thought of an association formed within the
25 development that would control the issues, not leave it for

1 the county to enforce the issues. Let the developer create
2 an association within his development to control the issues.
3 Thank you.

4 CHAIRMAN HEDANI: Thank you very much,
5 Mr. Cockette. (Applause).

6 The next person to testify is Kai Nishiki, to be
7 followed by Lucienne de Naie.

8 MS. NISHIKI: Good afternoon, Commissioners. I'm
9 Kai Nishiki, a resident of Maui for most of my life, and a
10 mother of three school aged children.

11 Regarding jobs, with the rising gas prices it's
12 more important than ever for people to live close to where
13 they work. It's also time consuming to drive long distances
14 to work, which means less time to spend with our families.
15 Because I live in Haiku and I travel often to Honokowai for
16 work, I leave my kids before they wake up, and when I get
17 home they've already gone to bed. This is a very sad
18 situation for me and many other moms and dads who do this.

19 My friends work two or three part-time jobs
20 because they can't find full-time jobs. This means that
21 people on Maui are struggling with layoffs and their hours
22 are being cut. My brother-in-law, he works in construction.
23 His hours have been cut. These are the issues that are
24 facing us right now, and it's really important for us to
25 have jobs that are close to work, especially with the

1 Pulelehua. So I support Maui Tomorrow's evaluation
2 criteria. I think it's very helpful in determining what
3 projects and what aspects of the projects are good and bad,
4 because I don't think that all projects are either good or
5 bad. There's aspects to them that we could work on to make
6 them a better project. So thank you for your time. Aloha.
7 (Applause)

8 CHAIRMAN HEDANI: Thank you, Kai. The next person
9 to testify is Lucienne de Naie, to be followed by Michael
10 Duberstein.

11 MS. De NAIE: Aloha. Lucienne de Naie testifying
12 on behalf of support of the criteria that have been
13 presented for your consideration by Maui Tomorrow. I'm
14 addressing adequacy of infrastructure. I passed out a
15 handout that you guys can read at your leisure that kind of
16 analyses some of the questions about proposed West Maui
17 developments.

18 And when Mr. Michaelson was talking about one of
19 the worst things that can happen is that you approve too
20 little development, then you won't have any infrastructure.
21 I think many of us who lived through that era would say oh,
22 no, we approved plenty of development. We didn't realize
23 how much infrastructure it was going to take, especially
24 water. And because of that, and we didn't have the money
25 for it, and we were always like on the behind-the-ball

1 demands that family life puts on us.

2 Regarding schools, the public schools in West Maui
3 are already beyond capacity, and students at Kam III in
4 Lahaina actually have had classes in tents. If 6,000 new
5 housing units are added in West Maui, that could include as
6 many as 2000 additional school aged children. The only
7 school being planned currently for West Maui is at
8 Pulelehua.

9 And with regards to jobs, the three projects in
10 West Maui that we evaluated with Maui Tomorrow's evaluation
11 list that are close to jobs are Waine'e, Kaanapali 20/20,
12 and Pulelehua.

13 Public facilities, there are many public
14 facilities in West Maui that are deteriorating, and for our
15 existing residents we need new facilities as well as upkeep
16 of the ones that we already have. Visitors also use all of
17 our beaches, restrooms, libraries, medical clinics, roads,
18 surf spots, tennis courts and parks. I take my kids to the
19 beach, and the parks, and the libraries, and all of this
20 every weekend, and you can never find parking. Try to find
21 parking at Launiupoko on a Saturday. Good luck.

22 Three of the projects that were evaluated by Maui
23 Tomorrow proposed significant new public facilities. Those
24 are a new hospital at Kaanapali 20/20, additional playing
25 fields at Waine'e, and a police substation is proposed at

1 curve. So we need to extend our understanding of what
2 infrastructure is and how it can be better provided.

3 Also, we had some concepts that were part of our
4 land use planning that addressed infrastructure. I put them
5 down here for your consideration. But basically summed up
6 is, look at where you can deliver infrastructure reasonably,
7 and expand some capacity that already exists.

8 Looking at some of the projects that have been
9 proposed, Kaanapali 20/20 got a fairly good rating because
10 it's near to existing infrastructure. It's very near the
11 sewage treatment plant, it's near two existing water
12 systems. Whether these water systems will have the capacity
13 in the future will need to be taken step-by-step. But as
14 we've seen in the past, many projects end up being downsized
15 because just providing the infrastructure is a bit of a
16 challenge for them.

17 For the Makila project, it's hard to know exactly
18 how many units would be proposed here, because there's
19 different layers of existing ag lots, there's proposed rural
20 lots, there's a proposed urban area. But it could be as
21 many as a thousand or more units, and they could use quite a
22 bit of water, even though it is a private system.

23 When you look at Olowalu we have been told 1500
24 units are being proposed. There is another small area too
25 that's under different ownership that could have several

1 hundred other urban units as well. These are in a private
2 water system, and its capacity is unproven at this point.
3 In fact, local residents who rely on this system now
4 complain that it is sub-standard to the GPAC.

5 And in the end, Waive'e is near where
6 infrastructure exists. Once again, it's a capacity issue.
7 But because it's a combination with a Kaanapali development
8 company and Bishop Estate, Kamehameha schools, they probably
9 have the wherewithal with all their land holdings to find
10 places to provide water. So they have a little bit higher
11 rating.

12 Thanks for your consideration, and hopefully some
13 of this analysis will be useful as you delve into it. Lots
14 of reading. Thank you.

15 CHAIRMAN HEDANI: Thank you very much, Lucienne.
16 (Applause)

17 A request from Jeannette, our stenographer, is
18 that if you have written testimony, if you could provide her
19 with a copy that would be helpful. Thank you.

20 Michael Duberstein, to be followed by Doug Mac
21 Cluer. You will hear two bells. The first bell is the two
22 minute warning, and the second bell is the three minutes.

23 MR. DUBERSTEIN: David, I am going to be 70 next
24 year, so don't talk about the reality of it.

25 Hi, my name is Michael J. Duberstein. I'm an

1 Planning Commission. I'm Doug Mac Cluer, I am a member of
2 the Board of Agriculture, I am on the board of the Farm
3 Bureau, and I was a member of the GPAC.

4 We are submitting an ag plan to you guys, and I am
5 a supporter of that. I worked on that and I think that's a
6 good plan. I hope that you incorporate this in your general
7 plan.

8 I grew many crops on the land at Hali'imaile and
9 at Honolua. In fact, I flooded the market with potatoes a
10 number of years ago on the land above the ditch at
11 Hali'imaile. We also grew successful diversified crops at
12 Honolua. So those lands are important ag lands. I feel
13 that right now we're importing 80 percent of our food. If
14 we are ever going to grow food that supports our island, and
15 if we are ever to be sustainable we need to protect good ag
16 land and water.

17 Right now the 80 percent of the food that we
18 import has lots of insects, alien species, and is a big
19 problem. I think we ought to protect our good farm land,
20 and I thank you for your support. (Applause)

21 COMMISSIONER STARR: Mr. Chair, I have a question.

22 CHAIRMAN HEDANI: Commissioner Starr.

23 COMMISSIONER STARR: Mr. Mac Cluer, thank you for
24 your expertise. Most of our ag land has been tied up in
25 crops, the same crops for 75 years. I don't know any other

1 economist who served for nearly 25 years as director of
2 research for a labor union, consulted throughout the
3 mainland on community-based technology, and worked for the
4 congressional Joint Economic Committee.

5 Now, why I'm here today to say is that the tool
6 that you have been hearing about that was worked out through
7 Maui Tomorrow can be applied in any way by your future plan.
8 It's something that we did as an example, and we are going
9 to be continuing to do on other projects. But what it is is
10 a tool, and we all like to have applicable tools as we go
11 through things. This is just one, but I think we found that
12 it was very good to use. Now, it compliments GPAC's own
13 matrix and it gives you an ability then to compare, but you
14 set up your own subjective criteria and fill in. You don't
15 have to go with what GPAC said.

16 Now, we come before you not to say do this or do
17 that, but mainly to say that you can make judgments of
18 projects throughout Maui County, and by using tools that we
19 can come up with or many other groups, you are going to --
20 it's going to make it a lot easier for you to make these
21 final good decisions. Mahalo and good luck.

22 CHAIRMAN HEDANI: Thank you very much,
23 Mr. Duberstein. Mr. Doug Mac Cluer, to be followed by
24 Warren Watanabe.

25 MR. MAC CLUER: Good afternoon members of the

1 industry that puts out the same product without changing
2 what they're doing. How can we alter this pattern so that
3 we do start growing food on a large scale for local
4 consumption?

5 MR. MAC CLUER: I think that we need to make land
6 available, and we need to make the crops profitable for
7 local farmers, and we need to make water reasonably priced
8 so that we can compete with California. (Applause)

9 CHAIRMAN HEDANI: Thank you, Doug. The next
10 person is Warren Watanabe, to be followed by Paul Laub.

11 MR. WATANABE: Good afternoon, Chair Hedani,
12 members the Commission. My name is Warren Watanabe,
13 Executive Director of the Maui County Farm Bureau. And as
14 Doug has mentioned, we have submitted to you a copy of our
15 Maui Agricultural Development Plan. We have submitted a
16 draft copy to the GPAC, which I was also a member of, and we
17 also had submitted a draft to the County Council also.

18 The difference with this plan is that we have come
19 up with a recommendation program, and hopefully that will be
20 able to move agriculture forward on Maui. I think some of
21 the things that we want to relate is what our hope is for
22 this plan to be either a supplementary document or something
23 of that sort to the Maui Island Plan. And again, this is a
24 long-range plan, and I think the important thing to also
25 remember is that this plan was developed by agriculture.

1 I think it's time that government or other
2 agencies listen to what the industry is saying and what we
3 feel we need to make agriculture successful. Thank you.
4 (Applause)

5 CHAIRMAN HEDANI: Thank you, Warren. Question
6 from Commissioner Starr.

7 COMMISSIONER STARR: Mr. Watanabe, say if a large
8 piece of land, say a thousand acres in Central Maui, and
9 maybe a thousand acres in West Maui were put aside for an ag
10 park and made really inexpensive, you know, a dollar a year
11 type lease and water inexpensive. Do you think farmers
12 would come forward and produce food there for local
13 consumption?

14 MR. WATANABE: Well, I know what you are talking
15 about, I know that our present Mayor has talked about
16 developing the Maui County ag parks. One thing I think
17 that's different in Maui is that on Maui we have a county ag
18 park but we don't have a state ag park. Other islands do
19 have state ag parks.

20 I think a lot of people talk about self-sufficient
21 and food production. I think what we have also got to
22 remember is that certain crops grow best in certain areas,
23 and that is why, for instance, vegetable crops are grown in
24 the upcountry area, and we need to remember that. If you
25 try to go counter to that you will just make the farmer go

1 of life, and reflect the needs and desires of West Maui.

2 West Maui has fallen behind significantly in the
3 building of affordable housing. Many families have two or
4 three generations living under one roof, as there are not
5 enough affordable housing in West Maui. Many of the workers
6 in this area need to commute to their jobs from outside of
7 West Maui. We need to do things to alleviate this situation
8 or it will only get worse.

9 The Waine'e project, close to existing residences
10 and park facilities, currently reflects affordable housing,
11 senior housing, community areas, et cetera. We ask that the
12 entire planned area for Waine'e be incorporated within the
13 urban growth boundary to maintain the feasibility of the
14 project.

15 Residents of Waine'e will be able to live close to
16 relatives in the older family homes in Lahaina. They will
17 be able to walk or bike to work with a neighborhood
18 commercial where they will be able to get basic supplies and
19 services without leaving their neighborhood. Children can
20 play in the parks without parents having to transport them
21 by vehicles.

22 Kaanapali 20/20 will have a much-needed hospital,
23 as well as other medical related facilities, including
24 medical education and research facilities, wellness,
25 holistic, and Hawaiian healing facilities, and long-term

1 bankrupt.

2 So I agree, I think if you can find land that's
3 available. The other issue would be to develop our younger
4 generation to get interested in farming.

5 CHAIRMAN HEDANI: Thank you very much, Warren.
6 Mr. Paul Laub, to be followed by May Fujiwara.

7 MR. LAUB: Aloha. I'm here as a representative of
8 the West Maui Veterans Club and the Maui County Veterans
9 Council, upon which I sit on the executive board. The
10 Kaanapali 20/20, Kaanapali Land Company has offered 15 acres
11 for a veteran cemetery here in West Maui. I speak for the
12 entire veterans of Maui that we are very thankful. The
13 Makawao cemetery now is small and is filling up, and so we
14 are very thankful and we really request your support.

15 As a West Mauian I also support the senior housing
16 and the camp in Waine'e. So thank you very much.

17 CHAIRMAN HEDANI: Thank you, Paul. May Fujiwara,
18 to be followed by June Kaaihue.

19 MS. FUJIWARA: Good afternoon, Chair Hedani and
20 members of the Planning Commission. Thank you for coming to
21 Lahaina. My name is May Fujiwara, and I speak on behalf of
22 our over 200 Lahaina Honolua Senior Citizen Club members.
23 The Waine'e project and Kaanapali 20/20 have been long time
24 community-based planning projects with input and
25 participation from members of our community from all walks

1 care and assisted living facilities. The purpose of these
2 facilities is to not only take care of the health needs of
3 our people, but to also provide a new industry in which our
4 younger generation can look forward to working. Our
5 community members feel that there needs to be more job
6 opportunities than just tourism and ag.

7 The conceptual plan was recently changed where
8 they're removing the golf course and incorporated villages
9 with medical related facilities. And also to accommodate
10 these changes the golf course has been removed. And most
11 recently a cemetery has been included in the plan.

12 I understand the GPAC and the community and the
13 Planning Department are including the full area of Kaanapali
14 20/20 and the Waine'e project in the urban growth boundary.
15 We seniors would like to urge you, the Planning Commission,
16 to do the same. Thank you for allowing me to testify.
17 (Applause)

18 CHAIRMAN HEDANI: Thank you, May. June Kaaihue,
19 to be followed by John Carty.

20 MS. KAAIHUE: Aloha. Welcome to Lahaina. My name
21 is June Kaaihue. I am a member of the Lahaina Honolua
22 Senior Club and also the Na Kapuna O Maui. Members, do you
23 want to stand, all those who are able to? Thank you very
24 much.

25 I think the same way as May Fujiwara. She is our

1 president, and therefore to save time, I support her
2 opinions and give up some time for all of the other members
3 that are going to come up today. Mahalo. (Applause)

4 CHAIRMAN HEDANI: Thank you very much. John
5 Carty, to be followed by Carol Reimann.

6 MR. CARTY: Aloha. My name is John Carty. Thank
7 you for being here. I speak on behalf of the Save Honolua
8 Coalition regarding agricultural land use. Our valuable ag
9 lands and open spaces of West Maui are being eaten alive by
10 ag subdivisions and CPR's without public hearings and
11 reasonable planning. And we see that the GPAC document
12 addresses this issue, but here are some important additions
13 that we suggest.

14 First, the Agricultural Land Use section, page
15 113, calls for public notification and review for ag
16 subdivisions. We strongly support this, but also ask that
17 the CPR's, Condominium Property Regimes, be classified the
18 same as ag subdivisions and be given the same treatment.

19 Also, please include stronger language in the Maui
20 General Plan to prevent ag subdivisions and large scale
21 CPR's, and language supporting the restructuring of our ag
22 land zoning ordinance to preserve open space and retain land
23 for growing food.

24 For instance, the Agricultural Land Use section of
25 the GPAC document, action number five on page 114, please

1 And finally, the new definitions for ag zoning 1,
2 2 and 3 are mostly an improvement over what Maui had
3 previously. However, we suggest that the purpose action,
4 excuse me, the purpose section of Ag 1 be changed to include
5 subsistence agriculture, like Ag 2, and all of these
6 suggestions are in the document that I handed to you.

7 So I know there are some people from Save Honolua
8 here that wanted to raise their hands. So if you are
9 supporting of my testimony today, could you place raise your
10 hand? (A show of hands)

11 So thank you for your consideration and dedication
12 to the sustainability of Maui and the best interests of the
13 future generations. (Applause)

14 CHAIRMAN HEDANI: Thank you, John.

15 The next person to testify is Carol Reimann, to be
16 followed by Van Fischer.

17 MS. REIMANN: Good afternoon. My name is Carol
18 Reimann, and I represent the Maui Hotel and Lodging
19 Association. MHLA is the legislative and advocacy arm of
20 the industry. Our membership collectively employs over
21 10,000 local residents. The visitor industry is currently
22 the economic engine of Maui County. We generate 75 percent
23 of the county's economy. This is per the Mayor's State of
24 the County address. We directly represent 40 percent of all
25 jobs on Maui, and we contribute approximately 40 percent of

1 change to, "Prevent mid- to large scale subdividing of
2 agricultural lands by strengthening applicable zoning and
3 subdivision/CPR ordinances."

4 And on policy three on page 113, change to,
5 "Prohibit developing or subdividing prime, productive, or
6 important agriculture lands, shoreline areas, view
7 corridors, greenways, and environmentally or culturally
8 sensitive areas for residential uses in which the residence
9 would be the primary use, and any agricultural activities
10 would be the secondary use."

11 In addition, Save Honolua has strong concerns
12 about the urban growth boundary being right at Honolua, the
13 Kapalua area. This kind of density and resulting
14 infrastructure is not appropriate for this area. Honolua
15 Bay is a special area management zone, and the entire
16 Honolua ahupua'a is under tremendous stress. There needs to
17 be a much bigger buffer between the urbanization and this
18 marine life preserve. It's a highly sensitive area.

19 Therefore, we call for the urban growth boundary
20 to be more appropriately placed at the north end of
21 Kaanapali where the infrastructure is. The West Maui growth
22 belt needs to stop here. The Honolua agricultural areas
23 northeast to Kahakuloa should be protected with hard edges
24 of open space and/or greenbelts or parks, according to the
25 guiding land use principal number three.

1 the total collections of real property taxes. This is from
2 timeshare and hotel/resorts, who pay the highest rates in
3 the county. Tourism also contributes significantly to
4 Maui's economy via the Transient Accommodation Tax,
5 increased water and tipping fees, and fuel tax.

6 As the principal economic driver of our local
7 economy, it is our shared responsibility to care for an
8 industry that so many residents rely on for their livelihood
9 and many businesses depend on to survive. The visitor
10 industry warrants support and consideration in regard to our
11 future policy and planning.

12 MHLA has previously testified in regard to the
13 lack of representation of the visitor industry during the
14 GPAC update review process. We are here today to reiterate
15 this concern. While we appreciate GPAC's hard work, and
16 support the idea of managing future growth of the visitor
17 industry, stakeholder input is critical for such an
18 important document as the Island Plan.

19 Tourism on Maui has just come off an unprecedented
20 five year growth spurt. Upon reflection on where we
21 currently stand, we understand that this type of growth is
22 unrealistic and cannot possibly be sustained. It will be a
23 long time until we realize those numbers and expenditures
24 that were seen from this growth. Moving forward, do we
25 expect the same type of growth? No. This past growth is

1 most likely a one-shot deal. And looking ahead, we
2 anticipate a very slow gradual return of business once the
3 economy stabilizes.

4 In order for our economy to rebound in a healthy
5 manner, a document such as the Island Plan should provide
6 very basic guidelines that would allow flexibility to
7 support the industry. It is in the industry's best interest
8 to support sustainable growth, sustainable in terms of what
9 the island can handle and what the community desires.

10 We agree that the community should be involved in
11 the future growth of tourism, but we should not be hampered
12 by some of the detailed and restrictive language that is
13 currently in the document that will hinder our ability to
14 remain viable and prevent us from adapting to changing
15 markets, trends and fluctuations. A document of this
16 importance should be general and allow for flexibility.

17 Attached to my written testimony you will find our
18 comments to the population and economic development sections
19 of the Maui Island Plan. Most of our comments are an
20 attempt to make the document a little more supportive of the
21 industry. While we recognize the desire to manage the
22 future of our industry, we are concerned with some of the
23 negative language and detailed restrictions.

24 MHLA would like to reiterate our offer to assist
25 the Planning Commission as you review the Maui Island Plan.

1 the criteria in your selection process. It is simply by
2 definition the definition of urban sprawl. It's taking and
3 dragging urban type developments all along the coastline
4 where no urban developments exist. I think all of the
5 residents that would live in this area would either end up
6 having to commute either to the Lahaina side or to central
7 or Kihei areas. So it's only going to continue to add to
8 the traffic problems.

9 I would like to see this area kept as agricultural
10 land, and I would like to see requirements put on so that
11 they actually have to use it as agricultural land. And if
12 they can't do it, then the land should be given to those who
13 can figure out to farm it. Thank you. (Applause)

14 CHAIRMAN HEDANI: Next is Hans Michel.

15 MR. MICHEL: Hello. My name is Hans Michel,
16 Lahaina. 48 years ago I came to Lahaina, the Royal Lahaina,
17 when we opened up. We had no housing at that time, and all
18 over the years they have been trying to see Maui County
19 providing nothing. It was always a private investor who had
20 to provide housing for workers, and that's the reason why I
21 support Kaanapali 20/20, I support Waine'e Village, and I
22 also support Olowalu. No matter what anybody says, it's
23 part of West Maui. West Maui people have to stick together.
24 They always seem to fight against each other.

25 And I'm asking you what happened to the flood

1 Please know that we are available to answer questions and
2 provide input in regard to the visitor industry. We would
3 also welcome the opportunity to be part of a working group
4 of stakeholders to assist you in your review process. Thank
5 you very much.

6 CHAIRMAN HEDANI: Thank you very much, Carol. The
7 next person to testify is Van Fischer, to be followed by
8 Hans Michel. We are going to take a recess after these next
9 two testifiers for about ten years.

10 MR. FISCHER: My name is Van Fischer. I'm a
11 resident of Kahana. I'm here to speak in opposition to the
12 inclusion of the Olowalu area in the urban growth
13 boundaries. This development adding thousands of homes to
14 an area of a highway that already has some of the most
15 miserable traffic you would ever have to drive in would only
16 make things worse. If we have to have more development on
17 this side of the island and more housing on this side of the
18 island, I would like to see that development limited from
19 Lahaina to Kaanapali. And I would also like to see a
20 restriction put on that 80 percent of that development is
21 affordable housing. And by affordable I mean something that
22 the people who grew up here and their kids can afford to buy
23 and live in.

24 The development of Olowalu, as I see it, serves no
25 one but the developers of the property. It meets none of

1 channel in Lahaina? Excuse me, you're watching your watch.
2 I'm talking to you. The flood channel is supposed to come
3 before we can build Waine'e Village. What happened with
4 this? Why is the county dragging their feet? I mean let's
5 get into reality. Nothing gets done, money gets spent, and
6 we never move ahead.

7 And then I have another one over here, a project
8 that Michaelson had that never did come out to the GPAC
9 people. I was part of the GPAC. I don't know how Kuia
10 could get into the project. The people never provided a map
11 or anything. We could have negotiated on it.

12 And the other one I have is GPAC also proposed a
13 public transportation corridor. Nobody seems to talk about
14 that any more. What happened to this? Is that anything
15 will come about? So that does not get overbuilt? And then
16 we have to broke down all the houses again because our plan
17 is for the future plan, not for the past.

18 Three minutes up? Oh, two minutes, okay. And
19 then we had another one, it's pali to Puamana park. What
20 happened to that park? Nobody seems to talk about it.
21 Everything is talk, talk, talk, and plan, and nothing
22 coming. That means we're all wasting our time. We should
23 stay home and farm the land.

24 Anyway, that's about all I have to say on this
25 particular part. And here is the map which is a cultural

1 resource overlay map. How can you guys change all this and
2 come right into my backyard, how is that possible? I'd like
3 to know. I've been farming that for 40 hours, and now I
4 have this cultural overlay land map which shows you guys are
5 behind my house. How did you guys figure that out? I would
6 like to have answers from you guys. Michaelson could never
7 answer that question. Sorry, I have to bring it up today,
8 that's why I came here. Thank you very much. (Applause)

9 CHAIRMAN HEDANI: Okay, we are going to go ahead
10 and take a 10-minute recess at this time to let our
11 stenographer rest her fingers. We have covered a total of
12 15 testifiers so far, and we have 35, plus whatever is on
13 the list in the back to get to. Thank you.

14 (Whereupon a brief recess was had)

15 CHAIRMAN HEDANI: The Planning Commission is back
16 in session. The next person that we have to testify is
17 Mr. Mike Bunyard, to be followed by Glenn Kamaka.

18 MR. BUNYARD: Hi. Name is Mike Bunyard, and I'm
19 here to support the Kaanapali 20/20 and Waihe'e projects. I
20 have been involved with them for about six or seven years,
21 going to all their meetings. It's definitely been
22 community-based. They open it up to everybody to come and
23 speak in support or against it, and I think it's just an all
24 around good project. I'd like to see some affordable
25 housing for my children and my grandchildren so hopefully

1 community. My ohana instilled in us that we only gathered
2 that was needed.

3 Honolulu Bay was once always very abundant with a
4 wide variety of fish and marine life. We picked opihi and
5 limu in this area from Lipoa Point to Kahakuloa. My dad
6 showed us where we used to be able to gather the red eyed
7 fish at Lipoa Point. As a fishing family we used to do a
8 left overnight camping from Olowalu to Honokohau. Our
9 favorite site was always Honolulu Bay above the boat ramp.
10 My dad's ancestral spiritual guides would always guide him
11 on our fishing and camping outings.

12 So in closing, I leave you all with this, with my
13 mana'o. We not only look at the makai side but mauka for
14 what is, because what comes from mauka helps to make makai
15 pono. To honor all of those that have passed and to ensure
16 our legacy to those of the future, we must have courage in
17 the choices we make today, for it will remain with us
18 forever. Mahalo. (Applause)

19 CHAIRMAN HEDANI: Thank you very much, Glenn.
20 Mr. Howard Hanzawa, to be followed by Norm Bezne.

21 MR. HANZAWA: Honorable members of the Maui
22 Planning Commission, departmental staff, and members of the
23 community. Good afternoon. My name is Howard Hanzawa,
24 vice-president of Kaanapali Land Management Corp. We host
25 monthly meetings with any and all interested members of the

1 they can stay here and remain in West Maui. Thank you.
2 (Applause)

3 CHAIRMAN HEDANI: Thank you very much, Mike. The
4 next person to testify is Glenn Kamaka, to be followed by
5 Howard Hanzawa.

6 MR. KAMAKA: Aloha, and mahalo to the Planning
7 Committee. Also to all the kupunas that have shown up today
8 and for allowing me to share my mana'o. My name is Glenn
9 Kamaka, and I am a board member of the Save Honolulu
10 Coalition. I was born and raised at the Hawaiian camp. I
11 look around this room at the very vast diversity of
12 different cultures of life and I realize how blessed I am
13 that my grandparents and uncles and cousins and friends
14 taught me how to utilize my culture as a way of life and
15 survival so that some day I will be able to pass it on to
16 the future generations.

17 I can proudly say I am one of a small group that
18 was once -- that was left with a legacy of living our
19 culture. We were once a fishing family that fished from
20 Olowalu to Kahakuloa. We fished for a wide variety of reef
21 fishes. Our dad showed me how to fish for moi and reminded
22 me that these spots are sacred to our families. Our fishing
23 family were ones of very few that used a fishing technique
24 of the hukilau. We were taught and practiced that we fished
25 only what we needed, and to share with others in our

1 community to discuss the needs of our families and workers.
2 It is through these meetings that the planning of Kaanapali
3 20/20 and Waine'e has evolved to incorporate the vision of
4 the community.

5 Some of the basic community needs discussed have
6 been the following: Affordable housing. There have not
7 been a significant number of affordable housing units built
8 in West Maui in the last 20 years. The adult children of
9 our old time families are being forced to live with
10 relatives, and our West Maui workers are forced to commute
11 to their jobs from their homes located outside of the
12 region.

13 Senior housing. There are an insufficient number
14 of senior housing units in West Maui. Though our seniors
15 love their children and grandchildren, they do not
16 necessarily want to live with them during their golden
17 years.

18 Medical facilities. A 15 acre parcel within the
19 southern portion of Kaanapali 20/20 was recently rezoned so
20 that the West Maui hospital could be built. There are still
21 other needs that need to be addressed, such as assisted
22 living units, nursing homes, and long-term care facilities.

23 Job opportunities. The great majority of jobs in
24 West Maui are in tourism. We need other viable industries.
25 The operation of the West Maui hospital would potentially

1 expand the need for other medical facilities, including
 2 those in research, education, wellness, and holistic
 3 healing. These facilities will need employees, which our
 4 children with the necessary training could fulfill.
 5 Cultural heritage. Our developments, while
 6 accommodating today's and tomorrow's needs, must respect the
 7 heritage left by those before us. Cultural preserves and
 8 open space corridors to protect archeological sites should
 9 be in place prior to any construction.
 10 Schools and parks. West Maui needs more schools
 11 and recreational parks for its children. Ideally children
 12 would be able to walk to school or to their parks that is
 13 close to their homes.
 14 Walkable communities. Our new communities should
 15 be villages where people can gather and talk story with
 16 their neighbors at neighborhood shops or at a central park.
 17 Ideally the residents should be able to walk or to bike to
 18 work or to school.
 19 Mass transit. It will not always be feasible for
 20 everyone to be within walking distance of their jobs.
 21 Therefore, the design of new developments should accommodate
 22 the buses and shuttles to pick up and drop off residents in
 23 their neighborhoods.
 24 Regional cemetery memorial park. West Maui needs
 25 its own memorial park for both veterans and the general

1 every big project that has been proposed in the last 10 to
 2 20 years. Why go through a tortuous planning process at all
 3 only to see these projects rubber stamped? Just because the
 4 developer is persistent, just because he talks about his
 5 project as a given over a period of years, just with all due
 6 respect because he's credentialed and well liked, just
 7 because a project is well planned, does not mean it needs to
 8 be in the plan. The only projects that should go through
 9 need to be adjacent to existing population areas, such as
 10 Kaanapali 20/20.
 11 Maui's appeal extends beyond mountain regions to
 12 places like Ma'alaea and Olowalu. The draft plan okays the
 13 destruction of the bucolic flat land vista of Ma'alaea, with
 14 cows grazing in the distance to be replaced by housing. The
 15 rural settlement of Olowalu, lined by magnificent trees and
 16 its quaint storefronts, would give way to expansions of
 17 homes.
 18 Exactly 100 years and 42 days ago Daniel Burnham,
 19 one of the nation's greatest planners, introduced a plan of
 20 Chicago in the midst of a building boom. No building could
 21 be built on a lake front, wooded areas now called the
 22 Emerald Necklace would ring the outer perimeter of Chicago.
 23 Today the lake front remains pristine, a 21 mile long
 24 beltway that remains free and open space. The Emerald
 25 Necklace remains, an achievement so significant it is

1 public. These are some of the basic needs that are
 2 discussed in our monthly community planning sessions.
 3 Kaanapali 20/20 and Waine'e Village have incorporated
 4 features in their conceptual plans in order to address these
 5 community needs. We would appreciate the full inclusion of
 6 the Waine'e and the Kaanapali 20/20 master plans in the Maui
 7 County urban growth boundary. Thank you very much.
 8 (Applause)
 9 CHAIRMAN HEDANI: Thank you very much. Next
 10 person to testify is Mr. Norman Bezne, to be followed by Al
 11 Lagunero. If you can keep your comments brief I would
 12 encourage it, because we have a total of 65 people that have
 13 signed up to testify.
 14 MR. BEZNE: I've got three minutes and 10 seconds.
 15 Aloha, everyone. It seems to me in listening to the
 16 presentation at the beginning that we have been listening to
 17 mainland mentality here. What can we build, where can we
 18 build it, not where should we not build. The ultimate
 19 purpose of a good plan is to preserve and protect the land
 20 for future generations by preventing unbridled growth.
 21 Tourism is the island's number one economic engine.
 22 Construction is not. Two million people come here each year
 23 largely because of our unique beauty, because this is
 24 paradise. Yet our paradise is threatened.
 25 The current draft plan incorporates virtually

1 celebrated in Chicago this year with a centennial website,
 2 centennial programs, programs on BBC features in papers like
 3 the Wall Street Journal.
 4 Because of the unique character of Maui, our
 5 greenway extends islandwide. I urge this group and the
 6 Planning Department and the County Council to respect our
 7 aina in a similar way. I urge those who care for this place
 8 to respect the cultural heritage and respect for aina
 9 ingrained in those ancestors who have been here for
 10 centuries, and the many newcomers, such as myself, among us
 11 here who feel the same.
 12 Embrace the views of the great planner Daniel
 13 Burnham. It is not too late to change. Your current
 14 conclusions are not set in stone. Make a plan for Maui that
 15 preserves our paradise. Jeff Hunt, Jonathan Starr, this
 16 committee, the Planning Commission, the nine members of the
 17 County Council, you can be remembered in the decades ahead
 18 as the Daniel Burnhams of Maui, or your deeds can be
 19 forgotten. What a wonderful legacy is before you for the
 20 taking. (Applause)
 21 CHAIRMAN HEDANI: Mr. Al Lagunero, to be followed
 22 by Joseph Pluta.
 23 MR. LAGUNERO: Aloha. (Hawaiian language spoken)
 24 Aloha. Culture and civilization. There's a continuum
 25 through them, as a lei. We need to look at what we speak

1 about as culture becoming -- we need to look at cult as
2 becoming culture, as culture becoming civilization. We are
3 now at the point where we have come from the cult into this
4 culture, this multiple-placed culture.

5 The question is, what civilization are we looking
6 toward building? What civilization are we becoming? In
7 cult, Hina gives the instruction to Maui, "Bring the old
8 seas together." While she's talking about the old seas, I
9 want you to imagine that the playground at the place that we
10 have are the seas. Not only the seas, but the heavens.
11 When we look at these kinds of things we have much to look
12 at in terms of linking that continuum from who we are in the
13 middle of the Pacific to the greater globe.

14 What we have to offer to the world is not only our
15 homes, it is our aloha, it is our knowing, it is our
16 willingness to step out of the box and answer the question
17 what civilization are we building. Mahalo. (Applause)

18 CHAIRMAN HEDANI: Thank you very much. Next
19 person to testify is Joseph Pluta, to be followed by Zeke
20 Kalua.

21 MR. PLUTA: Chairman Hedani, members of the
22 Planning Commission. Thank you very much. Thanks West Maui
23 for turning out here today. Wow, this is fantastic. I'm so
24 excited. I've been coming to testimonies here for over 30
25 years for community projects. I'm currently the president

1 the zoning, and we are going to be back in front of you to
2 get the highways and roads and infrastructure to make all
3 this work. And I thank you very much for your public
4 service and all the West Maui support. No Ka Oi, West Maui.
5 Thank you. (Applause)

6 CHAIRMAN HEDANI: Thank you, Joe. The next person
7 to testify is Zeke Kalua, to be followed by Gregg Lundberg.

8 MR. KALUA: First of all, I just want to thank you
9 all for being out here in West Maui. My name is Zeke Kalua.
10 I'm the Executive Director for the West Maui Taxpayer's
11 Association. I'm here today to support Kaanapali 20/20 and
12 my bias is the hospital. I guess if you don't like medical
13 care in the neighborhood that you live in, then you should
14 go live in Kahului where I live right now. It sucks. I'd
15 love to move back here to Lahaina. I wouldn't have to
16 commute any more. But unfortunately, guys like me don't
17 make millions of dollars and have the will to live anywhere
18 they want to.

19 I represent that 33 to 45 age bracket that's
20 looking for a place to live, but unfortunately don't make
21 \$175,000 a year to do it. So please think about affordable
22 housing. Think about the guys like me that want to live
23 where we work, but unfortunately can't.

24 You know, it's ironic that you have people that
25 come up here and speak about agriculture, especially when

1 of the West Maui Improvement Foundation. It is so wonderful
2 to see what I've seen in that time. It's how the community
3 is really getting it together. It's really great.

4 I know you have got a hard job today. This
5 project you've all been working on, it's been wonderful. I
6 want to again reiterate the Kaanapali 20/20 plan, the
7 members of the community, the people who got together wanted
8 no growth. Just as they were talking about before, they
9 didn't want to see anything. They all got together. They
10 used to sue everybody every time they wanted to build
11 something. They stopped all that, got together, and made a
12 deal, made a plan. Not everybody got everything they
13 wanted, but they were all going to agree. They continued to
14 meet, and I have been meeting with that group continuously
15 now for over ten years. And the consensus is great. It's a
16 wonderful plan. It won an award, the American Family
17 Planner Award.

18 So please take the community's wishes to heart
19 when you approve that Kaanapali, the entire Kaanapali 20/20
20 plan, as well as the Waine'e community plan. I will be in
21 front of you guys again, I'm sure, for other things with
22 respect to our hospital and medical facility. I haven't
23 done that before. As you know, many people said that wasn't
24 possible, but the impossible has been made possible. It's
25 fantastic. We have got a Certificate of Need and we've got

1 they're not the ones that's actually trying to plant. The
2 real question to the audience is how many of you grow food
3 in your own yard? (A show of hands) you know, the people
4 that talk about saving the beach and the ocean, how many of
5 you go diving and fishing every day? Okay, well, you know.
6 With respect to at least doing it, you know. (A show of
7 hands)

8 And I appreciate and totally respect the people
9 that have come before me and have talked about let's save
10 the land for the future generations. I want to do the same.
11 But when you look at certain areas of this island that's
12 built out, it's very easy to find very poor examples of how
13 bad planning has been allowed to happen, namely Honokowai.
14 From Star Market all the way to Kahana there's only two
15 parks, and over 4,000 people live in that area. You know,
16 that's the real challenge, folks. This is not about my
17 development is better than yours, it's about what are we
18 going to do to make better the situation for everybody.

19 I don't know about you, but I don't see any of
20 those coming down any time soon. And I am not here to
21 chastise developers present or past. It's all about doing
22 right so we can honestly take our kids to the beach, take
23 them to the park. Finding parking at the beach is always
24 going to be bad. That's because West Maui has the best
25 beaches on the island. Kihei, no pun intended.

1 There's so much to say, so little time to say it.
 2 The best thing that can be said about Kaanapali 20/20, a
 3 good friend told me a long time ago, "The bad thing about
 4 Kaanapali is that they didn't build any employee housing."
 5 What a better spot to do it than right across the street,
 6 right next to the cemetery, next to a hospital, next to
 7 senior care, next to some of the best beaches on the island
 8 that's been rated the best in the nation 15 years and
 9 standing. Thank you. (Applause)

10 CHAIRMAN HEDANI: Thank you, Zeke. Mr. Gregg
 11 Lundberg, followed by Mr. Barry Brown.

12 MR. LUNDBERG: Good afternoon Chair Hedani,
 13 members the Commission. My name is Gregg Lundberg and I'm
 14 here today to speak to you on behalf of the Westin Kaanapali
 15 Ocean Resort Villas, where I'm the general manager, and also
 16 as a 22 year resident of the island of Maui. Thank you for
 17 the opportunity to comment on the Maui Draft Island Plan,
 18 specifically to the policy statements that discourage the
 19 growth of timeshare industry and threaten to negatively
 20 impact one of Maui's principal economic contributors.

21 Even during this unprecedented economic downturn,
 22 with the state seeing double-digit reductions in visitor
 23 counts, timeshare resorts on Maui are standing strong and
 24 out-performing their hotel counterparts, while providing
 25 secure jobs and benefits for our hard working residents.

1 Although the Westin Villas on Maui is a vacation
 2 ownership property, its annual average occupancy is 60
 3 percent owner and 40 percent rental. This translates to
 4 over 300 rental rooms per day. The resort is forecasted to
 5 run an annualized occupancy this year in excess of 80
 6 percent. However, I'm most proud of the fact that we have
 7 not laid off one employee yet this year due to economic
 8 conditions. We currently employ over 350 resort staff, more
 9 than 100 sales and marketing associates, and over 300
 10 contract employees. All 750 are residents of Maui.

11 It is also important to note that over a five year
 12 period beginning in 2008 through 2012, the owners, the
 13 individual owners of the Westin vacation ownership units
 14 will invest in excess of \$17.2 million back into our
 15 existing facility. All those concerns about timeshares of
 16 the past that let their properties run into the ground, and
 17 take advantage of people and their money is no longer
 18 viable.

19 Local research indicates that timeshare resorts
 20 also experience high levels of customer satisfaction,
 21 leading to more repeat business. Compared to other islands,
 22 Maui timeshare resorts are particularly popular, with a
 23 higher percentage, 77 percent to be exact, of repeat
 24 visitors to Hawai'i. As such, timeshare resorts represent a
 25 valuable and diverse component of Hawai'i's important visitor

1 market.

2 Finally, state and county lawmakers cannot dispute
 3 the significant tax revenue generated by Maui timeshare
 4 companies. Maui timeshare resorts pays the highest property
 5 tax as compared to non-timeshare resorts, with every penny
 6 of property tax revenue staying here on Maui and in Maui
 7 County.

8 Thank you again for the opportunity to comment on
 9 the sections of the draft Maui Island Plan that seeks to
 10 curtail the island's timeshare industry. I understand that
 11 there are diverse opinions related to the benefits of the
 12 vacation ownership industry to the county and to the
 13 community. However, I respectfully ask the Commission to
 14 consider whether this policy discussion is appropriate
 15 within the context of the Maui Island Plan, and what the
 16 basis is for these sweeping and potentially devastating
 17 policy recommendations. Thank you. (Applause)

18 CHAIRMAN HEDANI: Thank you very much, Gregg. The
 19 next person to testify is Barry Brown, to be followed by Don
 20 Gerbig.

21 MR. BROWN: Good afternoon. Thank you all for
 22 coming and allowing me to testify today. The first thing
 23 I'd like to say is it's up to you guys and the County
 24 Council to help us in trying to keep Maui No Ka Oi. While I
 25 can't personally understand some of the decisions that have

1 made Pulelehua a top priority for the staff to recommend it
 2 and whatnot, I have to say that I do appreciate the time and
 3 effort that you have all spent on it.

4 CHAIRMAN HEDANI: Barry, can you use the
 5 microphone?

6 MR. BROWN: Sorry. Let's talk about the process
 7 that was mentioned at the beginning of today's discussion.
 8 Areas like Big Sur, for instance, has been protected in
 9 Monterey County without any ill affect to the tourism, the
 10 business, and the future generations of Monterey. That's
 11 just one example of an area like Chicago that was just
 12 mentioned. Because it was not developed it helped the
 13 overall economy and the aina of the land, if you want to use
 14 our expression here in Hawaii.

15 Now, let's talk about the process for Pulelehua.
 16 It began back when S Turns was changed from planned park for
 17 20 years, and changed that land into housing. Then at that
 18 point, ten years ago, they said we are going to do a park
 19 above S Turns, below the airport. That was going to be a
 20 regional park. Well, now we are here discussing Pulelehua.
 21 And a city basically right there below our only airport,
 22 which was moved, by the way, to make room for the
 23 developments on the North Beach.

24 So anyway, the process here is questionable, and I
 25 just hate to see us all get cynical about how these

1 decisions get made. I want to put some emphasis on the
2 alternatives to building Pulelehua. Kaanapali 20/20 has
3 been in the works for ten years, great project, plenty of
4 housing, a school, hospital, all of it is right there. You
5 know, just because everyone wants to have affordable
6 housing, you can't use that to camouflage a bad decision
7 just for the sake of corporate profits.

8 It's a shame to me that Pulelehua was used as
9 Kapalua's affordable housing project when it wasn't even
10 approved, and it's assumed by everybody that it's going to
11 be approved. It doesn't have to be approved. You guys are
12 going to make that decision. If they're going to have
13 affordable housing it should be within a quarter mile at
14 least of the hotels where everyone wants to work.

15 If Kaanapali 20/20 gets that built they should
16 move Pulelehua. 20 years from now you look up at the
17 mountains and the rainbows and there's no housing and other
18 things in the way to block that beautiful vista. Thank you
19 very much. (Applause)

20 CHAIRMAN HEDANI: The next person to testify is
21 Don Gerbig. He left. Okay, to be followed by Stan -- Stan,
22 I can't read your last name. It starts with a Z. Zajac.
23 He left. Okay, two down. The next person to testify is
24 Dave Minami, to be followed by Kimo Neizman.

25 MR. MINAMI: Good afternoon, and thanks for the

1 it's important that as a Planning Commission we look at all
2 aspects. Rural housing has a place in West Maui because
3 there's no other place to do it here. Thank you. Applause)

4 CHAIRMAN HEDANI: Thank you very much, Dave. Next
5 to testify is Kimo Neizman, to be followed by George
6 Fujiwara.

7 MR. NEIZMAN: Aloha. My name is James Neizman,
8 but I'm known as Kimo. Born and raised right here in
9 Lahaina. I have been a digger all my life with a backhoe, I
10 did a lot of digging, and I see now that a lot of the guys
11 that I did work with have sold their place and moved on.
12 And I guess now as I grew up I notice maybe it was just for
13 the money. If they stayed longer they would have made more
14 money, but right now, no, that's not the time to sell.

15 I'm just like David Minami, I live up in
16 Launiupoko. I am looking forward to making my yard grow
17 soon and plant some trees, vegetables and things like that.
18 Of course we have to fight the wind up there, so we have to
19 make some kind of wind break. And we look forward for more
20 local people up there. If we can turn most of the
21 properties up there into a rural division, subdivision, and
22 get a lot of local people up there, or even the imports.

23 Right now I look forward for you guys to make a
24 decision for a change in our area from ag, or something like
25 that, to rural, and we can enjoy people that move up there

1 opportunity to speak to you in West Maui. My name is Dave
2 Minami. I am a resident of Lahaina. I wanted to start by
3 saying that it seems like a lot of these ag lot owners get a
4 bum rap. Well, not everybody is a multi-millionaire. And
5 I'm one of those guys that have been born and raised here, I
6 have an ag lot, and there's a place for everything.

7 If I took my horses to your home or your neighbor
8 in Lahaina, after a couple of days you would probably be
9 saying, "Get those damn animals out of here." I mean they
10 poop and they pee every half hour. So basically there's a
11 place for everything. And for me and my family, we were
12 fortunate enough to have a lot in Lahaina that is ag based.
13 I have my horses, my kids and my family enjoy them.

14 So not everybody with an ag lot is not doing ag,
15 that's incorrect, and not everybody on an ag lot has a
16 multi-million dollar house. I worked and built my house
17 with my own two hands. So it's important that we understand
18 as a Planning Commission there needs to be a place for
19 everything.

20 Rural housing is important. People that want to
21 farm can't afford 25, 30 acre lots. But if we can give them
22 an opportunity to perhaps farm one acre, and you create the
23 rule so that the farming process does move forward, I think
24 you will get a lot more people farming. But without the
25 opportunity, then people don't have any choices. So I think

1 and see more of our local people around.

2 And I think one more thing I was going to say,
3 that Maui Tomorrow thing, I don't remember inviting her over
4 here. You know, that's a no-no, gang. You look surprised.
5 Well, I was for the SuperFerry that's why, you know. So
6 anyway, thank you. (Applause)

7 CHAIRMAN HEDANI: Thank you, Kimo. The next
8 person to testify is George Fujiwara, to be followed by
9 Adeline Kaahui Rodrigues. No George Fujiwara? He's left
10 already. Adeline Kaahui Rodrigues. Clyde Kawai Rodrigues.

11 MS. RODRIGUES: Aloha. My name is Adeline
12 Kamaileolihau Kaahui Rodrigues. I was born in Kapaiki,
13 Olowalu in 1929. That makes me almost 80 years old. I was
14 born in the Olowalu School teacher's cottage, and that
15 building still stands to this day as a renovated private
16 residence.

17 I am named after the maile of Mount Lihau in
18 Olowalu. I named one of my daughters
19 Kapualehuaolihau'ulakalaehekili. It means when the red
20 lehua up at Mount Lehua blossoms, its redness is reflected
21 in the ocean down at Cape Hekili.

22 I inherited my property from my grandfather,
23 William Hoopii, a former schoolteacher and principal at
24 Olowalu School. Historically, the property I live on was
25 the former home of Chiefess Kalola, sister to King Kahekili.

1 Kalola lived there with her husband Kaopuiki, the chief
2 cause of the historic Olowalu massacre. Two parcels away is
3 where her servants resided.

4 My kupuna originated from both Olowalu Ukumehame.
5 My great-great-great-grandfather was Chief Kamakakehau,
6 konohiki in Ukumehame. He was commanded by Kamehameha I to
7 move to Ukumehame to care for Kamehameha's cattle. It was
8 there at Ukumehame that Chief Kamakakehau's daughter,
9 Kauakahiakua, married into my family.

10 I tell you all this because in true Hawaiian
11 tradition and practice, one must provide sufficient
12 information about oneself before he receives authority and
13 jurisdiction to speak on behalf of his community. In other
14 words, I'm compelled to prove my relationship to the
15 ahupua'a of Olowalu before I can rightfully express my
16 opinion regarding it.

17 That being said, I am lending support to the
18 development of Olowalu Town. We have worked quite closely
19 with the developers, and they have changed their plans
20 several times to meet the desires of the community. One
21 change that we agreed to was that the development plan will
22 mimic the ahupua'a system to the fullest extent possible.
23 Myself and my children have made the commitment to hold the
24 developers to their promises. There is a mutual
25 understanding between them and my family that should they

1 community-based planning, listen to the community. I am not
2 talking about guys that come from Kihei or from Wailuku, but
3 what is more important is those that live here who have
4 genial ancestry here.

5 My mother just testified, she has genial ancestry
6 from the ahupua'a from Ukumehame, from Olowalu. And what
7 would be a better opportunity is to get some of these
8 residents from Olowalu, or those what was born and raised in
9 Olowalu back to Olowalu with the development of the Olowalu
10 Town community.

11 Now Hawaiian style, you won't find it any more.
12 You won't find residents coming back to their original
13 ahupua'a. So that's very important. There's talk about
14 traffic and everything, but I think if you plan something on
15 the west side that would alleviate some of the traffic as
16 far as workers coming from Wailuku, Kahului or Kihei to work
17 at the hotel industry, the developers of Olowalu Town
18 development has developed infrastructure plans, sewage
19 treatment plans, private sewage treatment plans that
20 provides substance to the community.

21 So at this time please reaffirm the General
22 Planning Committee's recommendation, three years of hard
23 work on behalf of the GPAC in planning and recommending that
24 Olowalu Town development be included in the general urban,
25 or excuse me, rural boundaries. Thank you. (Applause)

1 not abide by their promises, we will revoke our support of
2 their project. And we are well aware of the planning and
3 permitting processes that enable us to make an impact.

4 For too long the true Kapaiki community has been
5 left out of the planning process. We fear that unless we
6 become a part of the decision-making process now, that
7 opportunity will not present itself ever again. The
8 demographics of Maui is changing fast, and those of us who
9 were born, raised and eventually die here will be silenced
10 by those who do not understand or relate to our land. I
11 learned some new words in the last three years. It is
12 called "sense of place." Thank you. (Applause)

13 CHAIRMAN HEDANI: Clyde Kawai Rodrigues, to be
14 followed by Edward Kaahui.

15 MR. RODRIGUES: Aloha, Commissioner Hedani and
16 Planning Commission Members. My name is Clyde Kawai
17 Rodrigues, and I grew up and I was raised in Olowalu, and I
18 plan to retire there some day. So I do support the Olowalu
19 Town project and also the Kaanapali 20/20 project.

20 Today's testimony, what is more important, and
21 everybody talks about the concept of a community-based plan
22 and development. And earlier tonight or this afternoon you
23 got the kupuna from West Maui, old timers from West Maui who
24 has come up and testified that they want a development on
25 this side of the island. So when you talk about

1 CHAIRMAN HEDANI: Thank you, Clyde. Mr. Edward
2 Kaahui, followed by Elle Cochran.

3 MR. KAAHUI: Aloha, Planning Commission, planners,
4 members of the community. My name is Ed Kaahui, I have
5 resided in Olowalu forever. I have four generations of
6 myself, my family living in Lahaina. So thank you for
7 giving me this opportunity to speak and give my mana'o.

8 We, the Olowalu community, have attended and
9 testified at numerous GPAC meetings which have been held in
10 Spreckelsville, Wailuku, Pukalani, Kihei, and Lahaina for
11 over a year. We have spoken in favor of the Olowalu
12 Community Town plan in all of these meetings. We have given
13 public testimony supporting the Olowalu Town plan.

14 At these meetings we have also spoken to Dave
15 Michaelson, John Summers, and Jeff Hunt expressing our
16 desire to have a community town plan placed on the urban
17 boundary map. We also invited Dick Mayer, a member of the
18 General Plan Committee, who was appointed by the Mayor to
19 attend our Olowalu community meeting which was held at
20 Olowalu Church. We expressed to Dick Mayer our desire to
21 have the Olowalu Community Town plan included in the Maui
22 Island General Plan.

23 Our communities have spoken, but the Planning
24 Department has not listened. On Sunday the Maui News had a
25 front page article that reminded the West Maui community

1 about the upcoming meeting regarding the general plan. A
 2 statement was made by Dave Michaelson that he has been
 3 waiting for the West Maui community to speak up about the
 4 general plan. We of the Olowalu community have been
 5 speaking up for over a year, but the planners have not been
 6 listening to the community. They have conceived a Maui
 7 Island Plan with no input from the Olowalu community.

8 Now that the community has spoken, which is
 9 contrary to their plan, they still have not listened. They
 10 continue to make the same age-old mistake of trying to push
 11 forward their agenda, disregarding what the community wants.
 12 The GPAC members were appointed by the Mayor and County
 13 Council and supported the Olowalu Town community plan, but
 14 yet the planners have not endorsed the plan.

15 At a time when our entire country is having
 16 massive layoffs and unemployment we need to move forward in
 17 improving these projects so that the people can get to work.
 18 The projects on the west side will be creating jobs for the
 19 next 20 years. If development brings jobs, then why are we
 20 trying to stop it? All of the west side projects may not be
 21 perfect, but we are resilient community. The west side
 22 community have spoken out. They want their various projects
 23 to move forward.

24 Infrastructures need money. With all of these
 25 projects projected for the next 20 years you should generate

1 support the GPAC and Planning Department staff's designation
 2 to preserve the Honolua area. Protecting the watershed and
 3 sensitive lands in this area is a must. I also support the
 4 Planning Department's recommendation to limit growth in both
 5 Launiupoko and Olowalu. You might have heard this, but I
 6 have given this growth belt the General Plan is proposing a
 7 name, Kanakamahukalalaohuopu. It's the first syllables of
 8 all the different towns that are just going to kind of blend
 9 into one another.

10 Long range planning says the growth may seem
 11 shocking at first, but it's designed to happen gradually.
 12 It's still almost 17,000 units in the end. One of my dreams
 13 has always been to create this video or Power Point. I
 14 think Commissioner Hiranaga could appreciate this. I'm not
 15 too computer savey, but it would show these lands today,
 16 like an aerial view of it, and then just pop up all these
 17 proposed developments that we see in the UGB's and like in a
 18 time lapse mode. And I think that visual impact of seeing
 19 all of these developments there on the land would create a
 20 much bigger impact than looking at colors and lines and all
 21 this stuff on the map, which will be hard to perceive. Not
 22 to mention that our infrastructure at this point and water
 23 supply is already being taxed.

24 At this point I think Kaanapali 20/20 the Waine'e
 25 Villages do seem to have my vote. I'd like to swap the

1 enough money for highways, schools, or the treatment
 2 facilities, police and fire protection. Now is the time for
 3 the West Maui community to step forward and speak as one
 4 voice. We have been promised a new highway, more and better
 5 schools, and better job opportunities. Let us not be led by
 6 inaccurate numbers and statistics, but by our desire to
 7 build and create a better community for our people who have
 8 waited too long. Yes, we have waited too long for changes
 9 to occur, for whatever reasons.

10 Let us move forward by approving all of these
 11 projects the community of West Maui has asked for. The
 12 challenge to our planners is to make our community plan
 13 work. After all, it is our community that is speaking up
 14 now. Thank you for this opportunity to hear and to listen
 15 to what we have to say, and we ask that you support our West
 16 Maui plan. At this hearing we hope that the Commissioners
 17 will finally listen to the voices of the community. After
 18 all, this is a hearing, and we hope that our voices have
 19 been heard. Mahalo, thank you. (Applause)

20 CHAIRMAN HEDANI: Thank you, Edward. The next
 21 person to testify is Elle Cochran, to be followed by Daniel
 22 San Miguel.

23 MS. COCHRAN: Aloha, Planning Department and
 24 Commissioners. My name is Elle Cochran. Mahalo for taking
 25 your time to come to Lahaina for this special meeting. I

1 Kapalua Mauka project for Jessie Spencer's shovel-ready
 2 project. MLP is looking for a two year extension on their
 3 SMA permit due to lack of funds, a supposed slow down of the
 4 housing market, I think maybe the second vacation home
 5 market their project is going to cater to. Maui Land & Pine
 6 can grow their pine in Ma'alaea where the Spencer project is
 7 proposed. That be the cook pines, which they allow all the
 8 ag subdivisions in the Kapalua area to grow. And pineapple
 9 would work too. It would be closer to their plant, their
 10 distribution places. The pipi's can continue to graze and
 11 it would keep the area rural charm, and no bottlenecking
 12 will happen with all the traffic impact.

13 And unless the pali, unless the -- keep the lands
 14 open also for the transit corridor that somebody alluded to.
 15 And projects like Kapalua Mauka they promised them six years
 16 ago and can't keep them today. So I wonder why we're
 17 looking at further projects today that are promising us
 18 things in the future that may not ever come to fruition.
 19 And how can we guarantee them to happen and how can we
 20 enforce them later?

21 So I'd just like to say that development, you
 22 know, we're saying equals jobs. But jobs, let's train in
 23 things like archaeologists to keep our local people who know
 24 the meanings of names that say, such as mounds of iwi, so
 25 our local workers don't have to go and dig up their

1 iwikipuna on a daily basis for the almighty dollar to keep
2 food on their table and roofs over their heads.

3 We can get people, jobs can be restoring fish
4 ponds, lo'i terraces, heiaus, restoring our culture. I
5 really want to see us keep the culture in agriculture. And
6 every time we dig up our aina it's like taking a bite of our
7 own au, and it's really sad to see every day this happening.

8 So with the hundreds of forecloses on timeshares,
9 400 homes on the auction block, any newcomers I think could
10 buy a timeshare and leave the foreclosures, turn them into
11 affordables for our local people. (Applause)

12 CHAIRMAN HEDANI: Thank you very much, Elle.
13 Mr. Daniel San Miguel, to be followed by Becky Spalding.

14 MR. SAN MIGUEL: Aloha. My name is Daniel San
15 Miguel. I'm here to express my support for the Pulelehua
16 project. Thank you for giving me the opportunity to
17 testify. I believe this project is badly needed and way
18 over due actually. Basically you have heard this
19 repeatedly, thousands of people work in West Maui but have
20 to live in Kihei, Central Maui, in Upcountry. There are six
21 of us. Five live in those places, but we have to work on
22 the west side.

23 You know commuting 40, 60 miles a day is an
24 unfortunate reality for thousands of working people on Maui.
25 If approved, Pulelehua could significantly improve that

1 and could ultimately cause the project fail.

2 So why do we hold all these endless meetings,
3 discuss countless details regarding affordable housing that
4 the developers are required to build, and then make it
5 almost impossible for them to actually housing? I do not
6 question the motives of the GPAC or anybody in the planning
7 process, but it seems unfair to recommend that this project
8 be reduced in size when others are recommended to just be
9 full size.

10 Also, I'm running out of time, but I've submitted
11 the rest of my testimony in writing. You know, I found that
12 there's only seven single-family homes for sale in West Maui
13 between \$400,000 and \$500,000. There's only one for sale
14 below \$400,000, actually two. One is \$399,000 and one is
15 \$350,000, and the interior of the house is destroyed, it's
16 not liveable.

17 CHAIRMAN HEDANI: Daniel, give a copy of your
18 testimony to the court reporter, please. Thank you.

19 Becky Spalding, followed by Dave Arakawa. Okay,
20 Dave Arakawa, to be followed by David Goode.

21 MR. ARAKAWA: Aloha. Good afternoon Chair Hedani
22 and members of the Maui Planning Commission. My name is
23 Dave Arakawa, and I'm the Executive Director of the Land Use
24 Research Foundation of Hawai'i, or LURF, a statewide
25 non-profit which includes several Maui landowners. We

1 situation. Pulelehua is in the right location, which is
2 north of Lahaina, it's the right scale, and the right price.
3 Pulelehua would alleviate traffic and improve the quality of
4 life for many working families.

5 As is true of many people here, I am a long time
6 Hawai'i resident. My wife's family has been here for more
7 than 50 years. My wife, daughter and I moved back to Maui
8 in 2005. And I first heard about Pulelehua and I already
9 assumed that oh, it must be too late. But now it's August
10 2009 and we're still waiting for approval. Meanwhile the
11 economy is tanking and people are losing jobs all around me.

12 We're still renting, living in a 50 year old house
13 in Kahului. With each passing year our window of
14 opportunity to purchase a home is shrinking. Over the past
15 four years I've already testified three times in favor of
16 this project, in 2006, 2007, 2008. Now it's 2009, and I'm
17 once more asking you to support this project and to bring
18 affordable housing to West Maui.

19 Given the current demand for thousands of housing
20 units in West Maui, scaling back or delaying this project
21 makes no sense. It seems to me that the approval process is
22 broken, or at least stuck. Year after year it's delay after
23 delay, and now the GPAC is recommending that the project be
24 scaled down. In my mind this would result in further
25 delays, would lessen the number of affordable units built,

1 commend the Maui Planning Commission, or excuse me, the Maui
2 Planning Department for their hard work and research in
3 preparing the draft of the Maui Island Plan, the GPAC for
4 their comments, advice and recommendations, and the
5 residents of Maui for engaging in the public planning
6 participation process. And to you, the Maui Planning
7 Commission, for its diligence in holding the many meetings
8 for public testimony.

9 While LURF generally supports the vision, core
10 values and the broad guiding land use principles contained
11 Maui Island Plan, the following is a summary of LURF'S
12 concerns regarding the Maui Island Plan.

13 First, consistent with other general planning
14 documents, the Maui Island Plan should serve as a long-range
15 and visionary policy guidance document, with broad,
16 conceptual and flexible goals and objectives, which will
17 guide and shape future policies and actions by elected and
18 appointed decision makers.

19 The Maui Island Plan should not be an in-depth and
20 inflexible implementation manual which binds and limits any
21 future discretionary decision-making, and severely limits
22 the ability of Maui County to adapt to changing
23 circumstances with its multitude of specific restrictions,
24 requirements, standards, prohibitions and limitations.
25 Within the scope of the planning process, such specific

1 details and restrictions are more properly set forth in the
2 community plan process and implemented through various
3 ordinances, zoning, and county subdivision rules and
4 regulations.

5 For the Planning Commission, you Commissioners, it
6 will be difficult for you to reasonably evaluate projects
7 based on over 200 pages of specific restrictions,
8 requirements, standards, prohibitions, and limitations.
9 Prior to implementing the Maui Island Plan, major legal
10 issues should be resolved relating to certain new
11 restrictions on a property owner's ability to use, modify,
12 enhance, or replace their structures and properties, which
13 may result in unconstitutional takings by Maui County, and
14 major lawsuits against Maui County.

15 Please include the comments and recommendations of
16 key stakeholders, namely the kupuna of Maui's communities,
17 and long time Maui professionals with experience in
18 agriculture, housing development, and visitor industry.
19 Especially the recommendations of the Farm Bureau. Warren
20 Watanabe and Mr. Mac Cluer talked about that. LURF was a
21 primary sponsor along with the Farm Bureau on the important
22 ag lands law, which is based on the productivity of
23 government incentives rather than just soil ratings. The
24 Maui Island Plan seems inconsistent with this new state law.

25 Also, we need to take a look at whether Maui's

1 similarities. They're both proposed in West Maui on a
2 congested highway, they both are mixed use projects, using
3 smart growth principles, sustainability, and including
4 parks. They were both designed by nationally recognized
5 planners from Miami. They both involve community members
6 and numerous reviewing and revising plan meetings.

7 With respect to proximity to jobs, however,
8 Pulelehua is near many existing West Maui jobs. Olowalu is
9 miles from jobs, and between 2,500 and 3,000 people would
10 have to commute on an already congested highway to West or
11 Central Maui. Olowalu does not follow the ahupua'a system.
12 The ahupua'a system is based primarily on the fact that the
13 jobs would be or the working would be where the living is
14 done, and that is certainly not true for Olowalu.

15 With respect to affordable housing, Pulelehua
16 plans show more than 50 percent of the units would be
17 affordable, whereas Olowalu would have a very hard time
18 building affordable units because they have such
19 extraordinary costs for infrastructure and public
20 facilities.

21 With respect to schools and fire station, at
22 Pulelehua an elementary school is already being designed by
23 the DOE, and there's a fire station less than a mile away.
24 Olowalu would need both a fire station and a school. Even
25 if the developers build a school and a fire station, who

1 local culture and lifestyle are consistent with the Maui
2 Island Plan's implementation of that new mainland concept
3 known as New Urbanism. LURF and its many members are long
4 time members of the Maui community, and we are interested in
5 working further with Maui County regarding these issues and
6 concerns. Thank you.

7 CHAIRMAN HEDANI: Thank you very much. If you
8 could submit a copy of your testimony for our court reporter
9 also. Thank you.

10 Mr. David Goode, to be followed by Mike Foley.
11 Mike Foley, to be followed by Dave Deleon.

12 MR. FOLEY: Sorry, Mr. Chairman, I didn't realize
13 David wasn't here. My name is Mike Foley, I have lived in
14 West Maui for 9 of the 11 years I have lived on Maui. For
15 four of those years I served the Maui County as the Planning
16 Director. And Maui County is very fortunate to have an
17 excellent Planning Department, and I hope that this
18 commission pays a lot of attention to their recommendation.

19 Unfortunately, with respect to the maps, the
20 General Plan Advisory Committee ran out of time and spent
21 very little time on the maps, and the Planning Department's
22 maps I think are superior.

23 To address West Maui's future development, I am
24 going to compare my favorite project, Pulelehua, with my
25 least favorite project, Olowalu. Both projects share a few

1 would pay for the teachers and the 15-plus firefighters
2 needed to staff a fire station?

3 Which projects should be supported should be all
4 about location, location, location. And as Ian McHarg and
5 Dave Michaelson said earlier, Olowalu is a place where
6 growth does not make sense. Thank you. (Applause).

7 CHAIRMAN HEDANI: Thank you, Mike. Dave Deleon,
8 followed by Tamara Paltin. Dave Deleon has submitted his
9 comments in writing. Tamara Paltin, to be followed by Kenny
10 Hultquist.

11 MS. PALTIN: Aloha, Planning Commission. Thanks
12 for coming to Lahaina. I have been reviewing the West Maui
13 directed growth maps for this process, because it allows me
14 to participate in shaping our future, and I believe that
15 planning in West Maui is only going to make it better over
16 here. I support 100 percent the sensitive lands designation
17 as no build areas, because of the variety of reasons that
18 guy said earlier.

19 And I just would like maybe if it could be
20 extended down to Lipoa Point right there above Honolua, that
21 would be great. Also, the scenic corridor rating is
22 exceptional. If that could start at the Marine Life
23 Conservation District instead of halfway through, that would
24 also be good. I understand that growth is necessary, but
25 for me, I support smart and slow growth that benefits the

1 people that are going to live here, and not the people that
2 are not living here and investing only.

3 For the most part, I agree with the urban growth
4 boundaries for Lahaina and Kaanapali, because that is where
5 the majority of jobs and infrastructure is located, and much
6 of the area is already developed. As for the Kapalua map, I
7 don't support the urban growth boundaries for the
8 undeveloped areas, like Kapalua Mauka and like that. To me,
9 that Emerald Necklace thing that Mr. Bezne is talking about,
10 that is the emerald right there.

11 I think we need kind of like a buffer zone from
12 the urban of Lahaina and Kaanapali. Buffer it before you
13 get to Honolulu, because if you go out to Kapalua the
14 characteristics of there is not urban, it's kind of like a
15 rural country town. I think you can do the rural
16 residential or country town without obstructing the
17 entitlements that they have already. They already are like
18 marketing it as like trails and walking trails and thing
19 likes that, and it just doesn't match with urban. If you
20 live out there, I live in Kahana and I work by Honokohua
21 Bay, and it's not urban, it doesn't belong to be urban.

22 You know, realistically with all the finances and
23 everything, I don't think the government can support
24 infrastructure for urban areas for Kapalua and Olowalu and
25 Lahaina and Kaanapali. So if you look at the situation

1 more to consider. Not that other areas don't have to
2 consider that, but it's a little more crucial here.

3 We Westsiders know the problem with the treatment
4 plant above North Beach. My friend Lane just opened a surf
5 shop at the business park, and the locals have already
6 nicknamed it the Killawhifas Surf Shop. The jingle goes,
7 "If you can smell 'em, that's where they sell 'em."
8 (Laughter). It gets pretty funky up there, and that's a big
9 concern.

10 There's two other major issues I have is the reefs
11 and roads. They're both at like Defcom 5 over here on this
12 side, and I'll leave the reefs to the experts. We really
13 have to do something about the traffic situation over here.
14 Maui County has a "Show me the water bill," but over here on
15 Lahaina side I think we need like a "Show me the roads
16 bill."

17 Somewhere in the general vicinity between like
18 Launiupoko Heights and Olowalu dump we've got to have an
19 alternate highway to cut off towards the mountains and go
20 over the pali by the wind farm and down in the Kihei cut-off
21 by Ma'alaea, and that's probably going to happen like 2055.
22 Maybe. The only other solution, and one that I think is far
23 superior, would be to construct a monorail system with
24 multiple stops, and it would go from Kapalua all the way to
25 the Kahului Airport.

1 right now, I think it would be important to concentrate all
2 our growth into the areas that realistically we can support.
3 You can draw whatever lines you want on a piece of paper,
4 but that's not going to let you have water, it's not going
5 to let you have the stuff that you need.

6 So I know everybody wants to get their stuff into
7 the urban growth boundaries, but realistically for us guys
8 that live here you have got to think about other factors,
9 like infrastructure, and if you guys or whoever can provide
10 it for us. (Applause)

11 CHAIRMAN HEDANI: Thank you, Tamara. Next to
12 testify is Kenny Hultquist, to be followed by Kathy
13 Corcoran.

14 MR. HULTQUIST: Good afternoon, Planning
15 Commissioners. Long time no see. I don't know if everybody
16 knows how hard you guys work. And raise your hand if you
17 make any money. I see no hands.

18 I live in Lahaina, my name is Kenny Hultquist.
19 The west side has many issues that need to be addressed
20 before any more development happens here. There's a
21 multitude of infrastructure factors to consider when
22 approving or allowing any development to go forward on Maui.
23 Especially like Makena side and here in Lahaina, and on the
24 upper side, like Honolulu Bay. There are schools, hospitals,
25 power, drainage, injection wells, water, sewage, and a lot

1 I saw a movie on TV the other night, and it was
2 called "Once Upon the Time in the West," and Henry Fonda
3 plays a bad guy. And he finds out where the train tracks
4 are going and he buys off or kills the land owners who are
5 in the path. So we need like a for real like a "Once Upon
6 the Time on the West Side" guy. Big guns. It's called
7 power of condemnation, so he can go forward and clear all
8 this land where we need to make the road, and draw a map and
9 start knocking on doors. And let's build a road like now,
10 not last week.

11 In conclusion, I want to say that I'd like to
12 approve -- there's a whole bunch of projects. I want to
13 approve one big huge project that's like 90 percent
14 affordable, and then no more nothing until we have land for
15 the road. And then build the road and then we can build
16 some more projects. So I have got three parting words,
17 affordable housing first. (Applause)

18 CHAIRMAN HEDANI: Be careful, you know, this is
19 being telecast on Akaku. (Laughter) Kathy Corcoran. We
20 are going to take a short break after Kathy speaks for ten
21 minutes.

22 MS. CORCORAN: Aloha kakou. Kathy Corcoran.
23 (Hawaiian language spoken) I live in Lahaina. I've lived in
24 Lahaina for 14 years, and my mana'o, my opinion on the
25 General Plan for West Maui, I will make it quite short.

1 Before we build developments on any more ag land to house
2 future residents we need to dedicate a sufficient amount of
3 that land to grow food for our current community. Thank
4 you. (Applause)

5 CHAIRMAN HEDANI: Thank you, Kathy. You get the
6 prize for most succinct testimony for today. We are going
7 to take a 10-minute recess. We will reconvene. The next
8 speakers will be M. Robinson and Ed Thompson.

9 (Whereupon a brief recess was had).

10 CHAIRMAN HEDANI: The Planning Commission meeting
11 is back in session. The next person we have to testify is
12 M. Robinson.

13 MR. ROBINSON: Good afternoon, Chairman and the
14 rest of the members. Aloha to malahinis and to the
15 kama'aina. I have sat here out of curiosity. And I'm glad
16 you came to Lahaina for the first time I have met you. My
17 birth name is (Hawaiian name). My family owns the ahupua'a
18 from Puamana to Mala. So I am standing here listening and
19 learning from you, and I take it from your ages that we are
20 standing in wisdom. But there are two kinds of wisdom, the
21 kind that moves on and the kind that stays. However, we can
22 take both and grow together, and that's what Hawaiians do.
23 The Hawaiian way is that way, grow.

24 My ancestor once said, "My kingdom will be a
25 kingdom of learning." Well, it is a kingdom, it is

1 of Hawai'i, or ARDA of Hawai'i, the local chapter of the
2 National Timeshare Trade Association. Hawaii's timeshare
3 industry currently accounts for about 10 percent of the
4 state's lodging inventory, with 8,800 timeshare units, and
5 more planned in the future.

6 ARDA Hawai'i is concerned that the draft MIP has
7 become an implementation, a manual with specific
8 restrictions, standards, prohibitions and limitations.
9 Instead, we think it should serve as a general policy
10 guidance document that current and future policy makers will
11 utilize. As an example, we are concerned with policy
12 statements in the draft MIP opposing timeshare development
13 and ownership. That's listed on page 37 of policy number 8,
14 which states, "Limit the development of timeshares, and
15 discourage the conversion of the island's hotel units to
16 timeshare use."

17 We're also concerned about a statement on page 125
18 in the Urban Land Use section. Policy statement number 2,
19 which states, "Discourage timeshares and fractional
20 ownership." If the objective of the MIP is to minimize and
21 contain the impact of tourism on residents, why is only one
22 type of transient use, timeshare, recommended to be
23 discouraged when it is already limited to the hotel zoning
24 district in the Maui County Code?

25 Timeshare occupancy has proven to be resilient in

1 learning, but we must come together with our minds, and
2 great minds think alike. Sometimes we have to battle. But
3 in all, we walk away from here hopefully learning from one
4 another, yeah, what is sacred, what is pono. Malama.

5 So I'm not here to say what everybody has to say,
6 because you have two ears, and I'm going to make it very
7 short. Ua mau ke ea o ka aina i ka pono. That's when the
8 land comes together with the people. What you think when
9 you look on paper and what is reality you must consider as
10 kupunas if you are a kupuna, tutu lele, tutu man, if you are
11 one.

12 If you have lived in Lahaina and you have seen
13 changes as I have, I was born here in Lahaina, I attended
14 Kam III. I know some of you. I attended Lahainaluna. I
15 went to college. I'm standing here now, and I have seen
16 changes come and go. And I know that the children growing
17 up, they may be, but as you know, we all come home, yeah.
18 We want to come home to Maui. Maui No Ka Oi is what is
19 meant, and when the land comes together with the people it
20 is a good thing. And that is my say. (Applause)

21 CHAIRMAN HEDANI: Thank you very much. The next
22 person to testify is Ed Thompson.

23 MR. THOMPSON: Good afternoon Chair Hedani, and
24 members of the Planning Commission. My name is Ed Thompson,
25 and I represent the American Resort Development Association

1 Hawai'i, even on Maui, during these tough economic times.
2 Timeshare resorts are valuable contributors to Maui's
3 economy, and have proven to be a desired vacation option for
4 many visitors. So why is the Maui Planning Department
5 supporting policy positions in the MIP against timeshare
6 ownership and development? What studies are there to
7 support this position? We will be writing to the Planning
8 Director to find out why.

9 It is during these difficult economic times that
10 timeshare visitors remain committed to coming to our islands
11 and help bring stability to our tourism base. Maui County
12 alone has over 32 timeshare resorts, which translates to
13 thousands of timeshare visitors. Not only do visitors own
14 timeshares, but there are an estimated 7,000 Hawai'i
15 residents from Maui, Oahu, Kauai and the Big Island that own
16 timeshares in the state.

17 We do have some statistics from a report, a 2008
18 report that shows how much tax revenue is gained from the
19 time share industry. We ask the Commission to recommend
20 that the draft MIP be amended to remove negative policy
21 statements toward our industry. Thank you very much.
22 (Applause)

23 CHAIRMAN HEDANI: The next person to testify is
24 Rod Paahana, to be followed by Ramon Madden. Is Rod Paahana
25 here? Ramon Madden? Angie Hofmann?

1 MR. MADDEN: Can you give me just one second? I'm
2 Ramon Madden. I want to grab something.

3 CHAIRMAN HEDANI: Angie Hofmann.

4 MR. MADDEN: Aloha everyone on the GPAC and
5 everyone from West Maui and the rest of Maui who came out to
6 show your support for community involvement and what happens
7 in the future of Maui County. I just really want to thank
8 everyone for coming.

9 Unfortunately, what I have to say isn't 100
10 percent positive. I appreciate what everyone is doing. I
11 heard a reference earlier to the 1970's, and the early
12 1970's when we had such a big boom of growth. And I'd like
13 to also mention that during that time we did have a
14 constitutional convention where we got together and decided
15 to have a big boom growth, and it was part of the voting
16 process. And in that process we were promised affordable
17 housing, and in that process we were promised affordable
18 health care, we were promised schools, agriculture, roads,
19 highways and tourism.

20 The current give that went out there was we gave
21 up our beaches to the hotels, and we gave up a lot of our
22 open spaces, and in return in the seventies we were supposed
23 to get new roads, affordable housing, and hospitals, et
24 cetera. Now, these things haven't happened yet, and now we
25 have a new carrot where they're saying now this is the next

1 I've gone around, I saw the Sunday paper, it
2 advertised this meeting on Tuesday. You know, for me,
3 that's unreasonable for people to be able to make it. I
4 work at Kobe Steak House in Lahaina. I have somebody
5 working my shift tonight so I could make it. You know,
6 everyone I talked to couldn't make it, because it's 1:30 and
7 because of prior commitments. I am not saying that we drag
8 all you guys out here again and we make everybody who has to
9 be there, I think a lot of people here actually have to be
10 there because of their community involvement with the
11 different clubs and groups.

12 But to actually meet with the community, the
13 business owners and everyone who couldn't be here today,
14 again, not just so that people can give their testimony, but
15 so that they can be given the tools that they need to truly
16 understand what's happening. This meeting to me is more
17 like an update to the 2030 plan, and my suggestion is based
18 on the idea that the people of West Maui actually understand
19 the full impact of what they're being presented with.

20 I also would like to tell you guys that I strongly
21 believe that this plan is a decision that will greatly
22 affect the people of West Maui, and more than they could
23 possibly imagine.

24 CHAIRMAN HEDANI: Thank you, Mr. Madden.

25 MR. MADDEN: Just in closing, I brought a bunch of

1 chance. We can develop all over again, except this time 10
2 times more. And what we're getting is going to be so much
3 more, but show me the affordable housing. Let's see one
4 spot that's designated affordable housing, and let's fix our
5 roads before we move on.

6 It's not saying that when we -- right now we're
7 pushed to the limit with everything, with everything. And
8 out here on the west side when the tourists come it's times
9 10, you know. Even without them, we don't have enough. Now
10 when we develop everything and we build all this, to me, it
11 seems like we run the risk of running into ground zero
12 again, where we're right there all over again, except with
13 10 times more people. And now the new roads aren't enough
14 and the new schools aren't enough because there's so much
15 more people. I just don't want to see that happen, you
16 know, and I really believe in the people of Maui making the
17 best decision. I just think that they need to have all the
18 facts.

19 I also would really like to say just two more
20 things. The first one is, as a member of the West Maui
21 community I really humbly ask for one more opportunity for
22 the people of West Maui to be able to speak out. If not
23 speak out, at least a meeting where the community could get
24 together and be able to know what tools they have to do
25 next.

1 maps. I really like what Elle said about somebody making an
2 interactive map. I tried to do it. I know there's not time
3 to show everyone, but I would like to quickly mention that
4 in this map --

5 CHAIRMAN HEDANI: Mr. Madden, your three minutes
6 is up. Thank you.

7 MR. MADDEN: I understand, got it. (Applause)

8 CHAIRMAN HEDANI: The next person to testify is
9 Angie Hofmann, to be followed by Hannah Bernard.

10 MS. HOFMANN: Aloha. Angie Hofmann here. Thanks
11 for listening to our testimony over here on the west side.
12 I'm here to support Save Honolua and their recommendations
13 on pushing the urban growth boundary to the north end of
14 Kaanapali, and also their recommendations on the ag
15 subdivision language in the plan. I think it's important to
16 focus growth into existing communities, and that was an
17 excellent land use objective of the GPAC. It makes sense to
18 build close to current infrastructure and improve our
19 existing towns and communities.

20 There are already many infrastructure issues past
21 Kaanapali. Many proposed developments are mauka of the
22 highway that will require much work to get infrastructure
23 over gulches and valleys. I support the idea of Honolua
24 Valley and beyond as sensitive lands, and also the idea to
25 include Lipoa Point into that.

1 The GPAC urban growth boundary is too close to
 2 Honolulu, and there needs to be a much larger buffer zone
 3 around Honolulu. Honolulu Bay is a recreational area and a
 4 marine life conservation district. I urge you to bring the
 5 urban growth boundary to the north end of Kaanapali.
 6 I do agree with the GPAC's and the Planning
 7 Department's designation of Honolulu as conservation. And
 8 also I wanted to bring up another concern that the Punalau
 9 area, also known as Windmills, is being designated for a
 10 park. I do not agree with this, as there's no
 11 infrastructure in the area for water or restrooms. And in
 12 the wintertime the conditions can get extremely hazardous.
 13 I agree that this area should not be developed, as it is a
 14 northern buffer area for Honolulu Bay, and I think open space
 15 or the strongest type of conservation would be the better
 16 designation.
 17 To move on, I support the recommendation of GPAC
 18 to have stronger language in the ag subdivision issue. We
 19 have a terrible loss of our needed ag land on Maui,
 20 especially in West Maui. I needn't remind you that we
 21 import most of our food, creating a dire situation if boats
 22 and planes were to stop coming. You can help this situation
 23 directly by strengthening that language in the Maui Island
 24 Plan concerning ag subdivisions. I'm sure you've heard this
 25 phrase before, we should be growing food, not houses,

1 So you have heard that the Maui Island Plan should
 2 not be specific. A lot of people who are proposing
 3 developments don't want the detail that those of us who are
 4 supporting more detail do. In fact, this is precisely how
 5 we can ensure a liveable and sustainable Maui. The Lahaina
 6 plan, as previously mentioned, is a perfect example of that.
 7 I would like to just summarize my testimony. I
 8 have submitted several pages previously, and I am going to
 9 submit a more detailed testimony now. Thank you. But I am
 10 going to give you just the highlights, and you have the maps
 11 to go with these now.
 12 We support the following designations with some
 13 modifications. We agree with GPAC and the Planning
 14 Director's resource management area zone, that's map A. We
 15 appreciate the acknowledgment of the mauka-makai connection.
 16 The sensitive lands designation we believe should include
 17 all streams and gulches. These areas should not be built
 18 on. No development should occur on sensitive lands and
 19 should be extended to all of our streams and gulches.
 20 And in fact, the county's Water Use and
 21 Development Plan as part of the General Plan needs strong
 22 recommendations and ordinance language regarding water
 23 conservation as well as alternative energy use and
 24 enhancements.
 25 Just look at what's happening in Kahoma Stream.

1 because we can't eat houses. So thank you.
 2 CHAIRMAN HEDANI: Thank you very much, Angie. The
 3 next person to testify is Hannah Bernard, to be followed by
 4 Rory Frampton.
 5 MS. BERNARD: Aloha kakou. Thanks again for being
 6 here on the west side. We really appreciate you coming out
 7 here, and for the rest of the communities. I wish we could
 8 have had this everywhere, although I know it's not possible.
 9 The last time I gave testimony about this side I was
 10 speaking about the guiding land use principles for the GPAC,
 11 and I did not pass them out in copies, so I am going to do
 12 that now.
 13 Because as I said before, if you use the guiding
 14 land use principles from GPAC and just the chart of the top
 15 8, and you just hold that up to the proposed developments,
 16 essentially you can eliminate a lot of the developments that
 17 are proposed because they conflict with guiding land use
 18 principles. And then in addition to that, with these
 19 handouts I have a summary of my testimony and the maps that
 20 I'd like to suggest for you to look at that are modified.
 21 I'm Hannah Bernard, I forgot that part, President
 22 of Hawai'i Wildlife Fund, also supporting the Save Honolulu
 23 Coalition as a board member. And we'd like to say ditto to
 24 the testimony of Tamara Paltin, the Vice-President of the
 25 Save Honolulu Coalition, and John Carty and Glenn Kamaka.

1 Sedimentation is occurring there. And Eric Stein is in the
 2 audience, who has documented for the last ten years that the
 3 sediment bases are not being taken care of even today. Even
 4 now we don't have the resources or the funding to take care
 5 of the development that we currently have. Until we do so,
 6 we have no business adding to our urban sprawl.
 7 We prefer the urban growth boundaries to stay out
 8 of Kapalua and be shrunk back down to Kaanapali. If they do
 9 go to Kapalua they should be shrunk from the upper hillsides
 10 and not be extended up into the higher reaches of the water
 11 shed.
 12 Finally, just supporting the urban growth boundary
 13 of the Planning Director for Olowalu, that it be a regional
 14 park and rural service area. Mahalo. (Applause)
 15 CHAIRMAN HEDANI: Thank you very much, Hannah.
 16 The next person to testify is Rory Frampton, to be followed
 17 by Mele Namau'u.
 18 MR. FRAMPTON: Good afternoon, Planning
 19 Commissioners. I'm Rory Frampton. I just wanted to provide
 20 some statements in support of previous testifiers which
 21 talked good the general nature of this plan. There's a lot
 22 in the community, a lot of people in the community who are
 23 very concerned about the specificity in the plan, the
 24 restrictions, the prohibitions, and the requirements.
 25 Generally, the plan should be a guidance for

1 future decision-making. You should have goals and
2 objectives to help future decision makers make their
3 decisions. You shouldn't be prescribing the specific tools,
4 the specific requirements that should go through many layers
5 of debate. This is going to be very difficult to implement.

6 I take strong issue with the Corporation Counsel's
7 statement the last time that said oh, if you put specific
8 language in here with restrictions to prohibitions, don't
9 worry, it won't be implemented by the county. That's
10 certainly not what's been happening. It's not what's been
11 happening with the community plan language, and it won't be
12 what's happening with this language.

13 I'm suggesting that you take the objectives, the
14 goals and the objectives, and maybe a few of the policies
15 and separate that out from the very specific regulatory
16 language. Put all that specific stuff in maybe a supporting
17 document, but don't adopt that into law. There's going to
18 be a lot of problems. I think that this plan as it's
19 written right now needs wholesale revision.

20 I wanted to talk just about the General Plan, but
21 because of some of the testimony earlier I feel the need to
22 just mention a few things. There are questions about ag
23 parks and ag parks in Lahaina. At the Makila area where we
24 really want to adopt half of our lands or create half of our
25 lands into permanent ag parks, privately run ag parks, where

1 Dailer. The next person is Pam English.

2 MS. DAILER: My name is Meghan Dailer. I'm a
3 marine biologist with the University of Hawaii, but I'm
4 testifying on behalf of myself today. From my recent
5 studies it is apparent that the nutrient loading into the
6 near shore marine environment in developed areas of Maui is
7 currently a problem that leads to coral decline and
8 accelerated marine plant growth.

9 In Hawai'i, over 88 percent of our visitors engage
10 in some form of ocean activity, and on Maui many of those
11 visitors are taken on charter boats to see the reefs at
12 Olowalu, which is the only reef that has not experienced
13 drastic declines in coral cover over the past decade. The
14 health of the Olowalu reef and near shore marine environment
15 is the basis of my opposition to the urbanization of
16 Olowalu.

17 Algal bloom formations are known as an ecosystem
18 response to excess land-based nutrients worldwide. In
19 Florida, sewage driven blooms have persisted for decades,
20 subsequently eliminating coral reefs in these areas and
21 promoting the State of Florida to require the highest level
22 of sewage treatment possible at all treatment facilities.
23 They have already lost more than 85 percent of their reefs.
24 We still have reefs that should be protected against
25 improper nutrient disposal for future generations and the

1 we have cheap water and low cost leases in perpetuity, we
2 think we will help produce food for the neighboring
3 communities.

4 I also, you know, the Planning Director and the
5 Planning Department has kind of admonished the landowners or
6 the developers to only say their piece once, and only have
7 five minutes to do it over this whole process. But yet we
8 see the Maui Tomorrows, we see Mike Foley coming up
9 repeatedly, time and time again, making the same statements.
10 And some of these statements are very inaccurate.

11 The Maui Tomorrow growth criteria statements that
12 were said today sounded to me, I haven't seen their specific
13 requirements, but it sounded grossly inaccurate for the area
14 in Makila. And I just wish you would consider that we're
15 being told not to rebut any of this stuff. I would like to
16 see that information. I might come back and rebut some of
17 that information in the future.

18 So again, the basic point was let's keep this plan
19 general. Let's not tie our hands for the next 20 years.
20 Let's keep the very good points about the plan, and let's
21 try to take away some of the specifics that might be real
22 restrictive in the future. Thank you. (Applause)

23 CHAIRMAN HEDANI: Thank you, Rory. The next
24 person is Mele Namau'u, to be followed by Meghan Dailer.
25 Mele Namau'u is not here. Meghan Dailer. Not here? Meghan

1 tourism industry.

2 In the urbanized area of Kihei, \$20 million in
3 economic revenue is lost annually because of algal bloom
4 formations arising from the leaching excess land-based
5 nutrients. The already persistent nutrient loading issue in
6 many places on Maui will only extend to the proposed
7 additional areas of development if development practices
8 continue in the same manner as the past. I strongly suggest
9 the following implementation:

10 To prevent algal blooms, limit the nutrient
11 loading in every way possible. All new developments,
12 especially at Olowalu if it's granted, should be required to
13 have high or fifth degree levels of sewage treatment at all
14 treatment facilities. Further development in the Lahaina
15 area that will be utilizing the Lahaina Wastewater Treatment
16 Plant for sewage disposal should not be allowed to occur
17 until that facility is upgraded from its current status.

18 Currently, this facility utilizes underground
19 injection wells for the disposal of about 3 million gallons
20 of wastewater per day. The injected wastewater is not
21 treated for bacteria with Ultra Violet radiation, which is
22 what kills most bacteria, it is disinfected with chloride
23 and subsequently injected into the ground.

24 The Lahaina wastewater facility only has the
25 capability of UV'ing about 1 million gallons of wastewater

1 per day at this time. My work with a biological indicator
 2 that is used worldwide successfully to detect nutrient
 3 sources shows that the effluent from the injection wells in
 4 Lahaina is flowing onto and covering the entire reef, up to
 5 20 feet deep, in front of the Westin condos and Kahekili
 6 Beach Park. The lack of proper bacterial treatment in
 7 combination with the heavy recreational use by locals and
 8 tourists in this area should bring forth an initiative to
 9 fund or promote the upgrading of the Lahaina wastewater
 10 treatment plant to avoid further human health problems, like
 11 skin and respiratory infections.

12 To prevent increased sedimentation deposition into
 13 the ocean and subsequent coral death, limit sedimentation
 14 rates in all ways possible. Require that the initial
 15 developmental processes that create bare earth occur only in
 16 dry seasons. Only heavy sedimentation events will happen
 17 with large areas of bare earth and rainfall.

18 CHAIRMAN HEDANI: That was three minutes.

19 MS. DAILER: Is it? Thanks for your time.

20 (Applause)

21 CHAIRMAN HEDANI: The next person to testify --
 22 Commissioner Mardfin.

23 COMMISSIONER MARDFIN: A few weeks ago we got a
 24 speaker at our meeting in Wailuku, and she provided us with
 25 two scientific studies which I found very interesting and

1 informative. I don't know who else read them. But if you
 2 have some of your research that's in a form that could be
 3 distributed to us at some time in the future, I would read
 4 it, I guarantee you. And I found it very informative from
 5 the other two that I read, and it can make a difference.

6 MS. DAILER: Thanks. The one paper that you got
 7 was about sewage treatment experiments. That's my paper.

8 COMMISSIONER MARDFIN: Is that the one where you
 9 were comparing Lana'i beaches?

10 MS. DAILER: That's also my paper, but that's the
 11 other one. I will give you the information, basically.

12 COMMISSIONER MARDFIN: The other one was basically
 13 saying that it had to do with the herbivores that are in
 14 there and the nutrients coming from the land. And if you
 15 upset one and you don't have the herbivores they can
 16 collapse and never recover, and if you have the one maybe
 17 they can recover.

18 MS. DAILER: Yes, right.

19 COMMISSIONER MARDFIN: Thank you.

20 CHAIRMAN HEDANI: Thank you very much, Meghan.
 21 (Applause) The next person to testify is Pam English, to be
 22 followed Patty Nishiyama.

23 MS. ENGLISH: Good evening. Aloha, Chair, members
 24 the Commission. My name is Pam English with Maui Land &
 25 Pineapple Company. I have been in attendance through most

1 of your Maui Island Planning hearings and spent a lot of
 2 time at the GPAC discussions as well. And frankly, I'm
 3 extremely impressed with the level of detail that's been
 4 taking place with your review.

5 I brought my copy of the plan, which I have been
 6 using to try and keep up with the discussions here. This
 7 includes volume 1 and volume 2, as well as the matrix that
 8 you have been using to review the goals and policies and
 9 objectives that were contained in the original volumes and
 10 expanded by GPAC. Now, I could pick one of the goals or
 11 policies and suggest wording or improvement to each specific
 12 section, but frankly, you and the GPAC have been doing a
 13 great job of being inclusive and rigorous in your
 14 deliberations. So great job.

15 My testimony today is what are we going to do with
 16 this? How will a document of this bulk be managed by the
 17 department and the community stakeholders? It's untenable.
 18 It's one thing to try and envision each item that might be
 19 considered for our island's future, but quite another to
 20 administer and administer equitably in compliance with all
 21 of our other codes, ordinances and regulations. Imagine
 22 staff trying review an application. Just turning each page
 23 would take all day, let alone a critical analysis of the
 24 application to show it meets the intent of this document.

25 May I suggest a sorting or segmentation of this

1 tome in order to create more manageable parts. Much of the
 2 goals, policies and actions could be categorized into
 3 sections. For instance, those that are speaking to
 4 relationships with state agencies. Can you imagine anyone
 5 at the state reading this document to glean how we see
 6 Maui's future? What if there was a volume for state
 7 inter-relations goals, policies and objectives. What if we
 8 could hand the state at the end of the day a small binder
 9 that clearly resonates our philosophy of partnership.

10 Another section could be dedicated to policies
 11 relevant to the development proposals. Another to actions
 12 that seek to amend our ordinances. The section for
 13 regulations and ordinances could be a guide for Corp Counsel
 14 to move forward on bills so that we can get some of these
 15 desired policies incorporated into law.

16 May I suggest you direct your staff to take your
 17 final recommendations and sort the data so that we can end
 18 up with a usable documentation without the loss of any of
 19 the specific terms you and the GPAC have done such a great
 20 job on. Clear up the redundancy, clarify what should be
 21 moved towards ordinance, sections for the state, sections
 22 that could be moved to the community plan. In short, let's
 23 make this document usable. Make it shorter. Thank you.
 24 (Applause)

25 CHAIRMAN HEDANI: Thank you very much, Pam. The

1 next person to testify is Patty Nishiyama, to be followed by
 2 Deciple Dave.
 3 MS. NISHIYAMA: Aloha kakao. My name is Patty,
 4 Patricia Nishiyama. Auntie Patty Nishiyama. This here on
 5 my left is Auntie Alva Silva and Auntie Annie Kekona, and
 6 Uncle Stanley Chalk, part of Na Kapuna O Maui. I am the
 7 kako and the coordinator of Na Kapuna O Maui. I have been
 8 attending these meetings, planning meetings for Kaanapali
 9 20/20 and Waine'e Village for many years now. Our kupuna
 10 has also been involved in the design of Olowalu. Our mana'o
 11 is imprinted in these three projects.
 12 Our kupuna worked hard in the planning for Olowalu
 13 town. We support the kupuna of Olowalu because this is what
 14 they want in their ahupua'a. Our kupuna at Olowalu wants
 15 the Hawaiians to come back home and benefit from their town.
 16 They worked hard telling the developer what to do. Our
 17 objective is to provide jobs and housing for our future
 18 generation. Our keikis will need shelter, and we absolutely
 19 cannot deny them that right. We may as well plan our
 20 projects right, and the community planning of Waine'e
 21 Village, Kaanapali 20/20 and Olowalu is the right way.
 22 We understand that the southern portion of Waine'e
 23 Village, which had single-family homes, was not included in
 24 the GPAC draft map. They will reduce the number of housing
 25 units for our community over the next two decades. The

1 principles of ahupua'a and using innovative green
 2 technologies. Frampton and Ward have sought guidance from
 3 Olowalu residents and lineal descendants of Olowalu kupuna
 4 for the ahupua'a restoration. LIHAU Olowalu Cultural
 5 Reserve, a not-for-profit cultural and educational entity
 6 since 2004, now stewards 74 acres of Olowalu, including Hale
 7 Pohaku petroglyphs, the Olowalu stream corridor from forest
 8 reserve to sea, and the Upper Kula lands. Our goal is to
 9 restore Olowalu watershed, upland forests, farming lands,
 10 and limu beds at the shore.
 11 In pre-contact times, Olowalu was pu'u honua, a
 12 famous sanctuary and place of refuge. Innocent bloodshed in
 13 the 1790 massacre is the only thing remembered of Olowalu.
 14 Olowalu Town and LIHAU will restore this peaceful valley to
 15 its original dignity.
 16 LIHAU volunteers have already stabilized and
 17 cleaned the petroglyph rock walls, cleared the Upper Kula of
 18 kiawe, planted 100 kukui trees, and provided cultural
 19 education in our outdoor classroom and covered lunch area.
 20 Volunteers have built six working lo'i and a small poi
 21 factory, and our first taro harvest was just last month. A
 22 large canoe is in construction, and we are raising funds to
 23 build a Hale Wa'a. And I have attached some before and
 24 after pictures for you.
 25 We support the Brown and Caldwell Integrated

1 Department of Planning did include the entire project in the
 2 plan. We ask you, the Planning Commission, to include the
 3 entire Waine'e project area in the urban growth boundary.
 4 My family and I currently are living next to the
 5 project area. It would be nice to visit our family and
 6 friends who want to go back to Waine'e Village. We must
 7 look forward and we cannot allow our future generation to
 8 suffer with the lack of affordable housing that we have
 9 experienced over the last 20 years.
 10 Please support our community members and Olowalu
 11 and the Waine'e Village and Kaanapali 20/20. And I humbly,
 12 we humbly beg of you to think of the wellbeing of the future
 13 generation. Mahalo and God bless. (Applause)
 14 CHAIRMAN HEDANI: Thank you, Patty. The next
 15 person to testify is I think it's Deciple Dave. Is there a
 16 Deciple Dave here? Okay, the next person is Katherine
 17 Kama'ema'e Smith.
 18 MS. SMITH: Good afternoon, and thank you Maui
 19 Planning Commission. I am Catherine Kama'ema'e Smith. I'm
 20 an historical novelist, and I'm a volunteer for LIHAU
 21 Olowalu Cultural Reserve. I urge the Planning Commission to
 22 approve the proposed urban and rural growth boundaries
 23 requested by Olowalu Town LLC, and approved by the GPAC.
 24 Olowalu Town is the first vertical development on Maui
 25 seeking to restore natural watershed based on sustainable

1 Resource Management Plan for Olowalu. That is upland
 2 reforestation to increase saturation and decrease the
 3 mountain runoff; that is storm water schemes to capture and
 4 retain water for purification and irrigation; water
 5 conservation schemes; gravity hydro-electric generation
 6 plants; and most importantly, small wastewater purification
 7 stations which purify non-potable irrigation water to a
 8 purity greater than are R1, and they do not use injection
 9 wells. All of the arguments against Olowalu that include
 10 injection wells do not apply here.
 11 As a volunteer, I ask you to put Olowalu Town LLC
 12 in the Maui County plan. He hana maika'i keia. It is a
 13 very worthy work. Thank you. (Applause)
 14 CHAIRMAN HEDANI: The next testifier is Randy
 15 Ragon, to be followed by Victoria Martocci. Victoria
 16 Martocci, to be followed by Victoria Kaluna-Palafox.
 17 MS. MARTOCCI: That doesn't happen often, two
 18 Victorias in the room. Good afternoon and aloha, and thank
 19 you for the opportunity to testify. My name is Victoria
 20 Martocci. I'm a Lahaina resident. I'm a scuba instructor
 21 and west side boat captain. I ran here right off the boat.
 22 I'm speaking today in opposition to the proposed development
 23 in Olowalu. And I have to say it breaks my heart to speak
 24 against what the elders are asking for. I can see how much
 25 they desire this. But I'd like to speak on behalf of the

1 Olowalu reef, the reef.

2 Thank you to marine biologist Hannah for speaking
3 a little bit to the mauka-makai connection here. It's easy
4 to recognize the potential problems on land, those that we
5 can see every day, right, but it's more important to also
6 consider those beneath the surface. Olowalu is Maui's last
7 remaining healthy, thriving, true reef system, and that's a
8 true reef system of coral group versus a lava substraight
9 with light coral cover, which is most of what we have.

10 I have here one of many national news articles.
11 This one is from the New York Times, "Ruining coral draws
12 fines in Hawai'i." These articles are all praising the
13 recent heavy penalties and fines for damaging coral here in
14 Hawaii. And yippie, hooray, that's a good thing. It's good
15 that commercial operators are being held accountable.
16 Reactive policy to accidental damage is fine and good, but
17 what about proactive planning to protect the coral? Major
18 land development grading, leveling of the land leading to
19 runoff and sedimentation has proven to kill reefs.

20 Ask the scientists, or more simply look at
21 Ma'alaea reef, killed due to land development. Or let's
22 take a look at Honolulu, dying because of land development
23 and runoff. Development in this area of Olowalu where the
24 reef reaches all the way to the shore, reef damage is
25 inevitable. I am not opposed to smart community-based

1 there was a law protecting from the defacing of mountains.
2 In any case, I am sure that the county and developers
3 together with the host culture had come to some kind of
4 agreement on how to handle the runoffs and the laws of the
5 land.

6 Another situation developers would have allowed a
7 new entities into the Olowalu Valley, and the developers
8 allowed this new entity to take the river out to make
9 swimming pools with a backhoe. I have pictures and proof of
10 this complaint. These actions were done without any
11 consideration for others living in the area. Olowalu River
12 used to run. Just last year it runs no more. Only if it
13 rained hard water now would come. But I am sure that the
14 Planning Commission knows of these activities and others.
15 And I find out things that the community and I have
16 experienced first-hand blocking of natural awais with huge
17 cement blocks and more pohakus to block the water flowing
18 from the side of this huge block to just take water to one,
19 one person.

20 Again, families below are being abused by this
21 unlawful act of greed. And as a native Hawaiian born, I am
22 not part of this unconstitutional act of greed. This is in
23 Ukumehame that I am talking about, and these are the luas
24 that are situated up mauka side. And, you know, every day
25 is a learning experience for all of us, especially for our

1 development, but I am opposed to development at the expense
2 of our reefs, at the expense of our joint community gem,
3 Olowalu reef. So thank you. (Applause)

4 CHAIRMAN HEDANI: Thank you very much, Victoria.
5 The next person to testify is Victoria Kaluna-Palafox, to be
6 followed by Willy Greg.

7 MS. KALUNA-PALAFox: Aloha. My name is Victoria
8 Kaluna-Palafox. I am a lineal descendant from Olowalu. My
9 kupuna Tutu Kane died in the Olowalu battle. So I know what
10 my kupuna is talking about, and I understand and I feel what
11 my people feel.

12 First, I would like to thank Ke Akua for bringing
13 all of us together this evening. Then the Planning
14 Commission, the developers, and the families of Lahaina, and
15 the foreigners moving to Maui, I extend my warm aloha. I
16 know that everybody's time this even is precious, so I'll
17 get right to it.

18 This evening's meeting is very sensitive to each
19 of us, especially for our children and grandchildren and
20 those babies yet to come. The decisions that the Planning
21 Commission has to make, if it is not already made, will have
22 a great impact on all of our lives and the future of our
23 kamaliis. Your decision will make a great impact, just like
24 the carving out of the mountain sides of Launiupoko. That
25 is a scar that cannot be taken away. Which I thought that

1 younger ones and you newcomers to our islands that are
2 watching all these things going on. What are we teaching
3 others? What is the difference between help and kokua
4 today? When people say I came here to help you, they
5 actually mean I came here to help myself.

6 Look at the way of the host culture. It is this:
7 If you kokua, it comes from the inside. It is a true
8 feeling. It truly means to assist you with all of our
9 heart, and as much as we can do for you, and not by just
10 waha, just words with no respect. And this is one value
11 "kokua" I would want others to learn from this culture.

12 So in the scenarios that I had mentioned, they are
13 true. I have pictures, if anyone is interested. I have a
14 phone number, and I will be passing out this testimony.
15 "How can I help" needs to be said. "How can we kokua."

16 CHAIRMAN HEDANI: Three minutes.

17 MS. KALUNA-PALAFox: How the Planning Commissioner
18 can help is to not allow the development in Olowalu and
19 Ukumehame. Those lands are Crown Lands anyway to cease and
20 desist. The lands belong to the kanaka maoli, put in place
21 by our king. The State of Hawaii has a law that says they
22 only need to title search and can go for the past 20 years
23 only.

24 CHAIRMAN HEDANI: Victoria.

25 MS. KALUNA-PALAFox: I am 53 and I am a kupuna, so

1 you folks should be searching more than 20 years. Thank
2 you.

3 CHAIRMAN HEDANI: Thank you very much. The Next
4 person to testify is Willy Greg, to be followed by Deanna
5 Davis. Willy Greg? Deanna Davis? The next person to
6 testify will be Dick Mayer, to be followed by George
7 Lavenson.

8 MR. MAYER: Thank you, Chair Hedani and
9 Commissioners. My name is Dick Mayer. And although I was
10 on the GPAC, I'm speaking for myself. I'd like to correct
11 two items that were said by previous speakers. The speakers
12 from LURF discussed all of the rules and regulations that
13 you're setting up. And Miss English held up a very big book
14 claiming that that was the plan. I don't believe that's the
15 plan. That is a summary of all of the technical reports
16 which support the plan, which helped the GPAC come to the
17 conclusions which it came to, to recommend the policies.
18 That is not the plan. The plan is far thinner than that
19 thousand pages or so that she was holding up.

20 Second area, timeshares. A gentleman spoke about
21 timeshares and said why should timeshares be put in the plan
22 as something not to be recommended. I'll give you two
23 reasons briefly here. One is that they do not pay a TAT, a
24 Transient Accommodations Tax. They pay something else
25 called a TOT, which is just on the maintenance fee, and it's

1 entitled in large projects. But in addition to that, the
2 numbers you don't have, which were given to the GPAC,
3 indicated in addition to that in the urban fringe areas
4 roughly 1,500 in ag, rural small lots 3,000, and in larger
5 lots up to 130 acres, another 5,700, a total of 10,000 units
6 in addition that are entitled in the plan, and that was not
7 included in those larger projects that you may have been
8 given.

9 So when you have that projection of how many
10 units, whether it be the 11,000 the GPAC recommended, or the
11 14,000, that's in addition to all the units already
12 entitled. How many units does the county need? I would say
13 that between 1970 and 2006, that's in that 26 year period,
14 the total number of single-family units built was only
15 17,000 units overall. That great development and growth
16 that we had, we only had 16,000 units. Be very careful when
17 you add the 14,000 to the 10,000 that are in the ag lots,
18 plus the 20,000 that are entitled already. Thank you very
19 much, and I will supply these numbers to you, if you wish.
20 (Applause)

21 CHAIRMAN HEDANI: Thank you very much. The next
22 person to testify is George Lavenson, to be followed by
23 Kapali Keahi.

24 MR. LAVENSON: Good afternoon everybody. And
25 first, I'd just like to thank you and applaud you. I don't

1 a much lower source of revenue for the state than a hotel or
2 a vacation rental.

3 Secondly, the number of jobs that timeshares
4 generate is far lower, since most of those people may buy
5 something, cook at home, and don't support the restaurant
6 jobs and a lot of the other jobs that would be found in the
7 hotel. That's why GPAC recommended a lower level for
8 timeshares in the plan.

9 Another area, and that is regarding population
10 figures. This is generally for the island, not just West
11 Maui. We were given and you were given also a set of
12 numbers that was projected and was based on state forecasts
13 as to the present rates of growth, and projecting them out
14 into the future. What was not done and it did not say what
15 was the desired level, how many people do we want on Maui.
16 It shouldn't just say let the growth go and we will try to
17 accommodate it. I think we were charged and I think that's
18 what you were charged with, and that is, what level of
19 population should Maui have. And the numbers even recently
20 were scaled down by the department by over 3,000 people.

21 The second thing is with regard to the household
22 size, which is the basis for those graphs between the GPAC
23 and the Director. The GPAC used a higher number, and that
24 will determine how many units we need on the island. At
25 present, there are somewhere around 20,000 units already

1 know how you do it, sitting here all these hours and hearing
2 all of this testimony. And you deserve some
3 congratulations.

4 All I'd like to do is just add a little
5 encouragement to sit back with all the testimony you have
6 heard, and these people for this project and these people
7 for that, to make the overriding consideration what is
8 really best for Maui, this rare jewel that we have in the
9 world, and make sure we don't ruin it. We don't have to
10 participate in the over-population and over-urbanization
11 occurring everywhere else in the world. We can be like
12 Santa Barbara and other areas who say, we don't want to ruin
13 it. We are not going to have over-population.

14 You all saw the newspaper this weekend indicating
15 that growth belt. West Maui, there's more development here
16 than anywhere else on Maui. And a lot of us feel we already
17 have enough growth, we don't need an awful lot more. We are
18 not having incremental growth here, I would suggest we are
19 having excremental growth. All you have to do is drive down
20 the highway with your windows not up, your air conditioner
21 not on, and you will be overwhelmed by the excremental
22 growth far exceeding our infrastructure to handle it here.

23 We don't have to do this. You know, West Maui is
24 already clogged. You can barely see the ocean. From
25 Lahaina to Kapalua the streets are packed, long lines at the

1 stop lights. The growth in North Beach is massive, and I
2 think we need to really consider the beauty of Maui and West
3 Maui and not let that happen. We don't need another H3, we
4 don't need another Honolulu or Los Angeles here, we need to
5 keep it special.

6 So I hope you will give consideration to that,
7 along with all the projects everybody wants for their own
8 special purposes in many cases, and thank you very much.
9 (Applause)

10 CHAIRMAN HEDANI: The next person to testify is
11 Kapali Keahi, followed by Kekai Keahi.

12 MR. KAPALI KEAHI: Aloha kakao. My name is Kapali
13 Keahi, and I'm from Lahaina, all my family is from Lahaina.
14 I wish more of them could have been here today. I do have
15 some in the crowd right now. But I just want to say that,
16 you know, I don't have any environmental, you know, criteria
17 for this place except that, you know, I wish it was like
18 before, you know. And I really don't have any, you know,
19 social analysis on all of this. But I do know that so much
20 has been done to take away from the kanaka mauole, you know.
21 The history that we know to be like this past hundred years,
22 yeah, was all about taking away from us. And I would really
23 like to see that we no go through too much change, you know,
24 at least in my life. I think I've seen enough change in my
25 lifetime to last.

1 But people had choice to come here, okay. We
2 never. We from here. This land, we belong to this land,
3 okay, and that's how it will always be if we still here. So
4 if anything, I would like to see some giving back rather
5 than, you know, more development and more giving to other
6 people. 'Nuf already. Come back to us now, okay, like the
7 water go back to the ocean, the land come back to the
8 people. (Applause)

9 CHAIRMAN HEDANI: Thank you. Kekai Keahi.
10 This is our last person that signed up for
11 testimony for today.

12 MR. KEAHI: Aloha. My name is Kekai Keahi.
13 Kapali is my cousin. We also are the descendants of
14 Olowalu, yeah. We had our lands taken away from Amfac,
15 which is something now which Bill, you guys, Dave, plan on
16 developing, yeah. And I understand you kupunas had plenty
17 input into what was going on with the plans. To me, I don't
18 think you guys have one good idea. Because, Auntie, I
19 remember what you said. If you don't like what's bad with
20 the plan that you would not do it.

21 Well, you know what, this is one good example for
22 you, yeah, for deny this plan because they get our land,
23 yeah, but you no like. Respectfully then this is what my
24 father told me, because I come all frustrated that our
25 kupunas making decisions that are not good for our

1 My family, we're recovering taro farmers today,
2 and it's taken awhile for us to go back and raise taro again
3 because of the plantations and so much taken from us. So
4 we're going back. And just, you know, the minimal demands
5 of our family today is to go back and live off the land now,
6 and that is already hard to do, okay. And I know with a lot
7 of development happening I cannot imagine taking more water.
8 You know, I cannot imagine taking any more than has already
9 been taken, okay.

10 I like my family go back and live on the land if
11 we so choose to, you know. And there are a lot of families
12 in Lahaina that are coming home and they want to farm taro
13 again. I think that should happen before anything else.
14 That is what should happen before anything else. My.

15 Family is so big that, you know, we get, we had
16 lands from one end to the other. I know that for sure,
17 okay. And if anything, you know, if we lost it through like
18 adverse possession I would like all of those things to be
19 reversed, okay. Any which way that our land was taken from
20 us, yeah, and that's just our family land, okay.

21 I am not talking, I mean hey, we can sit here and
22 talk about county lands and state lands. I know that all
23 belong to our kingdom and our people, okay, that is the
24 bottom line. That is all of our bottom lines. And that's
25 probably one sad truth that people cannot live with.

1 generation. But, you know, he told me he's 70 years old
2 respectfully, but with all intent, yeah, he said if they
3 making decisions that's not good for you and your kids then
4 tell them. Plan for them to move on the side, yeah. Time
5 for you guys to move on the side. And that's with respect,
6 because I am not going to allow you guys for said that the
7 development is good when they get our lands over there that
8 they going develop.

9 Another thing, water rights. Us guys, we from
10 Kahoma Valley, like my cousin was saying. We fighting for
11 get our water back so we can get back to our lands. The
12 Amfac took the water away from us. We had to leave. We
13 couldn't stay there any more, yeah. We holding meetings
14 just from the families from Kahoma. We get over one hundred
15 people that come to every single meeting, people who like
16 return back home to this valley.

17 We saw the need so we started a non-profit
18 program, I mean organization, Ma Kula Kahana O Le Wai
19 (phonetic). For you guys like be a part of that, Ukumehame
20 all the way to Honokohau, if you guys like return home join
21 up, because we get by the hundreds. It's growing fast.

22 One more thing. It probably has to do with again
23 for you kupunas and the people who are using the kupunas,
24 yeah. And words like ahupua'a. I see you get Dave and Bill
25 sitting in the river in Olowalu talking about the

1 development plans and how they going use these kind stuffs.
2 They using Hawaiian terms and Hawaiian culture and things.
3 Knowing us guys' respect for the kupunas, we got to back
4 down, not say nothing, no buck them.

5 But I sorry, we have got to buck 'em. My wahine
6 come from Ka'u, the Big Island. The people from Ka'u are
7 known as the makahau, and we're the chiefs. Okay, aloha.
8 (Applause)

9 CHAIRMAN HEDANI: We have one person that we
10 called on earlier that actually is present that would still
11 like to testify, that's Randy Ragon.

12 MR. RAGON: Just for the record, it's Randy Ragon.
13 Here we go, Olowalu again, right. I'm the president of the
14 Olowalu Homeowner's Association, and probably unlike anyone
15 else that has testified here today, I'm part of a group of
16 people that bought into the promises of the developer and
17 the marketing that was done. Eloquent job of marketing,
18 malama, aina, pono, take care of the land, caretakers of the
19 land, it's all in here.

20 Well, here we are ten years later and we have a
21 history, and that history with the developer and their
22 partners, Frampton and Ward, I'm sad to say, is not
23 impressive at all, and we have documented this. We have
24 given a petition to the GPAC committee. We submitted a
25 complete -- we have asked for an investigation by the

1 for the same reason. When our committee was formed we have
2 developers who have been here for a long time. We have
3 excellent contractors, architects, engineers, lawyers. We'd
4 like to hui up with these local people and create this
5 Hawaiian village, and the only way we can do that is for you
6 folks to leave us alone and not allow future development so
7 we can do it ourselves, okay.

8 The main reason, number three, the developers are
9 not trustworthy. In the presale marketing material for the
10 Olowalu subdivision the developer made promises. Since then
11 the developers failed to fulfill government mandates, failed
12 to keep promises to residents and the community, does not
13 respect the land or the culture of Olowalu.

14 Nine of the 36 conditions of the SMA have not been
15 met. Required highway improvements were passed on by the
16 developer as not important. Egress and ingress roads are
17 substandard and dangerous. The water waste for the water
18 system is overgrown and not accurately maintained.

19 I am going to finish up with this. Because the
20 developer has not performed, and because the state and
21 county agencies that we asked to protect our health, safety,
22 welfare have not enforced the conditions of the permits,
23 here is where we find ourselves right now, where the public
24 of Maui may find themselves, and our friends and neighbors
25 may find themselves.

1 Planning Department, because terms of the permit conditions
2 have not been fulfilled.

3 So if you will just bear with me a second, I
4 represent many owners that have spent millions of dollars,
5 that actually want the same things that the local people
6 here want, and that's the dream we bought into. So I just
7 want to read a little bit of my testimony. I will try and
8 be brief, thank you.

9 We don't support Olowalu Town, especially the
10 present developer, because number one, the location is not
11 appropriate. We have already talked about that, the reefs,
12 et cetera. We have had several accidents, nine accidents in
13 the last two years, four fires, and a loss of a home. The
14 project is not appropriate.

15 Some of the GPAC committee members who recommended
16 future development for Olowalu are Olowalu residents who
17 want to perpetuate their culture. This can be accomplished
18 without adding the Olowalu plan to the Maui Island Plan. We
19 need a plan which could include a church, a school, a
20 museum, general store, a fruit stand, a park, a camping
21 area, as well as a few plantation style homes, and not large
22 scale development that subsidizes low income homes, which
23 the developer promised our neighbors in order to get their
24 GPAC votes.

25 We are also not in favor of the scaled down plan

1 Last sentence, please. If they don't perform and
2 this doesn't happen, we then inherit that liability.
3 Millions of dollars of liability that we inherit. And right
4 now we don't live in a safe community.

5 CHAIRMAN HEDANI: Thank you very much.

6 COMMISSIONER STARR: Mr. Chair, I have a question.
7 Mr. Ragon, can we get a copy of your documentation?

8 Mr. Chair, could you ask for order, please?

9 CHAIRMAN HEDANI: Could you just pose your
10 question?

11 COMMISSIONER STARR: Can I get a copy for the
12 Commission of your documentation, along with the petition
13 and signatures? Thank you.

14 MR. RAGON: Absolutely. We have got hundreds of
15 papers of documentation that we'd like to give to you, so
16 it's for everyone to see. Thank you. (Applause)

17 CHAIRMAN HEDANI: Thank you very much, Randy.

18 That concludes the list of people that we have
19 that have signed up. Are there any other individuals that
20 would like to still offer testimony at this time? Please
21 step to the microphone and state your name.

22 MR. GOODE: Good afternoon, Mr. Chairman, members
23 the Commission. My name is David Goode. When you called me
24 earlier I was unavailable. I apologize for that. My
25 testimony today is going to be a little more mundane over

1 the last hour or so. I'm president of Real Estate Hawai'i.
 2 I'm also the president of the Maui Contractors Association,
 3 and what I'm testifying today about is to kind of echo some
 4 of the comments that you heard from Rory Frampton and Dick
 5 Mayer regarding the size of the plan. Whether it's a
 6 thousand pages or 200 pages, it's just too big. And I think
 7 there's an opportunity, some ideas were tossed out about
 8 paring that down a little bit or reorganizing it.

9 My experience in Public Works as a Director, I had
 10 to live with the General Plan, live with the community
 11 plans. I had to learn them, reread them constantly as
 12 issues came up, whether it's budgeting for CID or handling
 13 subdivision related issues. There's a lot to it. You have
 14 got to know it, think about it, see what the conflicts are.

15 I'm concerned that when you go through the size of
 16 the document that it is, I think it's going to be
 17 unworkable. The Planning Director has got it worse, he's
 18 got a change in zoning, SMA, subdivision, special use. All
 19 that stuff has got to come back to that plan. And I think
 20 from an administrative standpoint, from the Planning
 21 Commission, you have to deal with that. There's got to be a
 22 way to reorganize the plan. Reorganize it in such a way
 23 that it's going to be workable for you, the department, and
 24 the public.

25 We're processing a real basic subdivision right

1 the Maui GPAC.

2 A little bit of background just to get you up to
 3 speed so we're all on the same page. I believe we got
 4 through the agricultural section, and I think we are
 5 starting on rural on page 7. So with that, I will turn it
 6 over to the Chair.

7 CHAIRMAN HEDANI: Okay. Rural land uses, goal
 8 Objective 31, and policies. Commissioners, what's your
 9 pleasure? Commissioner Mardfin. Commissioner Hiranaga.

10 COMMISSIONER HIRANAGA: Do you want to open it up
 11 for public testimony first?

12 CHAIRMAN HEDANI: Do you want to reopen it for
 13 public testimony at this time?

14 COMMISSIONER HIRANAGA: I think we typically do.

15 CHAIRMAN HEDANI: Are there any members of the
 16 public that would like to testify that have not had an
 17 opportunity to testify earlier?

18 Seeing none, public testimony is closed.

19 Commissioner Mardfin?

20 COMMISSIONER MARDFIN: I move the adoption of goal
 21 number -- the goal under Rural Land Uses Objective 1, and
 22 all the attendant policies and actions.

23 CHAIRMAN HEDANI: Is there a second?

24 COMMISSIONER STARR: Second.

25 CHAIRMAN HEDANI: Seconded by Commissioner Starr.

1 now, two lots into three lots. And I asked a planning
 2 consultant, "How much would you charge me to do this General
 3 Plan compliance that's always required in a subdivision,"
 4 five to ten grand minimum. I thought wow, that's just one
 5 simple subdivision. Imagine just a family doing a
 6 subdivision.

7 So I think there's an opportunity as the deputy
 8 director can you guys do it, and do it in such a way that
 9 you have an opportunity to check it out. I think you can do
 10 it. Mahalo. (Applause)

11 CHAIRMAN HEDANI: Thank you very much. Are there
 12 any other persons who would like to offer testimony that
 13 haven't spoken?

14 Seeing none, public testimony is closed. And we
 15 are going to take a recess for you guys. We are going to
 16 take 45 minutes or an hour, one hour. We will reconvene at
 17 6:30.

18 (Whereupon the dinner recess taken)

19 CHAIRMAN HEDANI: The Planning Commission meeting
 20 of August 4th is back in session. The next item on our
 21 agenda is item D. Director?

22 DIRECTOR HUNT: Item D on the Commission's agenda
 23 involves a discussion of and recommendations related to the
 24 Draft Maui Island Plan's land use and directed growth
 25 elements. These were revised to reflect the comments from

1 Discussion? Commissioner Mardfin.

2 COMMISSIONER MARDFIN: For Policy 2, my motion was
 3 for the Director's recommendations, by the way. For Policy
 4 2, it says, "Encourage cluster development with a mandatory
 5 buffer requirement clear edge between country towns,
 6 agricultural lands, and surrounding rural landscapes." And
 7 I was wondering if someone would explain that to me.

8 CHAIRMAN HEDANI: Mr. Summers.

9 MR. SUMMERS: Thank you, Mr. Chairman. This
 10 essentially would allow for smaller lot sizes in the rural
 11 districts. Instead of having, let's say, development occur
 12 with minimum lot sizes of say two acres, sort of a uniform
 13 development pattern of two acre lots, you would achieve the
 14 same general densities but the lots would be clustered
 15 together. So you would have larger areas that would be
 16 preserved for agricultural use, sensitive of resources could
 17 be preserved, you could have more efficient planning of
 18 infrastructure and other services. So it's a more
 19 progressive and thoughtful form of development.

20 The department would recommend that the first
 21 word, "encourage," be struck and in its place the term,
 22 "allow limited cluster development."

23 CHAIRMAN HEDANI: Additional discussion?

24 Commissioner Mardfin.

25 COMMISSIONER MARDFIN: To facilitate that, I'll

1 move that we delete the word "encourage" and make foster
 2 limited --
 3 CHAIRMAN HEDANI: I'm sorry, could you repeat
 4 that?
 5 COMMISSIONER MARDFIN: I think the suggestion from
 6 the department that was we change the word "encourage" to
 7 "foster limited cluster development" or "allow limited."
 8 CHAIRMAN HEDANI: So that's a motion to amend?
 9 COMMISSIONER MARDFIN: It is.
 10 COMMISSIONER STARR: Second.
 11 CHAIRMAN HEDANI: Motion to amend by Commissioner
 12 Mardfin, seconded by Commissioner Starr to delete the word
 13 "encourage" and replace it with the word "allow."
 14 COMMISSIONER MARDFIN: "Allow limited."
 15 CHAIRMAN HEDANI: "Allow limited cluster
 16 development." Discussion? Ready for the question? All
 17 those in favor signify by saying "aye."
 18 (A chorus of ayes).
 19 Opposed "nay."
 20 (One nay)
 21 CHAIRMAN HEDANI: All those in favor signify by
 22 raising your hand.
 23 (Six)
 24 Opposed same sign.
 25 (Two)

1 Discussion? All those in favor significant by saying "aye."
 2 (A chorus of ayes)
 3 Opposed "nay."
 4 (None)
 5 Carried, thank you.
 6 Any additional discussion on the goal and
 7 Objective and Policies and Actions under 1? Commissioner
 8 Mardfin.
 9 COMMISSIONER MARDFIN: The Director's
 10 recommendation under Policy 3 requires both "conservation
 11 subdivision design for the subdivision of rural lands
 12 creating four or more lots, and the use of green spaces,
 13 natural separations to protect the character of rural
 14 landscapes." Could somebody explain what that means to me?
 15 CHAIRMAN HEDANI: Mr. Summers? My same comment on
 16 that policy was to define conservation subdivision design.
 17 MR. SUMMERS: Thank you, Mr. Chairman.
 18 Conservation subdivision design is basically a planning
 19 process whereby it's very similar to cluster development but
 20 it requires several additional steps. There's a lot of
 21 literature and examples from different communities that use
 22 this tool. But it basically employs a system where the land
 23 is looked at, those areas with sensitive environmental
 24 resources. Important agricultural lands are identified and
 25 protected. And then the development is clustered in those

1 Motion passes. Additional discussion?
 2 Commissioner Hiranaga.
 3 COMMISSIONER HIRANAGA: I just want an explanation
 4 on Policy number 4.
 5 CHAIRMAN HEDANI: Mr. Summers.
 6 MR. SUMMERS: I think the idea here with Policy
 7 number 4 was to encourage rural planning, create rural site
 8 planning, in lieu of basically a rural district with minimum
 9 lot sizes of a half acre with no density cap, similar to the
 10 RU.5 district that we currently have. So those densities
 11 are really more residential than rural. So the idea is to
 12 reinforce the previous policy we discussed by encouraging a
 13 more sensitive form of rural development.
 14 CHAIRMAN HEDANI: Commissioner Hiranaga?
 15 COMMISSIONER HIRANAGA: Is that redundant enough
 16 to recommend deletion as we try to condense this large
 17 document?
 18 MR. SUMMERS: Thank you, Mr. Chairman. Number 2,
 19 Policy number 2 is a lot clearer in its language. I would
 20 personally suggest that Policy 4 be deleted. I don't think
 21 it adds anything new.
 22 CHAIRMAN HEDANI: Commissioner Hiranaga?
 23 COMMISSIONER HIRANAGA: Motion to delete Policy 4.
 24 COMMISSIONER U'U: Second.
 25 CHAIRMAN HEDANI: Seconded by Commissioner U'u.

1 areas where it's more appropriate for development to occur.
 2 So this is specific in that it would require a more
 3 thoughtful approach to rural land use planning, and that
 4 would kick in with subdivisions of four or more lots.
 5 CHAIRMAN HEDANI: Additional discussion?
 6 Commissioner Mardfin.
 7 COMMISSIONER MARDFIN: As a follow-up, so if you
 8 cannot subdivide something into four or more lots and it's
 9 rural --
 10 CHAIRMAN HEDANI: You have got to speak a little
 11 louder into the mic.
 12 COMMISSIONER MARDFIN: I'm sorry. If you are
 13 going to have a subdivision of rural land into four or more
 14 lots, you are required to both have a conservation
 15 subdivision design and green spaces, natural separations, is
 16 that correct?
 17 CHAIRMAN HEDANI: Mr. Summers?
 18 MR. SUMMERS: That's correct.
 19 COMMISSIONER MARDFIN: And what will that do to
 20 the cost of doing the subdivision?
 21 CHAIRMAN HEDANI: Mr. Summers?
 22 MR. SUMMERS: Thank you, Mr. Chairman. I don't
 23 think the conservation subdivision design part of it would
 24 increase the cost necessarily. Typically it's a lot more
 25 cost-effective to provide infrastructure to lots that are

1 clustered than spread apart. The back half of that
2 sentence, depending on how it is implemented, could create
3 additional cost.

4 This language is fairly broad, and if you look
5 closely at it, the way it's ramsored, it appears that
6 there's a period after the term "lots." I'm not sure that
7 the last half of that sentence is necessary.

8 CHAIRMAN HEDANI: Commissioner U'u?

9 COMMISSIONER U'U: Yeah, back to the cost, I know
10 a lot of people on the west side. We heard testimony saying
11 that they're not really for agricultural subdividing. But
12 as far as the people Upcountry, where this could affect a
13 lot of the people Upcountry where they can subdivide for
14 their kids, I'm sure there's going to be a cost element
15 included in this plan.

16 I don't know what goes into a subdividing plan, I
17 don't know the cost, Mr. Summers. But what would be the
18 cost to subdivide properties right now, if I wanted to
19 subdivide four lots or more? Because we need justification
20 before we can move on for myself, as far as cost factor.
21 You're saying it's not going to add cost. I'm saying it is.
22 I think it's expensive as it is right now.

23 I have people trying to subdivide that can't
24 afford to subdivide properties Upcountry, and we're adding
25 more. At one point you guys said streamline the process.

1 Obviously we're not doing that, that's obvious, and I don't
2 know how you can say that and add implementations. But I am
3 going to need to know the cost factor of existing, to know
4 the cost factor of the new, and hopefully you guys can
5 answer that question for me.

6 CHAIRMAN HEDANI: Volunteers?

7 DIRECTOR HUNT: I think there's --

8 COMMISSIONER U'U: A direct answer would be nice.

9 DIRECTOR HUNT: I think there's two ways to look
10 at the cost. One is it would probably involve more cost to
11 design the project, so the initial design. I think it would
12 in all likelihood have lower costs in terms of providing
13 infrastructure. One of the advantages or selling points of
14 a cluster development is that the infrastructure doesn't
15 have to be put in in such a large area.

16 My concern with the policy is that it seems
17 redundant with Policy number 2, and may be even conflicting,
18 where one says we allow limited cost for development, number
19 3 says we require it. So I would suggest that we just
20 delete 3 and rely on number 2, the idea being that we would
21 develop an ordinance and provide criteria where we would
22 require it, and that would be an opportunity for your
23 constituents, Bruce, that you mentioned to come forward and
24 say, wait a minute, we want this kind of provision or we
25 don't want that kind of provision. So that would be my

1 suggestion, is delete number 3 and rely on number 2.

2 CHAIRMAN HEDANI: Commissioner U'u?

3 COMMISSIONER U'U: You would like to delete 3.

4 And what do you want to do to Policy number 2 again?

5 DIRECTOR HUNT: Just keep Policy number 2. That
6 would be adequate in my mind. The two really speak to the
7 same issue. So delete number 3, and you have already
8 amended number 2.

9 COMMISSIONER U'U: Motion to delete Policy 3.

10 COMMISSIONER GUARD: Second.

11 CHAIRMAN HEDANI: Motion by Commissioner U'u,
12 second by Commissioner Guard. Discussion? Commissioner
13 Hiranaga.

14 COMMISSIONER HIRANAGA: Actually, I differ with
15 the Director's opinion that those are redundant. I think
16 one talks about density and one talks about -- cluster
17 development does not look at density. And the conservation
18 subdivision design says if you are creating more than four
19 lots you must implement this CSD. But if you are under four
20 lots you don't have to implement this CSD. So I don't see
21 the redundancy between 2 and 3. I agree that 3 could be
22 condensed and eliminate the last section after the
23 underline, but I don't believe they're redundant.

24 CHAIRMAN HEDANI: Commissioner Shibuya?

25 COMMISSIONER SHIBUYA: I was just going to say

1 that there was a period after the word "more lots," that
2 underlined portion of it, and then you delete the rest.
3 Because number 8 carries that greenbelt open space for
4 riparian zones.

5 CHAIRMAN HEDANI: The motion on the floor right
6 now is to delete number 3. Commissioner Mardfin?

7 COMMISSIONER MARDFIN: I am going vote against the
8 motion to delete, but I do think if the motion does not pass
9 that you want to modify number 3.

10 CHAIRMAN HEDANI: Commissioner Starr?

11 COMMISSIONER STARR: I'm against the motion. I
12 feel that number 3 is a useful thing. I like the idea that
13 in rural areas where you do have subdivisions of larger than
14 four lots you don't just end up with a kind of bare place
15 with houses every, you know, every hundred feet without
16 buffer areas or green spaces around them.

17 I think the whole idea of trying to maintain a
18 rural feel is to have those green scapes and buffer areas
19 around the houses and around the subdivided lots, or to
20 cluster them and then have one big green space and have the
21 houses in a tight area. Otherwise what happens is you just
22 end up with big areas. It's all paved and houses, and it's
23 not rural any more, it's urban.

24 CHAIRMAN HEDANI: Additional discussion? Ready
25 for the question? The question on the floor is to delete

1 number 3. All those in favor raise your hand.
 2 (One)
 3 Opposed same sign.
 4 (A show of hands)
 5 Motion is lost, thank you. Additional discussion?
 6 Commissioner Hiranaga?
 7 COMMISSIONER HIRANAGA: I will make a motion to
 8 amend Policy 3 by deleting the section after the underlined
 9 word "lots," because I think a conservation subdivision
 10 design would implement whatever separation is necessary. So
 11 you are trying to define a CSD.
 12 CHAIRMAN HEDANI: Is there a second?
 13 COMMISSIONER SHIBUYA: Second.
 14 CHAIRMAN HEDANI: Seconded by Commissioner
 15 Shibuya. Discussion? Commissioner Mardfin.
 16 COMMISSIONER MARDFIN: As a friendly suggestion, I
 17 think you also ought to -- if you are going to take off from
 18 "and the use of," you ought to remove the word "both."
 19 We're eliminating, so as part of the amendment --
 20 COMMISSIONER HIRANAGA: I'll defer to the
 21 wordsmithing.
 22 CHAIRMAN HEDANI: Any additional discussion?
 23 Okay, the motion on the floor is to amend Policy number 3 to
 24 delete the portion after the word "lots" and eliminate the
 25 word "both." Additional discussion? All those in favor

1 Additional discussion? Commissioner Mardfin.
 2 COMMISSIONER MARDFIN: On Policy number 5 it says,
 3 Encourage basic goods and services in
 4 business/country/towns." And when I read this, it's not
 5 that I have a problem with what they're suggesting, but
 6 there are other -- I don't know how you would encourage it.
 7 I know Hana doesn't have very much commercial land, and
 8 that's one thing that limits goods and services. So, you
 9 know, if "encourage" means make more land available for
 10 commercial enterprises, I think that's a good thing.
 11 CHAIRMAN HEDANI: Mr. Summers.
 12 MR. SUMMERS: Thank you, Mr. Chairman. The BCT
 13 ordinance currently provides for goods and services in that
 14 district, so this just seems unnecessary. I would recommend
 15 that it be deleted.
 16 CHAIRMAN HEDANI: Commissioner Starr?
 17 COMMISSIONER STARR: Well, I don't think it would
 18 be the end of the world if it's deleted, but I think the
 19 intent of it was that the shops in business/country towns be
 20 there to serve the local community with basic services, as
 21 opposed to sometimes you get business/country town and all
 22 you have is like ABC stores and tourist ticky tacky stores
 23 and other basic stuff.
 24 CHAIRMAN HEDANI: Additional discussion? Director
 25 Hunt.

1 signify by saying "aye."
 2 (A chorus of aye)
 3 Opposed "nay."
 4 (None)
 5 Carried, thank you.
 6 Any additional discussion? Commissioner Hiranaga.
 7 COMMISSIONER HIRANAGA: I'd like to make a motion
 8 to delete Action item 3.
 9 CHAIRMAN HEDANI: I'm sorry, could you repeat
 10 that, please?
 11 COMMISSIONER HIRANAGA: Action item 3, motion to
 12 delete.
 13 CHAIRMAN HEDANI: Is there a second?
 14 COMMISSIONER U'U: Second.
 15 CHAIRMAN HEDANI: Seconded by Commissioner U'u to
 16 delete Action item 3. Discussion? Commissioner Hiranaga.
 17 COMMISSIONER HIRANAGA: I don't believe the Maui
 18 Island Plan's intent was to start renaming zoning districts.
 19 We can leave that to the County Code.
 20 CHAIRMAN HEDANI: Additional discussion? All
 21 those in favor significant signify by saying "aye."
 22 (A chorus of ayes)
 23 Opposed "nay."
 24 (None)
 25 Carried, thank you.

1 DIRECTOR HUNT: I agree with Mr. Starr's analysis,
 2 that as a policy that would be a better policy. And perhaps
 3 number 5 should be reworded to reflect that. That the
 4 businesses in country towns or even rural centers would be
 5 aimed towards serving the local residents.
 6 CHAIRMAN HEDANI: Additional discussion? What's
 7 your pleasure? Commissioner U'u.
 8 COMMISSIONER U'U: On Action 4, "Create new
 9 businesses, country town zoning, sub-districts, and design
 10 guidelines." Could I have an explanation on that?
 11 CHAIRMAN HEDANI: Mr. Summers? Action item 4.
 12 MR. SUMMERS: Thank you, Mr. Chairman. This
 13 action essentially reflects the new direction that's
 14 proposed in the Maui Island Plan, where we're identifying
 15 rural service centers. We have identified country towns to
 16 recognize the existing zoning ordinance. So this would call
 17 for amendments to the zoning ordinance to implement some of
 18 those things that are proposed in the Draft Island Plan.
 19 CHAIRMAN HEDANI: Additional discussion? Is there
 20 supposed to be a coma after Pauwela and Keokea, or is that a
 21 location, Pauwela Keokea?
 22 MR. SUMMERS: There should be a comma there.
 23 CHAIRMAN HEDANI: Commissioner Hiranaga?
 24 COMMISSIONER HIRANAGA: Regarding Action item 4,
 25 I'd like to make a motion to amend the language deleting the

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1 "such as Makawao, Hana," blah, blah, blah, because we all
2 know where the rural service centers are, and I don't think
3 we need to keep naming them since there's just a handful.
4 COMMISSIONER STARR: Second.
5 CHAIRMAN HEDANI: Motion by Commissioner Hiranaga,
6 seconded by Commissioner Starr to delete the section after
7 the word "centers," service centers. Discussion? All those
8 in favor signify by saying "aye."
9 (A chorus of ayes)
10 Opposed "nay."
11 (One nay)
12 All those in favor signify by raising your hand.
13 (A show of hands)
14 (Seven)
15 Opposed same sign.
16 (One)
17 Motion is carried.
18 Additional discussion? Commissioner Hiranaga.
19 COMMISSIONER HIRANAGA: Just going back to Policy
20 5, I wanted to offer some additional language. I am not
21 sure this is the precise language, but "Encourage basic
22 goods, services in business/country towns that satisfies the
23 needs of immediate residents."
24 CHAIRMAN HEDANI: Is there a second?
25 COMMISSIONER U'U: Second.

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1 CHAIRMAN HEDANI: Seconded by Commissioner U'u.
2 Discussion? All those in favor signify by saying "aye."
3 (A chorus of ayes)
4 Opposed "nay."
5 (None).
6 Carried. Thank you.
7 Additional discussion on Objective 1, Policies and
8 Actions?
9 All those in favor of the Goal, Objective 1,
10 Policies and Actions as amended, signify by saying "aye."
11 (A chorus of ayes)
12 Opposed "nay."
13 (None)
14 Carried, thank you.
15 Objective 2. Commissioner Mardfin.
16 COMMISSIONER MARDFIN: Mr. Chairman, I move the
17 adoption of Objective 2 and its attendant Policies and
18 Actions.
19 COMMISSIONER STARR: Second.
20 CHAIRMAN HEDANI: Seconded by Commissioner Starr.
21 Discussion? Any additional discussion or amendments or
22 changes to Objective 2? Commissioner Mardfin.
23 COMMISSIONER MARDFIN: Under Action 4 it says,
24 "Develop and adopt appropriate procedures and standards for
25 the public to review development in country rural zones." I

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1 would like to amend just to clarify. I think it should be
2 "the public at the community level."
3 So for instance, it wouldn't be the general
4 overall Maui public. If you are in a particular area, the
5 standards should be what the community thinks in that area,
6 not what overall Maui County thinks. So I would move to
7 insert the words "at the community level" after the word
8 "public."
9 CHAIRMAN HEDANI: Is there a second?
10 COMMISSIONER STARR: Second.
11 CHAIRMAN HEDANI: Seconded by Commissioner Starr.
12 Discussion? Director Hunt. We're on Action item number 4,
13 Policy 2, Director Hunt. This is to insert the words --
14 COMMISSIONER MARDFIN: "At the community level."
15 CHAIRMAN HEDANI: "At the community level" after
16 the word "public." Additional discussion? Commissioner
17 Mardfin.
18 COMMISSIONER MARDFIN: I was just going to repeat
19 myself a little. It's just that the relevant, it's the
20 relevant public, and it's the public at the community level
21 for any particular appropriate procedures and standards in
22 the particular country rural zone.
23 CHAIRMAN HEDANI: Commissioner Shibuya?
24 COMMISSIONER SHIBUYA: Would you take a friendly
25 amendment to "respective community levels."

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1 COMMISSIONER MARDFIN: At the respective? Yes.
2 COMMISSIONER SHIBUYA: Respective. I think that's
3 what you intend.
4 COMMISSIONER MARDFIN: Yes.
5 CHAIRMAN HEDANI: So the amendment would read,
6 "Develop and adopt appropriate procedures and standards for
7 the public at the respective community level to review
8 development in the County rural zones." Additional
9 discussion? Commissioner Hiranaga.
10 COMMISSIONER HIRANAGA: So the intent of the
11 language is to exclude the other communities, because you
12 are just reviewing this at the respective community level?
13 I'm just trying to understand the motion. So Hana doesn't
14 want the rest of the island to know what you guys are doing,
15 is that what you're trying to say?
16 CHAIRMAN HEDANI: Commissioner Mardfin?
17 COMMISSIONER MARDFIN: Not that they shouldn't
18 know what we're doing, but the input into the design should
19 be from the community that's being affected.
20 COMMISSIONER HIRANAGA: So --
21 CHAIRMAN HEDANI: Commissioner Hiranaga.
22 COMMISSIONER HIRANAGA: So the rest of the public
23 wouldn't have an opportunity to provide input?
24 CHAIRMAN HEDANI: I think it would have to be open
25 to the public under the Open Meetings law. Commissioner

1 Shibuya?
 2 COMMISSIONER SHIBUYA: I see it as an opportunity
 3 for the people to keep their sense of place, and it's a
 4 rural type consideration. If they want view planes, if they
 5 want less housing, that's their call.
 6 CHAIRMAN HEDANI: Additional discussion? Ready
 7 for the question? The question is to amend as it is
 8 displayed up on the screen. All those in favor signify by
 9 saying "aye."
 10 (A chorus of ayes)
 11 Opposed "nay."
 12 (One nay)
 13 Carried, thank you. Motion is carried.
 14 Additional discussion on Policy 2? Commissioner Hiranaga.
 15 COMMISSIONER HIRANAGA: Policy number 2, "Require
 16 creative subdivision site design techniques," blah, blah,
 17 blah, blah, blah. I think I've read that somewhere before.
 18 It seems awfully repetitive, but I may be wrong. Motion to
 19 delete.
 20 CHAIRMAN HEDANI: Motion to delete Policy number
 21 2.
 22 COMMISSIONER U'U: Second.
 23 CHAIRMAN HEDANI: Seconded by Commissioner U'U.
 24 Director?
 25 DIRECTOR HUNT: We support that motion, we believe

1 COMMISSIONER MARDFIN: If we're ready for a
 2 motion.
 3 CHAIRMAN HEDANI: Ready for the motion.
 4 COMMISSIONER MARDFIN: I move the adoption of the
 5 Goal under Urban Land Uses, Objective 1, and the attendant
 6 Policies, but not Actions because there are no Actions.
 7 CHAIRMAN HEDANI: That's a trick question.
 8 COMMISSIONER MARDFIN: My motion was for the Goal,
 9 the Objective 1, and the Policies. Director's
 10 recommendation.
 11 CHAIRMAN HEDANI: Is there a second?
 12 COMMISSIONER SHIBUYA: Second.
 13 CHAIRMAN HEDANI: Seconded by Commissioner Shibuya
 14 for the adoption of the Goal, Objective 1, and Policies
 15 under Urban Land Uses. Discussion?
 16 COMMISSIONER STARR: Is this Director's.
 17 CHAIRMAN HEDANI: Director's recommendation.
 18 Commissioner U'u.
 19 COMMISSIONER U'U: Question. Objective 1,
 20 Facilitate and support the compact human scale density,
 21 compact urban scale, or development pattern.
 22 CHAIRMAN HEDANI: It means it has to be designed
 23 for small people. (Laughter)
 24 COMMISSIONER U'U: That eliminates half of the
 25 island. So I'd like to know where was the direction from to

1 it's redundant.
 2 CHAIRMAN HEDANI: Addition discussion?
 3 Commissioner Mardfin.
 4 COMMISSIONER MARDFIN: Can you tell me where it's
 5 redundant? Because not knowing that it's somewhere else,
 6 I'm not likely to vote for it. If I know that it's
 7 someplace else, I'm happy to vote for it.
 8 CHAIRMAN HEDANI: Objective 1, Policy 2, I think.
 9 DIRECTOR HUNT: 2 and 3 on page 7.
 10 CHAIRMAN HEDANI: Ready for the question? All
 11 those in favor signify by saying "aye."
 12 (A chorus of ayes)
 13 Opposed "nay."
 14 (None)
 15 Carried, thank you.
 16 Any additional discussion on Policy number 2, or
 17 Objective number 2, sorry. All those in favor of Objective
 18 number 2 as amended with its attendant Policies and Actions
 19 signify by saying "aye."
 20 (A chorus of ayes)
 21 Opposed "nay."
 22 (None)
 23 Carried, thank you.
 24 That was the Director's recommendation, right?
 25 Correct. Commissioner Mardfin?

1 the long-range planning staff to come up with something to
 2 live for the next -- until 2030 that we support high density
 3 compact living area? I mean I cannot support that. I don't
 4 want to live in no compact. It sounds like a dog kennel.
 5 And I will be honest, I know you guys don't live
 6 in a compact high density area, so I don't know how you can
 7 be telling us that for 2030 that my kids going have to deal
 8 with living in a high compact, higher density development
 9 when you guys yourself not living in one.
 10 You know what they say, you have got to lead by
 11 example, and I think some of you guys, you know who I am
 12 talking about, not living in a high density level. Until
 13 you move there I think you should set the rules. But other
 14 than that, I ain't listening.
 15 CHAIRMAN HEDANI: Anybody want to tackle that?
 16 Director Hunt.
 17 COMMISSIONER U'U: Where do you live, Director
 18 Hunt? Tell me where you live.
 19 DIRECTOR HUNT: First of all, this doesn't require
 20 anybody live anywhere. All it's saying is we want to
 21 facilitate and support this type of development pattern. We
 22 just went through a rural development section. The plan
 23 provides for rural development. The plan provides for urban
 24 development.
 25 Where any of us live, I don't think we need to

1 make this personal. If you have an opinion on how the
2 future development of Maui should progress, that's fine.
3 But to say that well, somebody's opinion doesn't count
4 because of where they live right now, that's getting
5 personal, and I think we should stick to the issues. If you
6 don't agree with an issue, you can make an amendment to
7 change it.

8 COMMISSIONER U'U: I agree what you said, but
9 you're right in that part. But in Policy I it says, "Ensure
10 higher density compact urban communities," and I don't
11 support high compact. Maybe you do, that's fine, but I
12 don't.

13 CHAIRMAN HEDANI: Maybe we can get an explanation
14 of what we mean by compact efficient urban skill or
15 development. Anybody want to venture a definition?
16 Director Hunt.

17 DIRECTOR HUNT: This goes back to one of the
18 themes in the plan, is that instead of having sprawl, which
19 consumes a lot of land and is low density development, that
20 we will consume more acreage and impact our rural and open
21 spaces. This responds to the trend in planning to have more
22 mixed use, smart growth communities that preserves our open
23 space, that has less bedroom communities, less commuting and
24 more transit.

25 There are several development projects that are

1 to be able to afford so many cars. People should have the
2 option if they want to live in detached housing. But I
3 think for a lot of people it's going to make their life a
4 lot easier if they can live somewhere where they can walk to
5 services, and at least have that choice.

6 CHAIRMAN HEDANI: Commissioner U'u?

7 COMMISSIONER U'U: Maybe for clarity, what would
8 you call higher density? You know, because the vision I got
9 when we mention high densities, four story compact. Really
10 the people, a lot of the people want to raise, the people
11 testifying about the lo'i, the people testifying that are
12 living the Maui lifestyle, how you going kalua one pig in
13 the back? I'm going to be honest. That's the lifestyle we
14 live. I'm into outdoor sports, and living and being
15 outdoors is huge.

16 I don't think we're forced to live, I think it
17 should be up to us to decide how we live. We are not
18 becoming Tokyo, not yet. I don't think we're pressing the
19 panic button living like that right now or in 20 years. So
20 I don't agree with what you said earlier. But maybe if I
21 could have a visual understanding of what is high density,
22 because it scares me when I see high density. What is high
23 density? What is high density, what is high density living?

24 Do we have a project right now that we can look at
25 that could qualify for high density so that not only myself,

1 coming in. There was one in Kahului and a recent one in
2 Kihei that speak to this very issue of having compact urban
3 communities. And it's not the only, it shouldn't be read
4 that this is the only type of development on our island.

5 CHAIRMAN HEDANI: Commissioner Shibuya?

6 COMMISSIONER SHIBUYA: I'd just like to comment on
7 that. The density on a land limited and a finite land for
8 Maui, these conditions cannot be changed, so we have to
9 accommodate a growing population. And the only way we can
10 do that is either go higher up, have more people per square
11 feet. Much more or equal to Tokyo, things of this nature.
12 It's kind of extreme.

13 But we need to save the land for agriculture,
14 conservation, and industrial uses, as well as housing and
15 residential uses, and to do this we need to compact it. And
16 there's no other way we can do it. I started out in an
17 apartment, a one bedroom apartment, so it was dense. Thank
18 you.

19 CHAIRMAN HEDANI: Commissioner Starr?

20 COMMISSIONER STARR: I'm in an apartment in
21 Wailuku and, you know, it's the first time in maybe 15
22 years, and I'm really enjoying it. It's like you get up in
23 the morning and go out and get a newspaper or go get some
24 fresh bread and do it by walking, you know, walk to a
25 restaurant. You know, as time gets by people are not going

1 but everybody can see what you are referring to? Because it
2 is somewhat new. I never heard the language before in
3 planning or, you know. I'm not sure what it is. So could I
4 have clarification on what is proposed to be high density,
5 and maybe if I had a meaning to it, it wouldn't ring that
6 alarm that goes off of in my head every time I read this.

7 CHAIRMAN HEDANI: Anybody?

8 COMMISSIONER SHIBUYA: I'd like to address it.

9 CHAIRMAN HEDANI: Mr. Summers.

10 MR. SUMMERS: Thank you, Mr. Chairman. Most of
11 the projects that are proposed in the plan are 10 to 13
12 dwelling units an acre. The Iao Parkside is 17 dwelling
13 units per net acre. So that kind of gives you a comparison.
14 There would be some multi-family units along with some
15 single-family. You would have a range of lot sizes in the
16 single-family category, but you would see more multi-family
17 integrated into these projects.

18 CHAIRMAN HEDANI: Commissioner Hiranaga?

19 COMMISSIONER HIRANAGA: Sorry, I'm going to change
20 the subject.

21 CHAIRMAN HEDANI: Go ahead.

22 COMMISSIONER HIRANAGA: The word "human scale" in
23 Goal and Objective 1, that must be an industry lingo,
24 because could someone explain to me what human scale means?
25 Human scale urban communities versus what other scale?

1 CHAIRMAN HEDANI: Commissioner Starr?
 2 COMMISSIONER STARR: Human scale as opposed to
 3 automotive scale. We design for people to be able to walk.
 4 And, you know, this is not like a new concept. If you look
 5 at Lahaina, that's a very good example of compact human
 6 scale density, you know, or parts of Wailuku or even Pa'ia
 7 and Makawao. I think that's more what it's talking about
 8 rather than, you know, Tokyo.
 9 COMMISSIONER HIRANAGA: Does the department agree
 10 since they're the ones --
 11 CHAIRMAN HEDANI: Mr. Summers?
 12 MR. SUMMERS: Yes, we concur.
 13 CHAIRMAN HEDANI: Additional discussion?
 14 Commissioner Shibuya.
 15 COMMISSIONER SHIBUYA: I just want to make a
 16 comment that I grew up in a plantation camp house, three
 17 generations living in the same house. It was compact, it
 18 was dense. Then later on when I went to the university and
 19 I got a job I lived in an apartment, a one bedroom
 20 apartment. There's 15 apartments on this same floor, and I
 21 was on the 14 floor. So just to give you an idea, that's
 22 dense.
 23 In terms of living the community style, I taught
 24 the people how to pound mochi before we had the New Year's
 25 celebration at the church. I also taught them how to kalua

1 CHAIRMAN HEDANI: Additional discussion?
 2 Commissioner Mardfin.
 3 COMMISSIONER MARDFIN: I'll take my colleague's
 4 suggestion, I will wordsmith it. I move that -- your
 5 wording was --
 6 COMMISSIONER HIRANAGA: Take a leadership role.
 7 COMMISSIONER MARDFIN: "The county shall provide a
 8 leadership role in providing county-level infrastructure
 9 improvements."
 10 CHAIRMAN HEDANI: That's an amendment to the
 11 amendment. Is there a second? Or will you accept a
 12 friendly amendment to that effect?
 13 COMMISSIONER HIRANAGA: Well, actually the county
 14 can go to the state level and lobby. They can go to the
 15 federal level and lobby. So I'm opposed to that friendly
 16 amendment.
 17 CHAIRMAN HEDANI: Is there a second to the
 18 amendment to the amendment? Any further discussion on the
 19 amendment? Commissioner U'u.
 20 COMMISSIONER U'U: Which one are we voting on?
 21 CHAIRMAN HEDANI: There's no second to the
 22 amendment to the amendment, so what we're voting on is, "The
 23 county should provide a leadership role in providing
 24 infrastructure improvements."
 25 COMMISSIONER SHIBUYA: Not county level, right?

1 the pig in the imu at the church. So there are
 2 opportunities, if we are resourceful, still available.
 3 Thank you.
 4 CHAIRMAN HEDANI: And I think the intent is not
 5 to, it's not to preclude single-family development in the
 6 urban area anyway. Commissioner Hiranaga?
 7 COMMISSIONER HIRANAGA: Moving on, Policy 7, I'd
 8 like to make a motion to amend. It says, "The county shall
 9 cooperate with providing needed infrastructure
 10 improvements." I thought that was one of the basic reasons
 11 we have the county, so I don't think they should just be
 12 cooperating. So I propose that, "The county shall take a
 13 leadership role in providing needed infrastructure
 14 improvements."
 15 CHAIRMAN HEDANI: Wow, that's scary. Is there a
 16 second?
 17 COMMISSIONER SHIBUYA: Second.
 18 CHAIRMAN HEDANI: Seconded by Commissioner
 19 Shibuya. Discussion? Commissioner Mardfin.
 20 COMMISSIONER MARDFIN: It sort of depends. One of
 21 the infrastructures are schools, and that's not a county
 22 function in this state, it's a state function.
 23 COMMISSIONER HIRANAGA: If you wish to wordsmith
 24 my amendment, you're welcome to do so. We can talk about
 25 federal responsibilities too, I guess.

1 COMMISSIONER HIRANAGA: That wasn't seconded.
 2 CHAIRMAN HEDANI: "In providing needed
 3 infrastructure improvements." Any additional discussion?
 4 All those in favor signify by saying "aye."
 5 (A chorus of ayes)
 6 Opposed "nay."
 7 (One nay)
 8 Motion is carried. Any additional discussion on
 9 Objective 1? Any additional discussion on Objective number
 10 1, Urban? Commissioner Mardfin.
 11 COMMISSIONER MARDFIN: Yes. When I made the
 12 original motion I mentioned that there were no actions for
 13 this, but in fact there are. But we have to bring them in
 14 from different places. I will start off, there are four of
 15 them. There are actually four actions that are in other
 16 parts of this document that have been recommended by the
 17 Director.
 18 CHAIRMAN HEDANI: Continue.
 19 COMMISSIONER MARDFIN: I'd rather wait until
 20 people are all settled in and can listen to what I'm moving.
 21 CHAIRMAN HEDANI: Go ahead. They're just trying
 22 adjust the screen.
 23 COMMISSIONER MARDFIN: I move that we add in one
 24 by one the appropriate actions that occur elsewhere in this
 25 document. So my first one is on page 15 under Objective 2

1 there is an Action number 3. It reads, "Develop and adopt
2 an ordinance that mandates early consultation with
3 communities effected by large scale planning and land use
4 activities." The Director's recommendation is that moves
5 under Objective 1. So now is the appropriate time to move
6 it under Objective 1.

7 CHAIRMAN HEDANI: Commissioner Mardfin, would you
8 like to move all four at this time?

9 COMMISSIONER MARDFIN: If you want all four
10 together, it's also Objective 5, I'm sorry, Action 5, Action
11 7 and Action 11.

12 CHAIRMAN HEDANI: That's on pages 15 and 16.

13 COMMISSIONER MARDFIN: That is correct.

14 CHAIRMAN HEDANI: Is there a second?

15 COMMISSIONER STARR: Second.

16 CHAIRMAN HEDANI: Seconded by Commissioner Starr.
17 Discussion?

18 COMMISSIONER HIRANAGA: I'm sorry, what are we
19 doing?

20 CHAIRMAN HEDANI: What we're doing is we're just
21 following the Director's recommendation to move to Objective
22 number 1, Action items 3, 5, 7 and 11 on pages 15 and 16
23 from Objective 2 or Policy 2. Commissioner Shibuya.

24 COMMISSIONER SHIBUYA: Before we move number 6 on
25 that action, it says, Eliminate subparagraph 7C. Do you

1 CHAIRMAN HEDANI: So it's just a clarification.

2 COMMISSIONER SHIBUYA: It's just a clarification.

3 CHAIRMAN HEDANI: Okay. So since the original
4 motion was to follow the Director's recommendation, what
5 we're looking at for Action item 7, move to Objective number
6 1, would be including the underlined portions, which says,
7 "Allowing ancillary commercial uses." All the items would
8 move under 7A, B, C, including the Director's
9 recommendation. Commissioner Hiranaga?

10 COMMISSIONER HIRANAGA: Are we still on Objective
11 1?

12 CHAIRMAN HEDANI: We are on Objective 1. We're
13 moving stuff to Objective 1, I'm sorry, you're right.

14 COMMISSIONER HIRANAGA: Okay number 9.

15 CHAIRMAN HEDANI: Policy number 9?

16 COMMISSIONER HIRANAGA: Right. It seems to be
17 missing some words there. Maybe it's just wordsmithing. It
18 doesn't seem to flow properly.

19 CHAIRMAN HEDANI: Maybe staff can just take a look
20 at that and try to make it flow better. I think it's
21 "ensure that." It should be, "Ensure that the establishment
22 of future amendments to the overgrowth boundaries are A,
23 beneficial." That's just terribly long. Commissioner
24 Starr?

25 COMMISSIONER STARR: I want to go back to the one

1 want to decide on that first?

2 COMMISSIONER MARDFIN: Since I'm moving the
3 Director's recommendations --

4 CHAIRMAN HEDANI: Let's just move it and then we
5 can eliminate it later if you like. Any further discussion
6 on moving those Action items to Objective 1? All those in
7 favor signify by saying "aye."

8 (A chorus of ayes)

9 Opposed "nay."

10 (None)

11 Carried.

12 Commissioner Shibuya?

13 COMMISSIONER SHIBUYA: I was concerned that on
14 paragraph seven, Action 7C it says, "Eliminate pyramid
15 zoning within the industrial districts, allowing ancillary
16 commercial uses."

17 CHAIRMAN HEDANI: So the Director's recommendation
18 is to keep item C, but just change the "allowing ancillary
19 commercial uses," that paragraph.

20 COMMISSIONER SHIBUYA: Yes.

21 CHAIRMAN HEDANI: That would be the Director's
22 recommendation.

23 COMMISSIONER SHIBUYA: Yes.

24 CHAIRMAN HEDANI: Do you want to amend that?

25 COMMISSIONER SHIBUYA: No, I have no amendment.

1 we were just on about pyramid zoning and allowing ancillary
2 uses. I think we should insert the word "new," because we
3 kind of went over this, you know, in current division stuff
4 where I don't think we really want to outlaw existing
5 ancillary uses but new uses.

6 CHAIRMAN HEDANI: So the motion is to amend by
7 adding the word "new."

8 COMMISSIONER STARR: And I forget what number it
9 is, is my problem.

10 CHAIRMAN HEDANI: It's 7C, Director's
11 recommendation. Is there a second?

12 COMMISSIONER SHIBUYA: Second.

13 CHAIRMAN HEDANI: Seconded by Commissioner
14 Shibuya. Discussion? Commissioner Hiranaga.

15 COMMISSIONER HIRANAGA: I have a friendly
16 amendment. Instead of eliminating "new," "discourage
17 future."

18 COMMISSIONER STARR: That's fine.

19 COMMISSIONER SHIBUYA: Perfect.

20 CHAIRMAN HEDANI: I'm sorry, can you repeat that?

21 COMMISSIONER HIRANAGA: "Discourage future pyramid
22 zoning."

23 CHAIRMAN HEDANI: So the amended action item C
24 would read, "Discourage future pyramid zoning within the
25 industrial districts, allowing new ancillary commercial

1 uses." Commissioner U'u?
 2 COMMISSIONER U'U: Question. Pyramid zoning,
 3 didn't we take that up recently? It's the stacking.
 4 COMMISSIONER STARR: In current though, not in
 5 planning.
 6 CHAIRMAN HEDANI: Commissioner Starr?
 7 COMMISSIONER STARR: Yes, that was in the current
 8 meetings, not in the plan.
 9 COMMISSIONER U'U: Correct. So it's up again?
 10 CHAIRMAN HEDANI: Director Hunt.
 11 DIRECTOR HUNT: It's not up again. This is a
 12 policy that was crafted before the bill that came through
 13 for your review. So the staff supports Commissioner Starr's
 14 suggested wording. We do need to be careful with our
 15 semantics. Perhaps "only allowing ancillary commercial
 16 uses" or something. The idea being that we don't want
 17 pyramid zoning, but we do want to allow ancillary commercial
 18 uses in the new industrial districts, not the existing ones.
 19 CHAIRMAN HEDANI: Commissioner U'u.
 20 COMMISSIONER U'U: So this would be like no
 21 restaurants? Just for clarity, I like know what is permit
 22 zoning, clarity prior to moving on. I know we just took up
 23 a bill similar to this, and that would be redundant if it
 24 is. But for clarity, what would it be limited to?
 25 CHAIRMAN HEDANI: Director Hunt?

1 DIRECTOR HUNT: It would be for new industrial
 2 districts. And you're right, all likelihood there wouldn't
 3 be the mixture of uses. You wouldn't have restaurants like
 4 now. But the concern is that our industrial uses aren't
 5 having an adequate inventory of land and they're getting
 6 pushed out into agricultural areas and other areas. So
 7 there's no easy answer.
 8 CHAIRMAN HEDANI: How would you reword this, Jeff?
 9 Right now we have, "Discourage future pyramid zoning within
 10 the industrial districts allowing ancillary commercial
 11 uses."
 12 DIRECTOR HUNT: By allowing --
 13 CHAIRMAN HEDANI: Julie, can you read back what we
 14 have up there?
 15 DIRECTOR HUNT: What's our version?
 16 CHAIRMAN HEDANI: Can you read back what we have
 17 up there? Can you give her a mic, please?
 18 MS. STALEY: I have, "Eliminate pyramid zoning
 19 within the industrial districts, allowing new ancillary
 20 commercial uses." I did not have the original word
 21 "eliminate." You read back "change" so I need to know if
 22 that's changed.
 23 CHAIRMAN HEDANI: I think the suggestion was,
 24 "Discourage future pyramid zoning within the industrial
 25 districts, allowing ancillary commercial uses." I don't

1 DIRECTOR HUNT: The idea being that we'd create a
 2 new industrial zone, and that industrial zone would be more
 3 pure than our mixed industrial zones. So we'd still have
 4 our M1 and M2 and all the businesses out there would
 5 continue, but we'd need to create a new purer industrial
 6 zone that only allows a business that's accessory to the
 7 industrial use.
 8 So you have if you have a dress making shop, you
 9 make the dresses, that's an industrial use, and you could
 10 sell those dresses out front in the storefront. But you
 11 wouldn't do just any kind of business in that industrial
 12 zone. So we'd have three types of industrial zones.
 13 CHAIRMAN HEDANI: The idea, Bruce, was to create
 14 an industrial area that was kind of pure industrial in order
 15 to protect, in order to allow the other areas that are kind
 16 of polluted industrial areas right now.
 17 COMMISSIONER U'U: Well, when you say "pure" that
 18 means less flexible. So you would have to drive to buy your
 19 plate lunch. That's what I'm saying. Am I missing the
 20 bigger picture?
 21 COMMISSIONER HIRANAGA: They're going to allow
 22 lunch wagons.
 23 COMMISSIONER U'U: So pure zoning. So when you
 24 say the word "future" so nothing is going to be
 25 non-conforming, the existing.

1 know if that makes sense at this point. Commissioner
 2 Hiranaga?
 3 COMMISSIONER HIRANAGA: Add the word but, B-U-T.
 4 CHAIRMAN HEDANI: "But" after "districts"?
 5 COMMISSIONER HIRANAGA: Exactly.
 6 CHAIRMAN HEDANI: Okay. So it would read,
 7 "Discourage future pyramid zoning within the industrial
 8 districts, but allowing ancillary commercial uses."
 9 Director Hunt?
 10 DIRECTOR HUNT: I would suggest the word "new" be
 11 in front of "industrial" so that we don't deal with a
 12 non-conforming issue.
 13 CHAIRMAN HEDANI: Okay. So it would read,
 14 "Discourage future pyramid zoning within the new industrial
 15 districts, but allowing ancillary commercial uses." Isn't
 16 that what we have now? No, okay. Any further discussion?
 17 Are we all clear? All those this favor signify by saying
 18 "aye."
 19 (A chorus of ayes)
 20 Opposed "nay."
 21 (None)
 22 Carried, thank you.
 23 Any additional changes on Objective 2? I'm sorry,
 24 Objective 1. Commissioner Mardfin.
 25 COMMISSIONER MARDFIN: It's Objective 1, but it's

1 -- the one I am going to ask about is Action 11 that we're
2 moving up there. Action 11 is on page 16, and it says,
3 "Develop and approve a green infrastructure map to assist in
4 developing urban growth boundaries that protect separation
5 between existing communities," and I would like someone to
6 explain that to me.

7 CHAIRMAN HEDANI: Mr. Summers? Director Hunt?
8 Anybody? Commissioner U'u?

9 DIRECTOR HUNT: I'm sorry, which policy and page?

10 COMMISSIONER MARDFIN: Action 11 on page 16. And
11 your recommendation or your staff's recommendation was to
12 move it to Objective 1, which is what we're discussing. And
13 Action 11 I'm a little unsure about, "Develop and approve a
14 green infrastructure map," what it means and who is going to
15 do it.

16 CHAIRMAN HEDANI: Mr. Summers?

17 MR. SUMMERS: Thank you, Mr. Chairman. A green
18 infrastructure map would basically take the existing areas
19 on the island that are designated for agricultural use,
20 parks, various types of open space, and other similar uses,
21 and map those out. Ideally it would occur as part of this
22 planning process, because with that information we can help
23 implement Objective 1, which is supporting a compact
24 efficient human scale urban development pattern.

25 So we would identify all of these open space

1 we should be prohibiting them. I think they're a very bad
2 thing that tends to create places where people do not live
3 together.

4 CHAIRMAN HEDANI: Additional discussion?
5 Commissioner U'u.

6 COMMISSIONER U'U: I agree with Commissioner
7 Starr. And I remember one project came through that was
8 gated and got approved, and I said I'll never do it again.
9 But on the other hand, you never know what happens, that we
10 can foresee problems in the future that might have to be
11 gated. So the word brought up by Commissioner Hiranaga is
12 sufficient for me, but I'm still against or opposed to gated
13 communities. But if there is a need for it, you have got
14 that option, and that's why I seconded the motion.

15 CHAIRMAN HEDANI: Additional discussion?
16 Commissioner Hiranaga.

17 COMMISSIONER HIRANAGA: It's too bad Corp Counsel
18 is not here. I was wondering if that's a constitutional
19 question, to prohibit gated communities. If you are going
20 to be taking someone's constitutional right away.

21 CHAIRMAN HEDANI: Director Hunt?

22 DIRECTOR HUNT: We can discuss that with Corp
23 Counsel in the future, and if there's issues we can change
24 that either at the Council or bring it back to you.

25 CHAIRMAN HEDANI: We can flag it for Jim.

1 areas, the department has drafts that we have prepared to do
2 this, and then we would use that as a decision-making tool
3 to effectuate Objective 1. Ideally, this map would be
4 adopted with this document.

5 CHAIRMAN HEDANI: So you are talking about an open
6 space map, basically?

7 MR. SUMMERS: Yes, that's correct.

8 CHAIRMAN HEDANI: Additional discussion?
9 Commissioner Hiranaga.

10 COMMISSIONER HIRANAGA: Policy number 10 -- is
11 there a motion on the floor? No, okay. Policy number 10,
12 replace the word "prohibit" with "discourage."

13 CHAIRMAN HEDANI: Is there a second?

14 COMMISSIONER U'U: Second.

15 CHAIRMAN HEDANI: Seconded by Commissioner U'u.
16 "Discourage gated communities and/or design impediments to
17 ensure inter connectivity between adjacent communities."

18 COMMISSIONER HIRANAGA: I just feel the word
19 "prohibit" is too strong a language. That means never, ever
20 again.

21 CHAIRMAN HEDANI: I think we kind of heard that in
22 testimony today. Commissioner Starr?

23 COMMISSIONER STARR: I don't like -- I really
24 think that gated communities don't exist, they're not
25 communities, and I can't support the motion. I really think

1 COMMISSIONER HIRANAGA: But there is a motion on
2 the floor.

3 CHAIRMAN HEDANI: Additional discussion? Okay,
4 the motion is to change the word "prohibit" to "discourage"
5 on Action item 10 on page 12, which is now part of Objective
6 1. All those in favor signify by saying "aye."

7 (A chorus of ayes)

8 Opposed "nay."

9 (A chorus of nays)

10 All those in favor signify by raising your
11 hand.

12 (Four)

13 Opposed same sign.

14 (Four)

15 CHAIRMAN HEDANI: Chair votes aye. Motion passes.

16 And that will be checked by Jim for legal correctness. Or
17 actually, since it passed we don't have to, because we're
18 not dealing with prohibited. Additional discussion on
19 Objective 1? Commissioner Hiranaga.

20 COMMISSIONER HIRANAGA: Motion to amend Policy 11
21 to take out the words, "such as LEED-ND standards." Again,
22 to delete the words, "such as LEED-ND standards."

23 CHAIRMAN HEDANI: Is there a second?

24 COMMISSIONER U'U: Second.

25 CHAIRMAN HEDANI: Seconded by Commissioner U'u.

1 The motion is to delete the words, "such as LEED-ND
2 standards." Discussion? Commissioner U'u.
3 COMMISSIONER U'U: I'm not against LEED, I'm all
4 for it. But if there's a new and improved design in 2030 I
5 think we should adopt that also. It think it just gives us
6 more options to look at the future. We can incorporate
7 LEED, but there's other standards out there that might
8 possibly come up in the future.
9 CHAIRMAN HEDANI: Commissioner Mardfin?
10 COMMISSIONER MARDFIN: I am going to vote against
11 the amendment to delete. It just is such as, it's just
12 providing a suggestion and a clarification of what is
13 intended here. If a better one comes up, there's nothing
14 stopping us from adopting that.
15 CHAIRMAN HEDANI: Additional discussion?
16 Commissioner Hiranaga.
17 COMMISSIONER HIRANAGA: That would require a Maui
18 Plan amendment to change the language, I believe.
19 CHAIRMAN HEDANI: Mr. Summers?
20 MR. SUMMERS: Thank you, Mr. Chairman. Because
21 the term "such as" is used, it wouldn't require an
22 amendment. What it does is provide more direction to staff,
23 and kind of defines what we mean by environmentally friendly
24 neighborhood design standards. So we feel it's helpful
25 having that language in.

1 (Two)
2 Motion passes.
3 Commissioner Hiranaga?
4 COMMISSIONER HIRANAGA: Policy number 14, change
5 the word, replace the word "require" to "encourage."
6 CHAIRMAN HEDANI: Is there a second?
7 COMMISSIONER U'U: Second.
8 CHAIRMAN HEDANI: Seconded by Commissioner U'u to
9 replace the word "require" with "encourage." Discussion?
10 Commissioner Mardfin.
11 COMMISSIONER MARDFIN: This I think is one where
12 it is really important. If we don't, if we merely encourage
13 rather than require public dedication of land for continuous
14 lateral access parallel to the shoreline, we will lose it.
15 This is one we should not water down in any way, shape or
16 form.
17 CHAIRMAN HEDANI: Additional discussion?
18 Commissioner Hiranaga.
19 COMMISSIONER HIRANAGA: My issue with this
20 language is if you are going to require public dedication of
21 lands, then you must have the monies to reimburse the
22 private property owner for those lands. So you either put
23 up or do the other thing. And so you can't just start
24 saying that this is for public dedication, and don't have
25 the funds to do it, we will get to you in the next 20 or 30

1 CHAIRMAN HEDANI: Additional discussion?
2 All those in favor of the amendment to delete the
3 words "such as LEED-ND standards" under Policy 11. All
4 those in favor signify by raising your hand.
5 (Four)
6 Opposed same sign.
7 (Four)
8 Chair votes aye. Motion passes.
9 I don't think anybody is going to be discouraged
10 from pursuing LEED standards. But from my perspective, it's
11 kind of like a brand name like Kellogg's or Post or
12 whatever. Commissioner Hiranaga?
13 COMMISSIONER HIRANAGA: Policy 13, I make a motion
14 to change the word "prevent" to "discourage."
15 CHAIRMAN HEDANI: Is there a second?
16 COMMISSIONER SHIBUYA: Second.
17 CHAIRMAN HEDANI: Seconded by Commissioner
18 Shibuya. Discussion? All those in favor signify by saying
19 "aye."
20 (A chorus of ayes)
21 Opposed "nay."
22 (A chorus of nays)
23 All those in favor please raise your hand.
24 (Six)
25 Opposed same sign.

1 years when we find the money. To me, that's a basic
2 property right. If you have the money then you encourage
3 the public dedication, but you can't require it.
4 CHAIRMAN HEDANI: Discussion? Commissioner Starr.
5 COMMISSIONER STARR: Access to and along the
6 shoreline is one of the constitutional rights in the State
7 of Hawaii. It's one of the things that is enshrined by the
8 constitution, and basically it's a human right. So it
9 really doesn't seem to be a place where there should be a
10 discussion over whether it should happen or not.
11 CHAIRMAN HEDANI: Additional discussion? My
12 personal opinion on this is that requiring the public
13 dedication of land for continuous lateral access is a noble
14 goal, but you should compensate the individual for a private
15 taking, for a public taking of private property, which this
16 would be, and it would be challenged in court. Commissioner
17 Mardfin?
18 COMMISSIONER MARDFIN: This need not be --
19 everything in this isn't going to be implemented four days
20 after this takes place. This could -- this is a 30 year
21 plan or 20 or 30 year plan. Over time it can happen if we
22 have requirements, particularly if anybody comes in for a
23 particular -- you wouldn't do it massively across the board
24 at first. As somebody came in for some sort of entitlement,
25 this would be a requirement.

1 CHAIRMAN HEDANI: Additional discussion?
 2 Commissioner Hiranaga.
 3 COMMISSIONER HIRANAGA: I believe the subdivision
 4 ordinance already requires if you subdivide oceanfront
 5 property you must provide public access, be it every 200
 6 feet or 2000 feet. So it's already in the laws, if you are
 7 talking about someone coming in for entitlements. So I
 8 don't think we need to define subdivision ordinances in the
 9 Maui Island Plan.
 10 CHAIRMAN HEDANI: Additional discussion?
 11 Commissioner Shibuya.
 12 COMMISSIONER SHIBUYA: I just see the "required"
 13 is a strong desire of our plan, and I fully support that.
 14 CHAIRMAN HEDANI: Additional discussion? Ready
 15 for the question? The motion on the floor is to change the
 16 word "require" to "encourage" on Action item 14 under
 17 Objective 1. Policy number 14 under Objective number 1.
 18 All those in favor please raise your hand.
 19 (Three)
 20 Opposed same sign.
 21 (Five)
 22 Motion is lost. Additional discussion on
 23 Objective 1? Commissioner U'u.
 24 COMMISSIONER U'U: Just one comment. You know, we
 25 get family with ocean land, beach front property. And to

1 COMMISSIONER U'U: Thank you, Corp Counsel
 2 (laughter) James, you aged a little bit.
 3 CHAIRMAN HEDANI: Got more handsome, too.
 4 (Laughter)
 5 Any additional discussion on Objective 1? Ready
 6 for the question? All those in favor of Objective 1 as
 7 amended signify by saying "aye."
 8 (A chorus of ayes)
 9 Opposed "nay."
 10 (None)
 11 Carried, thank you.
 12 Okay, it's 10 minutes to 8. What time are we
 13 supposed to end? I got 7:45 and 9:00.
 14 COMMISSIONER U'U: Second.
 15 CHAIRMAN HEDANI: Okay, we're pretty close I think
 16 at this point. Why don't we press on. Commissioner
 17 Mardfin?
 18 COMMISSIONER MARDFIN: I move the adoption of
 19 Objective 2, the Policies and Actions listed there, minus
 20 the Objectives that have already been moved -- the Actions
 21 that have already been moved.
 22 CHAIRMAN HEDANI: Is there a second?
 23 COMMISSIONER SHIBUYA: Second.
 24 CHAIRMAN HEDANI: Seconded by Commissioner
 25 Shibuya. Discussion? Commissioner Starr.

1 encourage people going back and forth, I am not -- I will
 2 not object to that, but the liability factor who would it
 3 call on, would it be the county or the private individual?
 4 Because we do have beach front property in Pa'ia, and we're
 5 very careful who is to go on the property to fish and who is
 6 not to.
 7 But we let a bunch of people on every year. You
 8 get people camping there when you get the windsurfing
 9 tournaments. I'm just curious, who is responsible for the
 10 liability of people trespassing on your property when it's
 11 ocean front, would it be the county or is it the private
 12 land owner?
 13 CHAIRMAN HEDANI: I can answer that. There's a
 14 state statute that indemnifies you if you allow the public
 15 onto your property for recreational purposes without
 16 charging a fee. It indemnifies you if they get hurt. So
 17 they can't sue you.
 18 COMMISSIONER U'U: What if they're just squatting?
 19 CHAIRMAN HEDANI: I'm sorry, we have Corp Counsel
 20 here. Commissioner U'u?
 21 COMMISSIONER U'U: Just recreational use though,
 22 that's what you're saying?
 23 CHAIRMAN HEDANI: Right. It was intended to allow
 24 access across properties for traditional fishing routes or
 25 for access to the ocean across lands and whatnot.

1 COMMISSIONER STARR: Director's recommendation?
 2 CHAIRMAN HEDANI: Director's recommendation.
 3 Additional discussion? Commissioner Hiranaga.
 4 COMMISSIONER HIRANAGA: I have an issue with
 5 Action item 4A, "Reduce minimum lot sizes in urban areas."
 6 Isn't the minimum lot size currently 4,000 square feet?
 7 CHAIRMAN HEDANI: Anybody? Mr. Summers, Mr. Hunt?
 8 DIRECTOR HUNT: I believe it's 6,000.
 9 COMMISSIONER HIRANAGA: That's R-1. I thought
 10 there was an R-0.
 11 DIRECTOR HUNT: There is an R-0. It's being
 12 combined into the residential district. So there may be
 13 instances where it's that small. I don't know the R-0 off
 14 the top of my head.
 15 COMMISSIONER HIRANAGA: Okay. Because isn't it
 16 like Kealani, aren't those 4,000 square foot lots?
 17 DIRECTOR HUNT: There may be instances of smaller
 18 lots. For instance, Puamana has very small lots, but that's
 19 a planned development. In a project district you can create
 20 your own zoning standards. We probably have examples of
 21 that.
 22 COMMISSIONER HIRANAGA: I'm just having a
 23 difficulty with A, creating a smaller lot size, maybe 2,000
 24 square feet.
 25 CHAIRMAN HEDANI: It's for compact humans. Mr.

1 Summers?

2 MR. SUMMERS: Thank you, Mr. Chairman. What we've

3 seen in a lot of the new project districts is lot sizes that

4 are smaller than 6,000 square feet. And what happens is

5 we're penalizing folks that want to do creative site

6 planning, and requiring them to go through a project

7 district process or to utilize the R-0 lot line process,

8 which requires additional work. So we're just trying to

9 level the playing field and provide more tools for the

10 design community.

11 CHAIRMAN HEDANI: Additional discussion?

12 Commissioner Mardfin.

13 COMMISSIONER MARDFIN: It's only the main motion

14 that's on the floor now?

15 CHAIRMAN HEDANI: Yes.

16 COMMISSIONER MARDFIN: For Policy number 1, this

17 is under Urban Land Use, and it says, "When developing new

18 communities." Does the department contemplate new

19 communities, or is anybody proposing new urban communities?

20 CHAIRMAN HEDANI: Director?

21 DIRECTOR HUNT: That's the intent of the vacant

22 growth areas. So when we get to the mapping, the Urban

23 Growth Boundaries will go around existing urban areas, and

24 then there will be vacant areas. And the intent is within

25 those vacant areas, at least in the urban areas in the

1 zoning ordinance to review minimum lot sizes, so it doesn't

2 quite fit.

3 CHAIRMAN HEDANI: Any additional discussion? We

4 will let the sleeping dog lie. Any further discussion on

5 Objective 2?

6 All those in favor of Objective 2, its Policies

7 and Actions as amended, signify by saying "aye."

8 (A chorus of ayes)

9 Opposed "nay."

10 (None)

11 Carried, thank you.

12 Objective 3. Commissioner Mardfin?

13 COMMISSIONER MARDFIN: I move the adoption of

14 Objective 3, its Policies and Actions. And also including

15 from Objective 1, Policies 3, 5 and 6. And from Objective

16 2, Action items 2, 9 and 10. These have all -- the

17 Director's recommendations have all specified that, and I'm

18 just making sure that they don't fall through the cracks.

19 CHAIRMAN HEDANI: Is there a second?

20 COMMISSIONER STARR: Second.

21 CHAIRMAN HEDANI: Seconded by Commissioner Starr.

22 Discussion? So we're looking at Director's recommendation

23 for Objective 3, including moving of all of the other

24 objectives.

25 COMMISSIONER MARDFIN: Policies and Actions, plus

1 larger areas, that it would be a new community.

2 COMMISSIONER MARDFIN: Thank you.

3 CHAIRMAN HEDANI: Additional discussion? Any

4 further amendments to Objective 2? Director Hunt.

5 DIRECTOR HUNT: The zero lot area, zero lot -- R-0

6 district -- sorry, it's getting late -- has a minimum of

7 3,000 square feet.

8 CHAIRMAN HEDANI: Commissioner Hiranaga?

9 COMMISSIONER HIRANAGA: I'm just wondering, do we

10 want to go smaller than that, 1,500?

11 CHAIRMAN HEDANI: Director Hunt?

12 DIRECTOR HUNT: I should have let the sleeping dog

13 lie, I guess. I think the policy just speaks to as a

14 general policy to provide for smaller minimum lot sizes, not

15 necessarily to go below the existing R-0.

16 CHAIRMAN HEDANI: That goes with the six foot

17 houses, Ken.

18 COMMISSIONER HIRANAGA: I'm making a motion to

19 change Action item 4A to -- well, I was going to say "review

20 minimum lot sizes" but it doesn't really go with the

21 wording. I was going to suggest we replace the word

22 "reduce" with "review." "Review minimum lot sizes in urban

23 areas."

24 CHAIRMAN HEDANI: Is that a motion?

25 COMMISSIONER HIRANAGA: But you wouldn't amend the

1 Policies and Actions from earlier objectives.

2 CHAIRMAN HEDANI: That's correct.

3 COMMISSIONER MARDFIN: That have been referred

4 down to Objective 3.

5 CHAIRMAN HEDANI: Commissioner Hiranaga?

6 COMMISSIONER HIRANAGA: Action item 2, isn't that

7 what the UDRB does now, or am I mistaken?

8 CHAIRMAN HEDANI: Director?

9 DIRECTOR HUNT: The UDRB only reviews, only has

10 the authority to review within the SMA. So this would

11 expand that review for all major urban expansion.

12 COMMISSIONER HIRANAGA: Point of order. Who

13 seconded Ward Mardfin's motion?

14 CHAIRMAN HEDANI: Commissioner Hiranaga?

15 COMMISSIONER HIRANAGA: The urban review only

16 reviews SMA currently.

17 CHAIRMAN HEDANI: So it would be an expansion of

18 the Urban Design Review Committee's authority. Commissioner

19 Hiranaga?

20 COMMISSIONER HIRANAGA: I'm just wondering if the

21 UDRB is in agreement that they're going to have a heavier

22 workload now. Maybe meeting once a week instead of once a

23 month.

24 CHAIRMAN HEDANI: What they don't know won't hurt

25 them. (Laughter). Commissioner Mardfin, do you have an

1 amendment?
 2 COMMISSIONER MARDFIN: No.
 3 CHAIRMAN HEDANI: Any additional discussion on
 4 Objective 3?
 5 All those in favor of Objective 3, its Policies
 6 and Actions, Director's recommendation, including the
 7 modifications and carry forwards or carry backwards, signify
 8 by saying "aye."
 9 (A chorus of ayes)
 10 Opposed "nay."
 11 (None)
 12 Carried, thank you.
 13 Commissioner Mardfin, or Commissioner U'u.
 14 COMMISSIONER U'U: I'm delaying the process. Can
 15 we develop and adopt an ordinance, we as Planning
 16 Commissioners? Because isn't that what they did in action
 17 two, develop and adopt an ordinance to require the Urban
 18 Design Review Board, is that what we're creating?
 19 CHAIRMAN HEDANI: I think it's to suggest that the
 20 County Council adopt an ordinance. They can check that for
 21 wordsmithing correctness. Commissioner Mardfin?
 22 COMMISSIONER MARDFIN: We're getting close. I
 23 move the adoption of Objective 4, its Policies and Action.
 24 CHAIRMAN HEDANI: Is there a second?
 25 COMMISSIONER SHIBUYA: Second.

1 CHAIRMAN HEDANI: Seconded by Commissioner
 2 Shibuya. Discussion? Director Hunt? Commissioner
 3 Hiranaga?
 4 COMMISSIONER HIRANAGA: I just wanted someone to
 5 explain to me Policy number 2, why timeshares and fractional
 6 ownership is a bad boy.
 7 CHAIRMAN HEDANI: Director Hunt?
 8 DIRECTOR HUNT: To be honest, we had it marked as
 9 one that we should discuss. There's concerns of timeshare
 10 and fractional ownership, that they serve as a pseudo hotel.
 11 And the people come and get their own groceries and just
 12 kind of live in their own unit without spending money on the
 13 restaurants, and going out and putting money into the
 14 economy. Whether you agree with that or not, that's the
 15 argument that's commonly provided.
 16 On the other side of the coin, the hotels that are
 17 doing well right now during this deep recession we're in are
 18 the timeshares, and a lot of communities in the planning
 19 field are re-examining the prejudice against timeshares, and
 20 I think it's worthy of discussion. That's a pretty strong
 21 policy.
 22 CHAIRMAN HEDANI: Commissioner U'u?
 23 COMMISSIONER U'U: There was a point brought up
 24 that they don't pay their share of TAT taxes. I wanted some
 25 clarity on that. I heard that we had testimony saying that

1 40 percent of our property taxes come from timeshares and
 2 hotels, and if I'm not mistaken, 60 percent of Maui's
 3 economy comes from property taxes. So if they're taking
 4 care of the 40 percent, that is a big portion. And with the
 5 governor trying for take away our TAT, I mean that's less to
 6 give. Can we have some -- are they already paying TAT, and
 7 that was part of the argument.
 8 Also, I own one timeshare. I'm a bad guy, sorry.
 9 But you know when you travel, for myself, and you say, you
 10 know, you save \$3,000 and that's all you've got for spend,
 11 I'm spending all 3,000 every time. So it's just a matter of
 12 where you're spending the money. You going spend 'em. You
 13 know, I go Vegas I buy my food, sorry, I eat out for dinner.
 14 But whatever I got we blow 'em, and after that we use the
 15 plastic card.
 16 So I don't think that you can buy into that, that
 17 you spend less here. Because I say when you get one savings
 18 of 5- to \$3,000 that you use, you blow 'em all. That's what
 19 I do. So I disagree with the comments made by they spend
 20 less, because I don't, yeah. I'm still in the hole, by the
 21 way.
 22 CHAIRMAN HEDANI: Commissioner Starr.
 23 COMMISSIONER STARR: My reason for wanting to
 24 discourage timeshares is that timeshares was developed as a
 25 mechanism for extracting the capital to offshore. When a

1 project gets built and it's timeshare, you know, the capital
 2 gets paid to the guy who develops it, you know, each unit
 3 gets sold 52 times, and then they're gone. They have
 4 nothing to do with it. The ownership of the units resides
 5 for the most part in people who may never, ever even come to
 6 Maui. So there's no pride of ownership or desire in the
 7 long run to maintain it.
 8 So you end up, you know, it's almost kind of like
 9 an empty shell, you know. Where a hotel the capital still
 10 remains here with people who are managing it, who have a
 11 vested interest in keeping the quality of it and the
 12 community in place, whereas there's no more vested interest.
 13 If you join a timeshare club, you know, and you make go to
 14 Cairo, Egypt, and then the next time you may go to Miami.
 15 You have no reason to want to invest and maintain a property
 16 on Maui.
 17 So, you know, in Europe, where they were
 18 developed, they found that every 15 or 20 years they tend to
 19 become slums and end up in bankruptcy, and then it ends up
 20 the community has to do a revitalization, and I just think
 21 that's a very bad trend.
 22 CHAIRMAN HEDANI: Commissioner Sablas?
 23 COMMISSIONER SABLAS: I have mixed emotions on
 24 this issue because I have -- I am in the visitor industry,
 25 as most of you know. And I have seen the transformation of

1 full hotels to timeshares, and I've seen the effect. I've
2 seen the loss of employment, they've cut it down. I've seen
3 the loss of banquet rooms that at one time were used for
4 community uses that now are no longer available to the
5 community.

6 As a community person, my opinion is that
7 timeshares -- this is my own personal opinion -- don't give
8 back as much to the community in the long term as hoteliers
9 have. They're more committed to the long term, again, to
10 the community. And again, this is just my personal opinion,
11 because I have a lot of friends who are in timeshare. But
12 my own personal observation is that I've seen a
13 deterioration about the quality too.

14 I think Commissioner Starr mentioned that when you
15 have so many people who are here just for the short time,
16 what kind of commitment do they have to our community. I
17 hate to use the word "use" but I almost feel that's what
18 they're here for, to come and get the best for that short
19 time, but they're not committed to our community. Maui is
20 such a special place. We've heard that. What kind of
21 visitors do we want to come here?

22 And again, I say that with mixed emotions, because
23 I can see both sides. I'm just saying purely as one who was
24 born and raised here, one who has made a livelihood from the
25 visitor industry that I think there's some caution for us to

1 somebody makes a motion. Commissioner U'u?

2 COMMISSIONER U'U: I agree, and it's just open to
3 discussion. And I totally agree, maybe we should limit.
4 And the reason for me, I cannot afford one hotel, because
5 it's always cheaper for me, and that's the only reason. I
6 cannot stay. I mean the hotels here are \$300 and \$400.
7 \$200 for some of them, but you understand. I cannot travel
8 if I do that, I cannot afford, and that is the reason.

9 But I'm saying I know there needs to be a balance.
10 And pretty much right now 90 percent occupancy at some of
11 the timeshares, it's that needed money that we need for the
12 entire county. And I agree with what you said, I totally
13 agree with what you brought up. But for those of us who
14 want to travel, you know, that's the only reason I bought
15 one, sorry.

16 CHAIRMAN HEDANI: Commissioner Guard?

17 COMMISSIONER GUARD: Thank you. I'd like to make
18 a motion to change out Policy 2 to just "monitor timeshares
19 and fractional ownership," whether it's positive or
20 negative. So taking into account some of the existing
21 timeshares that are in trouble right now nationwide, that we
22 may need to monitor that situation to see what happens to
23 those projects.

24 CHAIRMAN HEDANI: So the motion is to change the
25 word "discourage" to "monitor."

1 think about the future, this direction, if we are going to
2 continue in that direction and look at other areas. It's
3 good for the short-term. Hawaiians think seven generations.
4 I, in my mind, I don't think going toward and encouraging
5 more timeshares would be good for our industry in the seven,
6 if you think the Hawaiian way in the long term. It's good
7 for the short term, but we are here to think about long
8 term.

9 And this is only one island that we have. We need
10 to do, I think one of the speakers said, when all is said
11 and done, our decisions should be based on what's good for
12 this island. There's only one island of our island Maui,
13 and we are here with decision making. And, you know, again,
14 I have to think about the way Hawaiians think is long term,
15 seven generations. We don't need to, you know, we don't
16 need to always build, we don't need to always be pressured
17 by development and by new rules. We need to think what are
18 we in charge of, what are we preserving. And that's really
19 important to me, that we think deep about the kind of
20 decisions. So I know probably I'll be criticized because of
21 this, but you know what, Maui is more important to me than
22 anything else.

23 CHAIRMAN HEDANI: Additional discussion? Okay, we
24 don't have any motion on the floor at this point. So we're
25 not arguing pro or against this particular thing until

1 COMMISSIONER U'U: Second.

2 CHAIRMAN HEDANI: Seconded by Commissioner U'u.
3 Discussion? Commissioner Hiranaga.

4 COMMISSIONER HIRANAGA: Just a friendly amendment.
5 Maybe "monitor the desirability of timeshares and fractional
6 interest" or desirability, "monitor the desirability of
7 timeshares and fractional ownership." I'm a Buddhist and I
8 just learned I think about seven generations too. I learned
9 something today.

10 CHAIRMAN HEDANI: You're a Buddhist and you were
11 born in Hawai'i, so you're 14 generations down. (Laughter)
12 Commissioner U'u? Commissioner Mardfin?

13 COMMISSIONER MARDFIN: Like Lori, I'm of two minds
14 on this. There are some advantages in having timeshares in
15 the down periods. They tend to stay occupied while hotels
16 don't. On the other hand, as Lori correctly pointed out,
17 they have fewer employees per room. So when things are
18 going well it means less positive employment.

19 We heard testimony today that they don't pay TAT
20 and I hadn't realized that, but that would be -- that
21 particular thing seems to be something that ought to be
22 looked at, to find out what the actual facts are in this
23 situation. I don't know where I'm going to be when we vote.
24 I'll figure out what I'm going to do.

25 CHAIRMAN HEDANI: Additional discussion? Director

1 Hunt.

2 DIRECTOR HUNT: In terms of economic development,
3 there's a common theme that you don't put all your eggs in
4 one basket. I think as much as in the past I've had
5 concerns about timeshares, I think perhaps the current
6 recession has softened my concerns just a little bit. At
7 the same time, there's good arguments and legitimate
8 concerns with them.

9 Staff would suggest that perhaps instead of just
10 monitor, it's "monitor and limit" so we would study them,
11 monitor them, and the county would have a policy that we're
12 going to limit them. We don't know where, it depends on the
13 monitoring and the values and discussion at that time. But
14 I'm trying to find come compromise between "discourage" and
15 just "monitor."

16 CHAIRMAN HEDANI: Okay. So the amendment would
17 read, "Monitor and limit timeshares and fractional
18 ownership." Consent of the second? Who was the second?

19 COMMISSIONER U'U: Yes.

20 CHAIRMAN HEDANI: Commissioner U'u. Commissioner
21 Hiranaga?

22 COMMISSIONER HIRANAGA: I have another friendly
23 amendment, "Monitor and determine a reasonable limit."

24 CHAIRMAN HEDANI: Commissioner Guard, it's your
25 motion.

1 have them be charged on the TAT, but that was a big issue
2 because they were -- TAT was for a nightly charge, and they
3 were not a nightly charge because timeshare has this way of
4 paying their weekly stay.

5 But they do pay more property tax, assessment on
6 property taxes, I believe, at a different higher level and
7 their maintenance fees. So they do contribute to the
8 economy. And they're very loyal people, they do spend more
9 than they expected. They bring their families in. Overall,
10 if they're existing timeshares they do contribute to the
11 economy. But our position, my position was always the
12 conversion. That was the most important part, because the
13 impact is much bigger.

14 CHAIRMAN HEDANI: Additional discussion? Ready
15 for the question? The motion on the floor is to amend
16 Policy number 2 on Objective 4 to read, "Monitor and
17 establish reasonable limits to timeshares and fractional
18 ownership." All those in favor signify by saying "aye."

19 (A chorus of ayes).

20 Opposed "nay."

21 (A chorus of nays)

22 All those in favor please raise your hand.

23 (Four)

24 Opposed same sign.

25 I'm sorry, Lori, what we're voting on is "Monitor

1 COMMISSIONER GUARD: I like "establish a
2 reasonable limit." "Limit" sounds a little more negative of
3 an impact. Like you're trying to prohibit some established
4 limit might be better.

5 CHAIRMAN HEDANI: So the motion would be restated
6 to read, "Monitor and establish a reasonable limit for
7 timeshares and fractional ownership." Consent of the
8 second?

9 COMMISSIONER U'U: Yes.

10 CHAIRMAN HEDANI: Discussion? Commissioner U'u.

11 COMMISSIONER U'U: I believe some of the problems
12 in the past was when they convert from a hotel to a
13 timeshare. Should language be in there, you know, on the
14 conversion when you get the existing hotel. I'm just
15 bringing it up to Lori, that's all. This is for discussion.

16 COMMISSIONER DOMINGO: You are correct, Bruce, and
17 that's where we find the biggest impact, and I think the
18 conversion. And just to add on to what Lori was talking
19 about, and this happened at the Marriott, which they had a
20 total of about 400 to 500 employees running a regular hotel
21 with convention rooms. And when they converted over to a
22 timeshare they went down to less than -- more than half
23 employees, and the impact was big.

24 Overall, I don't have a problem with the
25 timeshares. A couple of years ago there was legislation to

1 and establish reasonable limits to timeshares and fractional
2 ownership" is the revised language. Four in favor.

3 Opposed same sign.

4 (Three)

5 CHAIRMAN HEDANI: Okay, let's recount that again.
6 All those in favor please raise your hand.

7 (Four)

8 Opposed same sign.

9 (Three)

10 (One abstention)

11 The Chair votes aye, so the motion passes. Thank
12 you.

13 Any additional discussion on Objective 4? All
14 those in favor of Objective 4 as amended with its Policies
15 and Actions -- Commissioner Mardfin.

16 COMMISSIONER MARDFIN: Yeah, I want to discuss
17 Policy 1, if I may. Policy 1 under the GPAC said,
18 "Discourage B&B's in residential areas." That's absolutely
19 contrary to the Hana Community Plan, which says they can
20 only be in residential areas. Now, we're voting on the
21 Director's recommendation, which says management of
22 breakfast homes for permitting criteria and limiting total
23 permits. But here I really want to add, "consistent with
24 the community plans." I think this is one issue that is
25 totally a local issue.

1 COMMISSIONER STARR: Second.
 2 CHAIRMAN HEDANI: Motion to amend Policy 1 to add,
 3 "in accordance with community plans." "Consistent with
 4 community plans." Discussion? All those in favor signify
 5 by saying "aye."
 6 (A chorus of ayes)
 7 COMMISSIONER HIRANAGA: Choto mate.
 8 CHAIRMAN HEDANI: Choto mate. It's an amendment
 9 to Policy 1 to read after permits, "in accordance with or
 10 consistent with community plans."
 11 COMMISSIONER SHIBUYA: "Respective community
 12 plans."
 13 CHAIRMAN HEDANI: Okay, ready for the vote on
 14 Policy 1? All those in favor please signify by raising your
 15 hand.
 16 (Six)
 17 Opposed same sign.
 18 (One)
 19 Motion carries.
 20 Additional changes for Objective 4? Commissioner
 21 Mardfin.
 22 COMMISSIONER MARDFIN: I move the adoption of an
 23 Action number 2. Action number 2 would be, "Encourage
 24 communities to establish where and what sorts of B&B's and
 25 TVR's they desire."

1 residents, when if 40 percent of the real property taxes are
 2 brought in by the timeshare industry, that's probably all of
 3 the county employee salaries, the dinner we ate. So I think
 4 we need to relook at this, that there's positives and
 5 negatives to tourism. But it's already 8:20, and I have to
 6 get out of here, and I think this is an important one to try
 7 not to spin through.
 8 CHAIRMAN HEDANI: Additional discussion?
 9 COMMISSIONER HIRANAGA: I agree.
 10 CHAIRMAN HEDANI: Additional discussion on
 11 Objective 4? Commissioner Mardfin.
 12 COMMISSIONER MARDFIN: Actually, the motion on the
 13 floor is to amend by adding an Action item number 2.
 14 CHAIRMAN HEDANI: I'm sorry, right. Any further
 15 discussion on the amendment? Julia, have you got it? No.
 16 Ward, do you want to restate the motion? Where
 17 and what sort of B&B's and TVR's they desire.
 18 Actually, we're behind the curve, and I'd like to
 19 finish Land Use if we could tonight. If you've got to go,
 20 you have got to go.
 21 COMMISSIONER GUARD: I'll stay. This is
 22 important.
 23 CHAIRMAN HEDANI: Mr. Summers.
 24 MR. SUMMERS: Thank you, Mr. Chairman. Staff
 25 would recommend a change to the objective, Objective 4, to

1 CHAIRMAN HEDANI: Is there a second?
 2 COMMISSIONER SHIBUYA: I'll second.
 3 CHAIRMAN HEDANI: Seconded by Commissioner
 4 Shibuya. Discussion? Do you want to explain that, Ward?
 5 COMMISSIONER MARDFIN: Yes. It's consistent with
 6 Policy 1, that B&B's should be consistent with community
 7 plans. So the corresponding action is to encourage the
 8 communities to establish where and what sort of B&B's and
 9 TVR's they want.
 10 CHAIRMAN HEDANI: Commissioner Hiranaga?
 11 COMMISSIONER MARDFIN: It's just putting into
 12 action what we agreed to as a policy.
 13 CHAIRMAN HEDANI: Commissioner Hiranaga?
 14 COMMISSIONER HIRANAGA: Don't we already have a
 15 B&B ordinance? So it seems like he wants to rewrite the
 16 ordinance that was just adopted.
 17 CHAIRMAN HEDANI: Additional discussion?
 18 Commissioner Shibuya.
 19 COMMISSIONER SHIBUYA: The ordinance also allows
 20 it to be put into agricultural and rural areas, which I have
 21 some heartburn on.
 22 CHAIRMAN HEDANI: Commissioner Guard?
 23 COMMISSIONER GUARD: I don't know if we are going
 24 to finish this one tonight, because I don't agree with the
 25 objective headline regarding the impact of tourism on our

1 read as follows: "Seek to maximize the benefits -- "
 2 COMMISSIONER MARDFIN: Mr. Chairman, this isn't
 3 germane. There's a motion on the floor.
 4 CHAIRMAN HEDANI: We can consider that next, John.
 5 Any additional discussion on the amendment?
 6 Commissioner Starr.
 7 COMMISSIONER STARR: Yes, I just want to ask the
 8 department how that works with the existing ordinance, and
 9 what happens if say, you know, TVR's are not allowed in a
 10 certain district under ordinance but the community wants to
 11 have them. Who rules, what rules?
 12 CHAIRMAN HEDANI: Director Hunt?
 13 DIRECTOR HUNT: The recently adopted B&B ordinance
 14 makes a specific reference to "as further limited by
 15 community plans." So the B&B portion, this would be
 16 consistent with the ordinance. The TVR bill is still under
 17 discussion and could be adopted, revised, it could never get
 18 adopted. No harm, no foul in this type of language. Should
 19 the TVR bill get adopted, then this would further place
 20 limits on it, similar to the B&B bill.
 21 COMMISSIONER STARR: So you're saying there's no
 22 problem?
 23 DIRECTOR HUNT: Correct.
 24 CHAIRMAN HEDANI: Additional discussion? Ready
 25 for the question?

1 All those in favor of the amendment to add an
2 Action item number 2 as displayed up on the board, signify
3 by raising your hand.

4 (Four).
5 Opposed same sign.
6 (Four)

7 Chair votes nay on this one, so the motion is
8 lost.

9 Mr. Summers?

10 MR. SUMMERS: Thank you, Mr. Chairman. In
11 response to the Commissioner Guard's concerns about
12 Objective 4, staff would recommend that it be revised to
13 read as follows: "Maximize the benefit of and minimize the
14 impact" -- let's see here. That's right, "Maximize the
15 benefit and minimize negative impact of tourism on
16 residents." I think it's more balanced that way.

17 CHAIRMAN HEDANI: Is that a motion, Mr. Summers?

18 COMMISSIONER STARR: I'll move it.

19 CHAIRMAN HEDANI: Moved by Commissioner Starr as
20 displayed up on the board. Is there a second?

21 COMMISSIONER SHIBUYA: Second.

22 CHAIRMAN HEDANI: Seconded by Commissioner
23 Shibuya. So the reworded language is, "Seek to maximize the
24 benefits and minimize the negative affect, impacts of
25 tourism on residents" or something along those lines. Close

1 along South Kihei Road. So are you going to make those
2 non-conforming?

3 CHAIRMAN HEDANI: Director Hunt?

4 DIRECTOR HUNT: The TVR's that you are referring
5 to on Kihei Road probably are non-conforming in the sense
6 that they're likely apartment zoned, and this -- depending
7 on how the policy is worded. Perhaps it needs a little
8 refinement. It could be construed to say those should be
9 phased out as opposed to continue. So you need to think
10 about that.

11 CHAIRMAN HEDANI: Commissioner Hiranaga?

12 COMMISSIONER HIRANAGA: I forgot what the plans
13 were for the Maui Lu property, but that may be a TVR, and
14 that's outside of a resort district. They've got hotel
15 zoning, but they may not do straight hotel operations.

16 CHAIRMAN HEDANI: I think you have a problem all
17 along the Napili coast from Honokowai to Napili. It's all
18 TVR's. Director Hunt?

19 DIRECTOR HUNT: I really think Policy 3 needs some
20 more thought.

21 COMMISSIONER MARDFIN: Mr. Chairman.

22 CHAIRMAN HEDANI: Commissioner Mardfin.

23 COMMISSIONER MARDFIN: I move the deletion of
24 Policy number 3.

25 CHAIRMAN HEDANI: Is there a second?

1 enough. You can wordsmith it later.

2 Any discussion? In all those in favor?
3 Commissioner Guard?

4 All those in favor signify by saying "aye."

5 (A chorus of ayes)

6 Opposed "nay."

7 (None)

8 Carried, thank you.

9 Commissioner Mardfin.

10 COMMISSIONER MARDFIN: Can someone explain to me
11 why Policy 3 prohibits TVR's outside of resort districts,
12 and whether that's retroactive or not?

13 CHAIRMAN HEDANI: Director Hunt?

14 DIRECTOR HUNT: As worded, you can interpret it as
15 being retroactive. I think the department -- again, this
16 document goes back quite a ways. This draft was based on
17 the existing draft bill that's at Council now, which
18 essentially says in these resort areas we would allow TVR's,
19 and outside of them we wouldn't. But again, that's just a
20 draft bill. It may get revised, it may get adopted, it may
21 not get adopted.

22 CHAIRMAN HEDANI: Additional discussion?

23 Commissioner Hiranaga.

24 COMMISSIONER HIRANAGA: Well, the problem is you
25 have a lot of TVR's outside of the resort districts, all

1 COMMISSIONER HIRANAGA: Second.

2 CHAIRMAN HEDANI: Seconded by Commissioner
3 Hiranaga. Discussion? You two actually agree on something
4 tonight.

5 COMMISSIONER MARDFIN: Sometimes. You never know.

6 CHAIRMAN HEDANI: Commissioner Mardfin?

7 COMMISSIONER MARDFIN: The reason I moved to
8 delete is so that we can look, somebody can look at it
9 further. We can probably pick it up in the next couple of
10 weeks, if we need to.

11 CHAIRMAN HEDANI: We agreed not to go backwards,
12 right? Additional discussion? Commissioner Hiranaga.

13 COMMISSIONER HIRANAGA: Can you just defer this
14 item for rework by the department, versus a deletion?

15 CHAIRMAN HEDANI: Director Hunt?

16 DIRECTOR HUNT: Yes, you could do that. You have
17 two available tools, and the two likely ones are you either
18 delete it now or simply defer it and come back to it. You
19 could delete it with the instruction to staff to come back
20 with some different language, with the understanding that we
21 would come back, even though it's deleted.

22 CHAIRMAN HEDANI: Commissioner Mardfin?

23 COMMISSIONER MARDFIN: I will take that as a

24 friendly amendment to my motion to delete, that staff be
25 asked to come back with a different version in the future.

1 CHAIRMAN HEDANI: Okay, you guys have homework.
 2 All those in favor of the amendment signify by saying "aye."
 3 (A chorus of ayes)
 4 Opposed "nay."
 5 (A chorus of nays)
 6 All those in favor please raise your hand.
 7 (Seven)
 8 Opposed same sign.
 9 (One)
 10 Motion is carried. So Policy 3 will be deferred
 11 for future consideration.
 12 Any discussion on Objective 4? Commissioner U'U.
 13 COMMISSIONER U'U: It seems like, reading it, that
 14 we should just say, "Discourage all tourists." Because
 15 we're discouraging timeshares is what it states here. And
 16 when you say prohibit resort development, that's where the
 17 hotels are. Am I wrong? I would like to make an amendment
 18 to instead of "prohibit," put "limit" resort development
 19 outside of the resort areas.
 20 CHAIRMAN HEDANI: Is there a second?
 21 COMMISSIONER HIRANAGA: For discussion.
 22 CHAIRMAN HEDANI: Seconded by Commissioner
 23 Hiranaga to amend Policy 4 to change "prohibit" to "limit."
 24 Discussion? Commissioner Hiranaga.
 25 COMMISSIONER HIRANAGA: Well, I believe the key

1 withdrawn. And Policy 4 staff will come back with suggested
 2 revised language on that. I'm sorry, Policy number 4 and
 3 Objective 4. Commissioner Hiranaga?
 4 COMMISSIONER HIRANAGA: Since Objective 4 is
 5 receiving much attention, maybe they should look at the
 6 entire Objective 4.
 7 COMMISSIONER MARDFIN: I would move that we defer
 8 Objective 4 until a future meeting.
 9 COMMISSIONER SABLAS: Second.
 10 CHAIRMAN HEDANI: Okay, seconded by Commissioner
 11 Sablas. All those in favor of deferral of Objective 4,
 12 signify by saying "aye."
 13 (A chorus of ayes)
 14 Opposed "nay."
 15 (None)
 16 Carried. Thank you.
 17 COMMISSIONER MARDFIN: Mr. Chairman.
 18 CHAIRMAN HEDANI: Commissioner Mardfin.
 19 COMMISSIONER MARDFIN: I'll either give you a
 20 motion to adjourn or a motion -- I'd rather do a motion to
 21 approve Objective 5, its Policies and Actions, and that will
 22 finish up the Land Use element if we get through this.
 23 CHAIRMAN HEDANI: Is there a second?
 24 COMMISSIONER STARR: Second.
 25 CHAIRMAN HEDANI: Seconded by Commissioner Starr.

1 word is "resort development." It doesn't say "resort
 2 entity." So there can be stand-alone hotels, like the Maui
 3 Lu or the Hana Hotel. But I guess what you're saying,
 4 resort development is more like a planned resort community
 5 such as Kaanapali and Wailea. That I believe is what
 6 they're talking about, resort development. And staff can
 7 correct me if I'm wrong.
 8 CHAIRMAN HEDANI: Director?
 9 DIRECTOR HUNT: Generally we agree with that
 10 concept, that it's just the resort development and not
 11 necessarily tourist facilities outside of these resort
 12 areas. But upon further review, leading up to this meeting
 13 staff had some concerns with the exact wording in that
 14 policy, and we'd suggest you allow us to defer that one and
 15 come back.
 16 One of the examples that we wrestled with is what
 17 is Kahana, is that a resort? I mean there's certainly more
 18 than one hotel. So that would be our suggestion on this
 19 one.
 20 CHAIRMAN HEDANI: Commissioner U'u?
 21 COMMISSIONER U'U: I agree.
 22 CHAIRMAN HEDANI: Okay. So the motion would be
 23 basically to defer item Policy 4 as well.
 24 COMMISSIONER U'U: So I take back my motion.
 25 CHAIRMAN HEDANI: Okay. So the motion is

1 Discussion? Director Hunt.
 2 DIRECTOR HUNT: Policy number 2, the staff would
 3 recommend that the wording be "require new discretionary
 4 permits to demonstrate a community need," et cetera. We
 5 need to make a distinction between a ministerial building
 6 permit versus a discretionary permit.
 7 COMMISSIONER MARDFIN: I'm sorry, where are we?
 8 DIRECTOR HUNT: Policy 2, top of page 19.
 9 CHAIRMAN HEDANI: What is a discretionary permit?
 10 DIRECTOR HUNT: It's more subjective, open to
 11 interpretation. All the permits, virtually all the permits
 12 that you folks review are discretionary, as opposed to a
 13 building permit, where if you meet the height and the
 14 setback, the jurisdiction has little, if any, discretion to
 15 deny it.
 16 CHAIRMAN HEDANI: Is there a motion?
 17 COMMISSIONER STARR: I move to amend.
 18 CHAIRMAN HEDANI: Moved by Commissioner Starr. Is
 19 there a second?
 20 COMMISSIONER SHIBUYA: Second.
 21 CHAIRMAN HEDANI: Seconded by Commissioner
 22 Shibuya. Discussion? Commissioner Hiranaga.
 23 COMMISSIONER HIRANAGA: I'd like to offer a
 24 friendly amendment that the word "applicable" be inserted in
 25 front of the words "community plans" and take the S off of

1 it, so it would say, "and applicable community plan."
 2 CHAIRMAN HEDANI: It's accepted by the maker of
 3 the motion and the seconder. Discussion? So the motion
 4 would read, "Require new discretionary permits for
 5 development projects to demonstrate community need," etc.
 6 And after Maui Island plan "and applicable community plans"
 7 is inserted. Oh, "applicable community plan." That is the
 8 amendment. Discussion?
 9 COMMISSIONER HIRANAGA: Hopefully that development
 10 wouldn't be that large that it would encompass two community
 11 plans.
 12 CHAIRMAN HEDANI: Ready for the question? All
 13 those in favor signify by saying "aye."
 14 (A chorus of ayes)
 15 Opposed "nay."
 16 (None)
 17 Carried.
 18 Additional discussion on Objective 5? Director
 19 Hunt.
 20 DIRECTOR HUNT: Policy 7 on the same page, the
 21 department would recommend inserting the words, "and zoning
 22 maps" after "designations." So the policy would read,
 23 "Update Maui Island Plan and Community Plan Land Use
 24 designations and zoning maps with each update of the General
 25 Plan."

1 (A chorus of ayes)
 2 Opposed "nay."
 3 (None)
 4 Carried, thank you.
 5 COMMISSIONER HIRANAGA: Julia is having a fit.
 6 She can't keep up with you.
 7 CHAIRMAN HEDANI: She's got it. Actually, it's
 8 add "zoning maps" after "designations." It's your
 9 Director's fault, he's amending his own recommendations
 10 right now.
 11 Any additional changes for Objective 5? Ready for
 12 the question? All those in favor of Objective --
 13 Commissioner Hiranaga.
 14 COMMISSIONER HIRANAGA: Policy 8, I have a problem
 15 with that, "institute time limits on development
 16 entitlements." Isn't that what --
 17 CHAIRMAN HEDANI: Is that for zoning, is that the
 18 question?
 19 COMMISSIONER HIRANAGA: Plan designation, zoning.
 20 Are you going to put time limits on these entitlements?
 21 CHAIRMAN HEDANI: Director? Mr. Summers?
 22 MR. SUMMERS: Thank you, Mr. Chairman. I think
 23 the idea here was that oftentimes we have projects that are
 24 included in a community plan, and they sit for sometimes
 25 decades. The applicants don't move forward with the

1 CHAIRMAN HEDANI: Commissioner Hiranaga?
 2 COMMISSIONER HIRANAGA: I was going to offer the
 3 motion to delete that, because I mean isn't that what you
 4 have to do anyway when you update the Maui Island Plan? I
 5 mean you have to update the Maui Island Plan if you are
 6 going to update the General Plan. Isn't that stated by
 7 ordinance somewhere?
 8 CHAIRMAN HEDANI: Director Hunt. It's getting
 9 late.
 10 DIRECTOR HUNT: The concern -- let me back up.
 11 Adding the language that I suggested results in having a
 12 good policy, a necessary policy. The problem that we are
 13 trying to address is right now we do community plan updates
 14 but we don't update our zoning maps, so we have these
 15 inconsistencies. Most jurisdictions do them at the same
 16 time. And so that's what we're suggesting, is adding the
 17 word "zoning maps" so when we update our community map we
 18 would make the zoning consistent at that time.
 19 CHAIRMAN HEDANI: Additional discussion? I think
 20 adding this particular language is what would make the
 21 General Plan become implemented, if nothing else. So the
 22 amendment would read, "and zoning maps" after "designations"
 23 on Policy 7, Action 7.
 24 Ready for the question? All those in favor
 25 signify bay saying "aye."

1 projects. Other applicants come forward to try to propose
 2 projects that they will implement, and it creates a lot of
 3 problems in terms of infrastructure planning and just
 4 reviewing those entitlement requests that do come forward.
 5 So the idea here is if your project is included in
 6 a General Plan, there's some expectation that the owners of
 7 that project will move forward to implement the project in a
 8 timely manner. Jeff, did you want to add to that?
 9 DIRECTOR HUNT: No, that's fine.
 10 CHAIRMAN HEDANI: Commissioner Starr?
 11 COMMISSIONER STARR: I really think that a use it
 12 or lose it policy is a very good thing. I don't think it
 13 should be one year, I think it should be more like ten years
 14 maybe or 15 years. But we don't end up in situations like
 15 Turtle Bay, where 30 years later the SMA laws have changed,
 16 all the signs regarding shoreline and setbacks and other
 17 things have been developed, and the whole situation has
 18 changed, but legally there's nothing the community can do
 19 about it.
 20 I really think, you know, if people get an
 21 entitlement they should build it, and if they don't build
 22 it, then someone else should have the opportunity to develop
 23 that in their place.
 24 CHAIRMAN HEDANI: Commissioner Hiranaga?
 25 COMMISSIONER HIRANAGA: I guess my concern is that

1 there are numerous outside entities that could slow the
2 developer's process. So if you put a time limit on it, be
3 it intervention, challenging EIS's. I've seen an EIS be
4 challenged for almost 15 years it's been in Federal Court.
5 So if you are going to put a time limit on something, this
6 statement I guess seems too simplistic to me. Who is going
7 to institute the time limit?

8 CHAIRMAN HEDANI: Mr. Summers.

9 MR. SUMMERS: Thank you, Mr. Chair. That would be
10 done during the development of the ordinance to implement
11 this. And things like the issues that you brought up would
12 be considered during the development of that ordinance. If
13 somebody is caught up in court, obviously they're doing
14 their best to move forward with the project, but they've hit
15 some obstacles. Those things are typically addressed.

16 CHAIRMAN HEDANI: Commissioner Hiranaga?

17 COMMISSIONER HIRANAGA: I have a motion. I'd like
18 to change the language to, "Establish time limits on
19 development entitlements." And the difference is not having
20 just a time limit, but based upon the facts presented that a
21 time limit would be established. Because when you institute
22 a time limit it's like a time limit, one size fits all.

23 CHAIRMAN HEDANI: How about "reasonable time
24 limits."

25 COMMISSIONER HIRANAGA: I would just say,

1 COMMISSIONER MARDFIN: I'll withdraw it.

2 CHAIRMAN HEDANI: Who wants to go to the HCPO
3 conference?

4 COMMISSIONER HIRANAGA: Mr. Chair, I had emailed
5 the Director on July 29th, an email requesting
6 considerations of some questions I asked him, and I was
7 wondering if he was prepared to answer that email?

8 CHAIRMAN HEDANI: Director?

9 DIRECTOR HUNT: I can try. I don't remember the
10 questions off the top of my head.

11 COMMISSIONER HIRANAGA: I can summarize.
12 Basically, I asked if the Director, Deputy Director, and
13 Maui Planning Commissioners attending the seminar were to
14 waive their per diem expenses and travel expenses, maybe
15 more Commissioners could attend.

16 DIRECTOR HUNT: I believe the Deputy talked to the
17 Finance Director, and they were concerned whether this could
18 be done and whether there's precedent, and whether it would
19 be legal, those kinds of concerns. As I understand it, the
20 two of them got together and they just said let's not go
21 there. It's better just to keep it the way it is. Somebody
22 could come back later.

23 COMMISSIONER HIRANAGA: She mentioned something
24 about it being prohibited by the County Charter, so I kind
25 of questioned that. My other question that I have is, why

1 "Establish reasonable time limits." Development
2 entitlement.

3 COMMISSIONER U'U: Second.

4 CHAIRMAN HEDANI: Seconded by Commissioner U'u.
5 Discussion? In all those in favor signify by saying "aye."

6 (A chorus of ayes)

7 Opposed "nay."

8 (A chorus of nays)

9 All those in favor please raise your hand.

10 (Five)

11 Opposed same sign.

12 (Three)

13 Three against. Motion is carried, thank you.

14 Any additional discussion on Objective 5? Ready
15 for the question? All those in favor of Objective 5, its
16 Policies and Actions as amended signify by saying "aye."

17 (A chorus of ayes)

18 Opposed "nay."

19 (None)

20 Carried, thank you.

21 COMMISSIONER MARDFIN: Mr. Chairman, I move we
22 adjourn.

23 CHAIRMAN HEDANI: Moved to adjourn by Commissioner
24 Mardfin. I'd like to take care of one housekeeping item
25 before we go.

1 is the department sending the Chair and Vice-Chair of
2 Moloka'i and Lana'i versus just the Chairs of Moloka'i and
3 Lana'i, because of the population that the Maui Planning
4 Commission represents versus the population of Moloka'i and
5 Lana'i?

6 DIRECTOR HUNT: The whole issue of the outer
7 islands and our more remote areas and representation is a
8 difficult issue for our community. If you really analyze
9 Lana'i and Moloka'i, they have an unfair representation
10 based on the population, and that's just a fact. And I
11 think that's part of it, our community has come together and
12 said that's the way we're going to deal with our community.
13 And they have a full Planning Commission on Lana'i for 3,000
14 people. Hana has an advisory committee.

15 So if you do the math and the numbers, there are
16 some inequities, but we don't feel it's fair to -- the
17 community has made a decision to have a Planning Commission
18 on Lana'i and Moloka'i, and we don't think it's fair to look
19 at them as second class or something.

20 COMMISSIONER HIRANAGA: My question is, why don't
21 you send two more Maui Planning Commissioners, and just send
22 the Chairs of the Moloka'i and Lana'i Planning Commissions?

23 DIRECTOR HUNT: We think it's best to be fair
24 across the board and say it's the Chair and Vice-Chair of
25 all three Planning Commissions.

1 CHAIRMAN HEDANI: I think the offer has already
 2 been made. Commissioner U'u?
 3 COMMISSIONER U'U: Question. Being that it was
 4 the opportunity for the Chair and the Vice-Chair to go, I
 5 can't make it, I decline, so would that be possible for
 6 somebody else to go in my place, or that's it, nobody goes?
 7 DIRECTOR HUNT: No, it's a budget issue. And so
 8 we budgeted for two people from each Commission. If you and
 9 the Chair can't go or don't want to go, or feel it's better
 10 for someone else to go that's fine, as long as it's only
 11 two.
 12 COMMISSIONER U'U: Okay. I am going to give up my
 13 position, and I don't know how you guys are going to come to
 14 an agreement. One goes.
 15 DIRECTOR HUNT: I think the Chair is going to draw
 16 straws or lots. I just want to say we are in a really tough
 17 economic time, and this is temporary. And hopefully in the
 18 next conference or the next one afterwards we will be able
 19 to send everybody, but we've all got to tighten our belts.
 20 COMMISSIONER HIRANAGA: My two cents as to who
 21 should go, it should be done by seniority, because the
 22 people who have served on the board longer, to me, have
 23 earned that right.
 24 CHAIRMAN HEDANI: Okay, Commissioner Starr has
 25 offered to cover his own way to the conference.

1 this is the direction, absolutely. Thank you very much,
 2 Dave. I know this is not easy, it's lots of reading. Thank
 3 you.
 4 CHAIRMAN HEDANI: Commissioner Starr?
 5 COMMISSIONER STARR: Yes. I want to throw out the
 6 dreaded Saturday word, but I kind of feel like we're a
 7 little behind, and I want to be sure we have plenty of time
 8 to spend on the mapping and implementation. So I don't know
 9 how the department feels, but I really am getting concerned
 10 myself.
 11 CHAIRMAN HEDANI: Director, do you want to cover
 12 your plan schedule?
 13 DIRECTOR HUNT: Okay. Commissioner Starr brings
 14 up a good point. According to your adopted schedule, you
 15 should have done your first day of the mapping. You got
 16 through Land Use. We still need to go through the Directed
 17 Growth Policies as opposed to the mapping. If staff could
 18 come back with an alternative schedule with an extra day,
 19 and we can just discuss it at that point. We are getting a
 20 little bit behind.
 21 CHAIRMAN HEDANI: Commissioner Hiranaga?
 22 COMMISSIONER HIRANAGA: I feel we have three
 23 discretionary days of September 2nd, 15 and 29 that we can
 24 look at those maps. And if Commissioner Starr is no longer
 25 available for implementation and evaluation and monitoring

1 Commissioner Shibuya is going to go to Boston. Commissioner
 2 Domingo has declined attendance because of conflicts.
 3 COMMISSIONER SABLAS: Chair, I also have a
 4 conflict.
 5 CHAIRMAN HEDANI: Commissioner Sablas?
 6 COMMISSIONER SABLAS: Sorry, I'm declining, I also
 7 have a conflict with the scheduling. So it makes it easier
 8 for who wants to go.
 9 CHAIRMAN HEDANI: We have two Commissioners left.
 10 So Commissioner Hiranaga and Commissioner Mardfin and
 11 Commissioner Guard. Commissioner Guard declined.
 12 COMMISSIONER HIRANAGA: Go ahead and pull the
 13 names then.
 14 CHAIRMAN HEDANI: We don't have to pull names. So
 15 we will submit those for the conference, okay.
 16 Any further discussion for the good of the order?
 17 Commissioner Shibuya.
 18 COMMISSIONER SHIBUYA: I just want to let
 19 everybody know that Dave Michaelson has started out in
 20 combining some of those items, the core values and the
 21 guiding principles that we talked about that may have
 22 overlapped in certain areas. He has started making a
 23 matrix, and showed us where they indicated overlaps.
 24 And this is outstanding, Dave. This is the
 25 direction we want to go. Even though this is a start, yes,

1 and cleanup, at this point I really don't want to look at
 2 Saturday. I would prefer talking to the Council for an
 3 extension.
 4 CHAIRMAN HEDANI: Okay. So the department can
 5 take those comments into consideration and come back to us
 6 with a revised schedule and any changes or recommendations.
 7 DIRECTOR HUNT: Well, we will come back with a
 8 draft revised schedule, and it's up to the body whether you
 9 want to implement it or revise it or ignore it.
 10 CHAIRMAN HEDANI: Okay. Any other comments for
 11 the good of the order? Director Hunt.
 12 DIRECTOR HUNT: Just real quick, some really good
 13 news is the Planning Committee today started their review of
 14 the Countywide Policy Plan, which this body looked at at
 15 length, and they got through four out of the 11 elements in
 16 the first meeting. So they're very determined to have a
 17 very rigorous pace. And it's looking very good that they
 18 will get it up to the full Council in the near future. So I
 19 just wanted to pass that on to you folks.
 20 CHAIRMAN HEDANI: That's because of the excellent
 21 work of the Planning Commission in revising the document.
 22 Just kidding.
 23 Okay, that's it then. We are adjourned for today.
 24 Thank you very much. Mahalo to Commissioner Sablas for
 25 providing all of the refreshments for the Commissioners and

1 half of West Maui this evening. Thank you.

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3 (The proceedings were concluded at 8:49 p.m.)

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1 CERTIFICATION

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3 I, JEANNETTE W. IWADO, Notary Public for the State of
4 Hawaii, certify:

5 That the proceedings contained herein were taken by
6 me in machine shorthand and were thereafter reduced to print
7 under my supervision by means of computer-aided
8 transcription; that the foregoing represents, to the best of
9 my ability, a true and accurate transcript of the
10 proceedings had in the foregoing matter.

11

12 Dated the 23rd day of August, 2009

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Jwado



18 NOTARY PUBLIC, State of Hawaii

19 My commission expires 2/5/12

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