

MAUI PLANNING COMMISSION

COUNTY OF MAUI

SEPTEMBER 2, 2009

MAUI ISLAND PLAN

Held at Tavares Community Center, 91 Pukalani
Street, Pukalani, Maui, Hawaii, commencing at 1:42 p.m.,
on September 2, 2009.

Reported by: Tonya McDade
Hawaii Certified Shorthand Reporter #447
Registered Professional Reporter
Certified Realtime Reporter
Certified Broadcast Captioner

1 ATTENDANCE
 2 COMMISSION MEMBERS PRESENT:
 3 Wayne Hedani, Chair
 4 Bruce U'u, Vice Chair
 5 Jonathan Starr, Commissioner
 6 Kent Hiranaga, Commissioner
 7 Ward Mardfin, Commissioner
 8 Donna Domingo, Commissioner
 9 Lori Sablas, Commissioner
 10 Warren Shibuya, Commissioner
 11 STAFF PRESENT:
 12 Jeffrey Hunt, Planning Director
 13 John Summers, Long Range Division Administrator
 14 David Michaelson, Department of Planning
 15 Julia Staley, Planner, Department of Planning
 16 Mark King, Planner, Department of Planning
 17 Dan McNulty-Huffman, Department of Planning
 18 Mike Napier, Department of Planning
 19 James Giroux, Deputy Corporation Counsel
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 24
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1 First of all, it's very nice to be Upcountry.
 2 I live Upcountry. This is the shortest commute I will
 3 probably make through the Maui Island process. Most
 4 important thing, if you're not familiar with the Tavares
 5 center, the bathrooms are right through that back
 6 corridor. And, also, in typical Upcountry graciousness,
 7 a lot of people have brought food. Please help
 8 yourself. It's on the table behind me.
 9 What I would like to do very briefly is
 10 describe the Directed Growth Strategy that is part of
 11 the Maui Island Plan, particularly Upcountry.
 12 There's a series of maps on the windows. And
 13 feel free to look at those. And if you have some
 14 questions, also feel free to grab Staff, and we can talk
 15 to you about some of the specific boundaries.
 16 There's two sets of maps on the wall. There's
 17 the actual boundaries that are part of the plan, which
 18 the Maui -- the Maui Planning Commission right now is
 19 reviewing. And you'll see that in realtime. And
 20 there's also the Community Plan boundary maps that have
 21 both the GPAC recommended boundaries as well as the
 22 Director's recommended boundaries.
 23 The good news is the two versions are
 24 relatively consistent with a couple nuances. And I
 25 think you'll hear discussion with the Planning

1 SEPTEMBER 2, 2009
 2 TRANSCRIPT OF PROCEEDINGS
 3 *****
 4 CHAIR HEDANI: Okay. Planning Commission
 5 meeting of Wednesday, September 2nd will come to order.
 6 We would like to welcome all of the public to our
 7 planning meeting.
 8 And before we go to public testimony, we'll
 9 have a Staff presentation of the Draft Maui Island
 10 Plan's Proposed Growth Boundaries for the Makawao,
 11 Pukalani and Kula region.
 12 Any further comments, director?
 13 MR. HUNT: This is the regional presentation.
 14 This is, I believe, our sixth regional meeting. And at
 15 each meeting, we've had a presentation on the growth
 16 boundaries for that area. That doesn't mean that the
 17 Planning Commission will immediately go into that. The
 18 review of the growth boundary region is according to
 19 their agenda. And they will take up the review after
 20 the public testimony. However, the order is for Hana
 21 and then Upcountry.
 22 So with that as an introduction, I'll turn it
 23 over to Long Range Planning Staff.
 24 MR. MICHAELSON: Thank you, Jeff. My name is
 25 Dave Michaelson. I'm with Long Range Planning.

1 Commission on what those are.
 2 Sorry. I'm a little under the weather. So if
 3 my voice kind of comes and goes, I apologize.
 4 First of all, I want to talk a little bit
 5 about the methodology that was used to develop the
 6 boundaries. This gives you a sense of essentially how
 7 we went from a series of what -- what's on the website,
 8 seen on the website, and it's part of the plan. It was
 9 a series of technical studies. And it ranged from
 10 cultural and heritage resource analyses, infrastructure
 11 analyses, there's -- there was a socioeconomic forecast
 12 and a land use forecast which was essentially the driver
 13 for how many units and how much land is planned to be
 14 consumed to the year 2030. Those numbers have been
 15 going down. We used forecasts from the Department of
 16 Business and Economic Development and Tourism for the
 17 State of Hawaii. Those forecasts numbers are
 18 historically extremely accurate. If you look at the
 19 30-year variance, they're anywhere between two and six
 20 percent, which is incredibly good for a 30-year
 21 projection.
 22 And they have released numbers recently that
 23 the Planning Commission actually adopted as their
 24 target. And our original target was in the neighborhood
 25 of 16,000 units between now and 2030. That number now

1 has dropped to about 11,000.
2 And there's spreadsheets that the Planning
3 Commission has been using as they go through this
4 process. And I believe those are also posted on the
5 web.

6 So all of this data went into this methodology
7 of defining these boundaries. It was very
8 resource-driven. And what I mean by that is that when
9 we went out to the community, people talked about keep
10 country country. They talked about prime ag land. They
11 talked about environmental resources. And the
12 boundaries that you see on the wall, I think, reflect
13 those sort of -- those community values. This is the
14 sort of makeup of the plan itself. It has a series of
15 elements. The element that you'll hear -- that you'll
16 hear today discussed is just that, it's the Directed
17 Growth Strategy.

18 All of this is on our website. It's also in
19 our Department. You can come by and take a look at it
20 whenever you like.

21 The Directed Growth Strategy that -- we didn't
22 make it up. All right. The Department didn't say we're
23 gonna establish Urban and Rural Growth Boundaries. It
24 was actually embedded in the legislation which was
25 originally Bill 84, now it's called Bill 54. And it

1 required the Department, as well as GPAC, to define
2 Urban and Rural Growth Boundaries. All right. And the
3 nuance was that when we first -- when we started getting
4 into it, we realized very quickly that just urban and
5 just rural growth boundaries wouldn't work for Maui.
6 It's a very diverse island. We have some very special
7 places, and you can't fit 'em into this tight little box
8 of rural or urban. And I'll describe the types of
9 boundaries that we came up with.

10 One of the -- the themes that has sort of
11 followed through this whole project is the idea of
12 sustainability. We live on an island. All right. And
13 it's the most beautiful place in the world. And I've
14 lived in some of the most beautiful places in the world.
15 And I'm still astounded when I'm on Maui. So the
16 implications of this plan, the stakes are very high.
17 And we recognize that as Staff. And the Planning
18 Commission and the General Plan Advisory Committee have
19 all recognized that.

20 The idea is this sort of seventh generation
21 concept, if you will. That when we make decision, we
22 don't make decisions for those of us in this room, we
23 make decisions for our kids and our grand kids. And
24 that's also a part of some of the discussion that you'll
25 hear today.

1 There was a series of sort of Guiding Land Use
2 Principles that also are -- are heavily involved in the
3 Directed Growth Strategy. I won't read these to you.
4 These came out of public workshops. We held a series
5 very early in the process, in 2005, 2006. It was called
6 Focus Maui Nui. Since then, we did a series of design
7 charrettes all around the island, where we asked people
8 to like draw on maps, all right, where should
9 development go, where shouldn't it. And that was really
10 based on what's called overlay analysis. There's guy
11 named Carr who was sort of the father of that approach.
12 And the idea is based on community values, there are
13 places where development makes sense and where it
14 doesn't. And those are translated on these maps.

15 Also, there was a -- there was a common sort
16 of thread about limiting development in northeast and
17 East Maui, Hana in particular. That came through every
18 public meeting we had. Also, the idea of the
19 agricultural resource protection.

20 I'm sure you've all heard this. 90 percent of
21 all our resources come from someplace else. That's very
22 different from hundreds of years ago where more
23 Hawaiians than are on this island now were able to
24 sustain themselves without boats showing up. So the ag
25 protection theme runs through this over and over.

1 And, also, the idea that within -- within our
2 urban areas it, you're gonna keep "country" country you
3 should keep "urban" urban. And urban should be livable.
4 It should include mixed-use opportunities. It should
5 include a mix of housing types. And those are also
6 translated in the Directed Growth Strategy.

7 This was essentially the process that we went
8 through. I talked a little bit about cultural and
9 environmental resources. We did a lot of work on that.
10 You'll see a lot of the data projected on the walls as
11 we go through today. Then we looked at how many homes,
12 in theory, do we need to incorporate into our future
13 planning. And, again, that was based on the best land
14 use forecasts we could get our hands on.

15 Then we looked at infrastructure, we met with
16 all the agencies. We talked to them about where growth
17 could be accommodated and where it might not be able to
18 be accommodated.

19 When I talk about infrastructure, I'm talking
20 water, sewers, roads, parks, schools, all those sorts of
21 things that we all use every day. Right?

22 Then we -- we went back to this sort of
23 community value idea. There was a lot of work that came
24 out of Focus Maui Nui. There was a lot of work that
25 came out of the public workshops. Then we sort of came

1 up with a set of site evaluation criteria. It's on the
2 web. It's -- if you go to our website, there's a
3 Directed Growth Strategy section that talks about it in
4 detail.

5 And so we essentially didn't look at it from a
6 project's perspective; we looked at it about
7 appropriateness. All right. Environmental issues came
8 into play, cultural issues came into play, agriculture
9 came into play, infrastructure came into play. And then
10 as we went through that process -- and it's the same
11 process that the Planning Commission is going through
12 now -- we defined these boundaries.

13 So there's four different ways that the plan
14 assumes growth will occur. The first is urban infill.
15 It's absolutely the most efficient growth scenario. All
16 right. It's essentially looking into urban areas that
17 are either underutilized or likely to redevelop and come
18 up with a vision for what should occur in there. It's
19 efficient because it's close to schools, parks, roads,
20 transit. And we've incorporated those numbers, those
21 assumptions. And if any of you were here last week, I
22 wasn't, but one of our Staff members gave a great
23 presentation on urban infill opportunities. And the
24 whole department was sort of involved in that process.

25 The next is expanding. And our boundaries do

1 very careful when we -- when we did our boundaries to
2 respect not only the separation between those
3 communities, but their sense of place. All right.
4 Because they're the gems of Maui. And we'll talk a
5 little bit about that.

6 There's -- this spreadsheet, which is on the
7 window back here -- and, obviously, it doesn't translate
8 very well on the slide -- describes the four kinds of
9 boundaries that we established. And the first was Urban
10 Growth Boundaries, urban areas. We are all familiar.
11 You know when you're in an urban area. Right. Wailuku,
12 Kahului, urban area. Kihei, urban area. Lahaina, urban
13 area.

14 So we develop boundaries around those to, one,
15 let them to grow, right, to accommodate some growth, but
16 to draw relatively hard lines where that growth might
17 either compromise environmental resources, agricultural
18 resources, or essentially grow together. And the
19 boundary between Makawao and Pukalani is a very good
20 example.

21 We also had Country Towns. And this was
22 really interesting because when we were tasked with
23 defining Urban Growth Boundaries, we suddenly realized
24 that urban in Kahului is very different than urban in
25 Makawao. They're not the same. So we came up with a

1 show expansion in urban areas, primarily in Wailuku,
2 Kahului, although Paia shows some expansion
3 opportunities, Kihei Mauka has some expansion
4 opportunities, West Maui has some expansion
5 opportunities. And you'll hear that discussion as we go
6 through.

7 Finally, there's new towns. And primarily
8 there's been three that have been proposed on Maui. The
9 first is Haliimaile. All right. It's not on our
10 boundaries, the Department boundaries. The Planning
11 Commission hasn't made a decision on Haliimaile.
12 There's Pulelehua, which is also a decision that the
13 Planning Commission has not made, the recommendation
14 hasn't -- hasn't specifically addressed it. And,
15 finally, Olowalu. And Olowalu is not on the Department
16 boundaries, but it is on the GPAC boundaries. All
17 right. The idea is that it can relieve sort of this
18 urban sprawl, to a certain extent, as long as it's done
19 correctly. And that will be obviously a point of
20 discussion for the Department. It certainly was with
21 GPAC.

22 Finally, there's existing towns. And this is
23 really tricky, all right, because we have some fabulous
24 small towns on Maui. You're sitting in one. There's
25 Makawao, there's Paia, there's Hana. And so we were

1 different definition. We called it a Country Town. And
2 the country towns are identified on the maps up here are
3 Makawao, obviously, Paia is a Country Town. The idea is
4 that the infrastructure requirements are completely
5 different. And you can really ruin a beautiful place by
6 applying sort of uniform urban infrastructure planning,
7 for example. So -- and the only one up here, I believe,
8 on the maps, again, is Paia and Makawao.

9 We also started struggling with sort of -- the
10 sort of in between, between Urban and Country Town. And
11 Upcountry is really probably the best example. We have
12 these Rural Residential settlement patterns. In some
13 cases, with agricultural uses, some of them are
14 commercial, some of them are sort of subsistence
15 farming. But we developed a set of Rural Residential
16 boundaries that were based primarily on the previous
17 Community Plan designations. All right. And you'll see
18 that on the Community Plan maps that have the boundaries
19 on it.

20 So, then, finally, we're sort of confronted
21 with, well, what do we do with like Waiakoa, Keokea.
22 Right? They're these really wonderful places, but they
23 defy those other three sorts of definitions. Right. So
24 in some cases, we've allowed limited expansion for those
25 areas, but the idea is that you had to recognize there's

1 these wonderful little places where we all shop and --
2 right, we go to Grandma's for coffee. And you can't
3 treat 'em like either Wailuku or Kahului or Makawao. So
4 -- and sort of the policy direction for these places are
5 defined on that spreadsheet.

6 So it's all about a sense of place. The
7 reason these definitions are different is because these
8 places are different. And the policies to retain what
9 makes those special are also different. And those are
10 incorporated, I think, in our policy approach.

11 So finally, there's two maps. This is almost
12 impossible to read in a very well lit room, but the maps
13 are behind me. They show the boundaries and they show
14 both the GPAC boundaries and the Director's boundaries
15 on the same map. So you can see where we had some
16 disagreement or we -- we still have some sort of issues
17 that we need to resolve before we get to Council.

18 And there are two sets of maps. There's
19 Pukalani-Makawao, then, finally, Kula. Again, the Rural
20 boundaries are based primarily on the CP designations.
21 And, finally, we had some prime ag land issues that we
22 wanted to not see essentially that development pattern
23 of sprawl.

24 And what we're gonna do today is project up an
25 incredible amount of data that the Planning Commission

1 CHAIR HEDANI: Okay. Thank you very much,
2 Dave.

3 At this point, we would like to go to public
4 testimony. I have 23 people signed up here on this
5 sheet. Then I also have another 10 or so people that
6 have signed up on another sheet. So we have a total of
7 about 33, 35 people that would like to testify.

8 Testimony will be limited to three minutes.
9 You'll hear a buzzer that goes off that the Staff will
10 inform you when you have hit the two-minute mark, and
11 you'll have a minute to finish up your comments at that
12 point.

13 I will call out the first person to testify,
14 and I'll also call the name of the person succeeding
15 that person, so you can get prepared to take the podium.

16 At this time I'd like to ask Mr. Doug MacCluer
17 to come up and give his comments, please.

18 Please go ahead and hold the microphone close
19 to your mouth because it's wireless. After three
20 minutes, there's a mild electric shock that will go
21 through the microphone.

22 MR. MacCLEUR: Thank you. Good afternoon,
23 Chair Hedani, Planning Commission Staff, and Members of
24 this Commission. My name is Doug MacCluer. And I am
25 the Maui representative to the State Department of Ag,

1 is gonna use to review their boundaries. It's based on
2 what's called GIS, Geographic Information System, data.
3 I believe there's probably a couple hundred data layers
4 that we used when we did our boundaries, and the
5 Planning Commission uses when we review those.

6 This is not the end of the day for these
7 boundaries. The Planning Commission is about 80 percent
8 through their review. They have this section, which is
9 the Directed Growth Strategy, and, finally, they have
10 Evaluation and Monitoring, and, also, the Capital
11 Improvement Proposals that are part of the plan. Then
12 it goes to Council. If has to go to Council by, I
13 believe, October 17th. Council has one year to review
14 it. So, by no means, should anyone think that this is
15 like the end of the day, it's the last minute. There's
16 plenty of time to engage in the process. You can
17 contact myself at the Long Range Division. And there's
18 a number of Staff people here.

19 So with that, I'm gonna turn it back over to
20 the Chair.

21 I believe they'll take public testimony. And,
22 again, if you have any questions about the maps, just
23 grab myself, John Summers, Jeff Hunt, and we'll be glad
24 to answer any question you got. All right?

25 Thank you.

1 and on the board of the Maui County Farm Bureau.

2 As a member of GPAC, we were trying to protect
3 the good ag land for growing crops and producing food
4 for us and our grand kids. As a farmer for over 30
5 years on Maui -- or over 40 years on Maui, I have
6 commercially grown livestock, poultry, tropical fruit,
7 fruits and vegetables. I've -- I've grown it all. Not
8 everything, but -- I didn't grow pakalolo. Maybe my
9 kids did, but I didn't. Anyway, I've grown a lot of
10 things, and primarily Upcountry above the ditch.

11 This is great ag land. As Dave said, the
12 Hawaiians supported their whole culture and all of the
13 people here. We can do that. We farmers can grow the
14 crops that we need.

15 Tomorrow night, at Maui Waena School
16 Cafeteria, the State is going to say that the ag
17 inspectors are going to be cut. This is going to hurt
18 all of us. It's particularly going to hurt the farmers.

19 The poultry farmers bring in day-old chicks.
20 And what happens if we can't -- can't support that? The
21 livestock farmers are bringing in food and feed for
22 their livestock. We have to bring in seeds. We have to
23 bring in Christmas trees. We bring in three-fourths of
24 our food. What's going to happen?

25 I did produce potatoes, lettuce, a whole bunch

1 of things that -- and it was all successful, on good ag
2 land. I urge you to protect the good ag land above the
3 ditch in Haliimaile, Piiholo, Kula, because this is
4 important for our kids.

5 The last crop planted on good farmland has a
6 roof and asphalt. And I think it's ugly.

7 Thank you.

8 CHAIR HEDANI: Thank you very much, Doug.

9 Question from Commissioner Hiranaga.

10 COMMISSIONER HIRANAGA: Doug, you still live
11 in Kula 200?

12 MR. MacCLEUR: Yeah, I still live there. And
13 I grow pheasants and avocados.

14 COMMISSIONER HIRANAGA: Okay. I'm wondering
15 what your thoughts are about the proposed Rural
16 Residential -- Urban -- Rural Residential boundary --
17 Growth Boundary proposed for Kula 200.

18 MR. MacCLEUR: Kent, if it doesn't change the
19 way we live, then so what? But there aren't many of us
20 that are still farming in that area. It's like Kula
21 Glen. There aren't many of us that really farm.
22 However, as your brother-in-law, he could farm a nursery
23 on two acres, so -- successfully. And it just depends
24 on -- on what the use is.

25 COMMISSIONER HIRANAGA: There are -- there are

1 have to be terrified. You know, as soon as you get past
2 Kuau Bayview, where the sidewalks are, the road, all the
3 rest of the way, is incredibly dangerous.

4 So as it is, I would be opposed to any
5 neighborhood going in anywhere until the bypass has been
6 installed.

7 And I'd like to see park area developed all
8 the way up from Mama's Fish House all the way up to
9 Maliko, with Hookipa restored with grass and sand, and
10 no parking down in there and parking moved up on the
11 highway. Lanes needs to be rebuilt with parking up on
12 the highway. And Mama's Fish House beach also needs to
13 be rebuilt.

14 Right now, it's incredibly crowded at Hookipa.
15 It's very stressed. So I think if those other beach
16 parks were rebuilt and park put up above there, and Hana
17 Highway -- is that my one minute? No. Okay.

18 Paia, right now, another thing I'd like to see
19 is -- is the bypass opened 24 hours a day. There's no
20 need for that lane to be shut down. We could block off
21 from Hana Highway up to the bank at night and they could
22 do open-street things where they could do things in the
23 street at night. All the shops along there are closed.
24 It would bring people from Lahaina, Kihei and from all
25 over, over to Paia. The restaurants, I'm sure, would

1 some real property tax implications and ag water rate
2 implications that I'll get into more detail as we enter
3 into our discussion, but those are some of the concerns
4 I have. It may not have been explained properly.

5 MR. MacCLEUR: If we're still farming, then we
6 should get ag water rates and we should have ag taxes;
7 if we're not farming, then we don't deserve it.

8 COMMISSIONER HIRANAGA: Thank you.

9 CHAIR HEDANI: Thank you, Doug.

10 The next person to testify is Rob Hilbun, to
11 be followed by Jocelyn Perreira.

12 MR. HILBUN: Thank you for the time today. My
13 name's Rob Hilbun. I've been a solar hot water and
14 photovoltaic installer since 1984. I live in Paia-Kuau
15 area.

16 And I'm very concerned with the traffic on
17 Hana Highway as it exists. The Hamakuapoko neighborhood
18 looks like it would be the smartest way to go to start
19 with, and the bypass. But I don't see anything being
20 developed without the bypass. Totally mandatory.

21 And I can challenge anybody here to come ride
22 a bike with me any time of the day from Paia to Hookipa
23 and back. And just trying to cross the road as you're
24 riding on your bike, which I do all the time, it's
25 incredibly dangerous. People with children in that area

1 love it. And I don't think it would be obnoxious to the
2 neighborhood around there because it would be right in
3 the middle of town where there's normally so much
4 traffic noise, anyway, it doesn't matter.

5 Okay. That, that, that.

6 And I think you guys are doing a heck of a job
7 listening to, you know, what he was talking about
8 earlier. Very appreciate you guys' time and effort.
9 Thank you.

10 CHAIR HEDANI: Thank you, Rob. The next
11 person to testify is Jocelyn Perreira, to be followed by
12 Brendan Balthazar.

13 MS. PERREIRA: Good afternoon, Mr. Hedani, and
14 Commissioners. Aloha and thank you for your dedication,
15 perseverance and hard work in serving our communities.

16 As you complete your work on the draft plan,
17 we would like to offer and reiterate a few comments for
18 your consideration.

19 One: Utilize demographic data and projections
20 such as population projections, estimates of average
21 household size and housing demand projections as a guide
22 and not a mandate. These estimates and projections, as
23 we have recently realized, are only best educated
24 guesses and not absolute truths.

25 Number two: The Maui Island Plan document is

1 too specific, making it complicated. Please provide
2 flexibility in the Maui Island Plan to address future
3 unforeseen community needs. This is important given the
4 current economic uncertainties and challenges.

5 Growth and expansion in appropriate areas is
6 necessary for the long-term future of our small towns
7 and rural communities. The Maui Island Plan should
8 provide a flexible framework for more detailed land use
9 planning during the extensive Community Plan process
10 that follows.

11 We recommend taking the goals and objectives
12 and maps and putting them into one document to simplify
13 this plan. We hope to see the policies and implementing
14 actions into another document.

15 Third: Please provide a plan that is
16 user-friendly and with measurable indicators to monitor
17 plan implementation. In our review, the General Plan
18 should provide a clear long-term vision for our island
19 community and measures to gauge the Plan's
20 implementation.

21 The information presented by the Tri-Isle Main
22 Street Resource Center includes research data collection
23 and collective recommendations compiled from numerous
24 Main Street discussions, panels, workshops, forums and
25 respective town board meetings, and numerous outreach

1 efforts. Through a series of community meetings, our
2 topics generated diverse representation and was well
3 received.

4 There are three -- there are three things that
5 are listed that -- on your current land use designations
6 that we feel need to be addressed. The land across
7 Makawao Veterans Cemetery, there is concern from area
8 residents regarding the Department's designated cluster
9 housing in a neighborhood that is not a good fit. That
10 parcel of land was supported for natural expansion of
11 existing neighborhood. It was intended to be for rural
12 homes on half-acre lots that are consistent with the
13 country town's rural character and sense of place.

14 Additionally, it is consistent with the
15 community values to not have concentrated, dense
16 development that is not reflective of the area. This
17 type of housing is appropriate for resort areas and as
18 workforce housing.

19 The small town infill housing should be
20 encouraged and new lots with average lot sizes
21 consistent with what exists today, and similar lots
22 mauka of the proposed growth area.

23 Also, some inconsistencies on Kee Road.

24 Paia Growth Boundaries, we prefer to see the
25 recommendations of the GPAC stand. And are concerned

1 about the Kuau shoreline suburban sprawl.

2 And, lastly, Hamakuapoko, H'poko, is not
3 merely the site of a school, but desired, expressed and
4 supported in both the Haiku-Paia Community Plans that is
5 noted -- noted as a significant historic settlement
6 area, not an elitist home retreat. Many generations of
7 Maui families trace their roots here and have a desire
8 to reestablish the village surrounding the school.

9 In closing, thank you for your work and
10 commitment to this important document. Your decisions
11 and directions have long-term impacts. The boundaries
12 you are deciding today will impact lifelong decisions in
13 where we decide to live, lifestyle changes affecting how
14 we live, what resources we preserve and protect, and
15 what opportunities remain for meaningful employment and
16 upward mobility of our families.

17 Thank you very much. Mahalo.

18 CHAIR HEDANI: Thank you very much, Jocelyn.

19 The next person --

20 MS. PERREIRA: Refer to the document that we
21 had previously submitted.

22 CHAIR HEDANI: Thank you.

23 The next person to testify is Brendan

24 Balthazar, to be followed by Michael Lepiune.

25 MR. BALTHAZAR: Aloha. I'm Brendan Balthazar.

1 I live uphill all my life.

2 The reason I'm here is because I have a piece
3 of property mauka of Kee Road, which that property was
4 excluded. Also right across me, maybe -- I know you
5 guys looking where that property is -- the County made
6 one piece of big subdivision right next to me when that
7 property was zoned was Urban Interim, Urban Interim.
8 And in the late sixties, early seventies, because my
9 grandpa owned the property for, I think 60 years, and
10 found out he was paying more taxes, my dad was the
11 postmaster at Makawao, asked the County to have the tax
12 thing changed to Ag just for a temporary thing. And the
13 County wrote and said it'll exist as Ag for 10 years.
14 If anything got sold or changed, then he would pay the
15 difference in the tax.

16 Well, after the 10 years was up, it stayed,
17 you know, the same rate on the tax deal. And then
18 somewhere along the line, it got changed from Urban and
19 they made it Ag.

20 And the reason I'm here is because that
21 property, and my Uncle Antonio's property, which is the
22 other side of the County, was both at the same time
23 asked to be put in an Interim Ag deal for the tax
24 purposes only. That particular property that I own was
25 given to me with the understanding it goes to my

1 brother. My brother passed away. He got killed. And
2 I'd like to give it to his kids. He has three kids.

3 And I found out all about this about a year
4 and-a-half ago. And I called the County. And I was
5 told that I cannot cut that into three lots to give it
6 to them because I had 5.9 acres and it was Ag. And I
7 said, "When did it get changed to Ag?" And I was told
8 that it was changed and they didn't have to notify me
9 that it was changed.

10 Well, the ridiculous thing is, my property and
11 my cousin's property, which is right on both sides of
12 the County, has a nice little jog right around the
13 County piece. And at that particular time, as I recall,
14 the Urban Interim, 6,000-square-foot zoning, the County
15 made 5,000-square-foot lots.

16 There was also water moratorium. Water
17 moratorium is still in effect. County put in 22 meters.
18 I got called by a lot of people to go and make noise and
19 stuff, because I was the neighbor right on the side.
20 And I felt, you know what, God bless 'em, do what they
21 gotta do. But now that it's me, I'd like to see my
22 niece and my nephews get that -- get a piece of property
23 where they can afford to live and maybe someday be able
24 to give to one or two of their kids.

25 But by excluding me out of that area, which

1 all the houses along Baldwin Avenue, which you start
2 develop, down the gulch which developed, Burns Street
3 which is makai of Saint Joseph Church, which is all
4 housing. So I'm surrounded right around by houses, but
5 the line got drawn right around me. So that's where the
6 area is.

7 VICE-CHAIR U`U: Thanks again. And someone,
8 the previous week, testified on concerns about their
9 property, similar to what you have concerns. And it was
10 made a point to me by the Planning Department that, by
11 law, they don't have to notify the landowners.

12 MR. BALTHAZAR: Yeah. Well, that was what I
13 was told.

14 VICE-CHAIR U`U: No. I'm just saying I think
15 they should.

16 MR. BALTHAZAR: Well, I think they should,
17 too.

18 VICE-CHAIR U`U: They are saying they don't
19 need to. And that's part of the problem. So I glad you
20 came here, because I brought it a point last week to ask
21 to notify the owners of certain properties that gonna be
22 like you, after the fact, when it's too late. And it's
23 good to talk about the plan on how it's being brought
24 up. But, more importantly, it's a better thing to
25 understand the plan once it takes effect. And people

1 is, you know, you -- you'll see on that map, those two
2 properties is the only two mauka of Kee Road that's
3 affected. And that is really what I am here for.

4 I just found out about this meeting. So I had
5 to leave work and come. But I worked for the County for
6 36 years in the Fire Department, and -- and ranch, also.
7 I'd like to see good ag land, like Doug said, stay Ag.

8 The problem with leaving ag land Ag, it's a
9 great thing to talk about, but where's the water?

10 CHAIR HEDANI: Thank you very much, Brendan.
11 Question from Commissioner U`u.

12 VICE-CHAIR U`U: Thank you for coming, for
13 testifying. I think you brought up a good point. And
14 to make me understand the property that you own, I was
15 wondering if had you a map of some sort?

16 MR. BALTHAZAR: It's theoretically off the
17 map. It's right at the top. Kee Road -- you know where
18 the cemetery is?

19 VICE-CHAIR U`U: Yes.

20 MR. BALTHAZAR: Okay. Soon as you come down
21 the road by the cemetery, the bottom of the road is my
22 property, mauka. And then you hit the County property,
23 which is the place that developed. And then the next
24 property was my cousin's property. So the line excludes
25 that property, which I'm adjacent to Baldwin Avenue, and

1 like you, by bringing up these sort of situations you
2 run into, hopefully, runs through their minds. So if
3 they have the common courtesy to let the landowners know
4 what's going. And it will make it easier for myself to
5 vote on certain projects. So I thank you for coming.

6 MR. BALTHAZAR: You're welcome. Well, you
7 know, on that issue that you just said -- well,
8 (inaudible), who's the surveyor, had the same thing
9 happen to me, I just found out. And he went to court
10 and he won because he wasn't notified. So, I mean, I'm
11 just finding out all of this.

12 Jonathan, you had one question?

13 CHAIR HEDANI: Commissioner Starr.

14 COMMISSIONER STARR: Yeah. Mr. Balthazar,
15 first of all, I think that County project that kind of
16 is right between the two that got taken out and made Ag,
17 that's called Makawao Highlands. And I'm sure other
18 Commissioners will remember that. That was kind of an
19 unusual thing that happened a few years ago.

20 But, Mr. Balthazar, I understand you run a few
21 head of cattle and -- and, you know, I know we feel it's
22 really important to maintain not only ag, but food
23 production, you know. So about -- about how many acres
24 on Maui do you -- do you keep in food production?

25 MR. BALTHAZAR: On Maui?

1 COMMISSIONER STARR: Yeah.
 2 MR. BALTHAZAR: 6,000.
 3 COMMISSIONER STARR: And if, you know, this
 4 changes from Ag to Urban, do you think that would
 5 substantially impact or benefit keeping that 6,000 acres
 6 going?
 7 MR. BALTHAZAR: Well, it -- it won't affect
 8 me, but it'll affect my nieces and nephews in the
 9 future. If -- if I give them that property, I -- I
 10 cannot do nothing with 'em the way it is. Besides that,
 11 you really cannot do any kind of ag on that 5.9 acres
 12 because you're surrounded by houses. So even, at one
 13 time, I had some cattle there, and I got complaints from
 14 flies. So I have nothing there now.
 15 COMMISSIONER STARR: Okay. Thank you.
 16 MR. BALTHAZAR: Thanks.
 17 CHAIR HEDANI: Mr. Michael Lepiune, to be
 18 followed by Sharrott, somebody named Sharrott.
 19 MR. LEPIUNE: I got a loud voice so I won't
 20 use that.
 21 COMMISSIONER HIRANAGA: You gotta.
 22 MR. LEPIUNE: Oh, you need to record me?
 23 Good afternoon. I listened to the definition
 24 of the different zones in the introduction. And I had a
 25 few questions to go along with that. And then I'll

1 explain why I'm particularly here.
 2 You mentioned that we import 90 percent of our
 3 resources to this island.
 4 CHAIR HEDANI: Mike, can you hold the
 5 microphone up because it needs to be picked up by the
 6 recorder?
 7 MR. LEPIUNE: Certainly. It was mentioned
 8 that we import 90 percent of our resources to this
 9 island. And it was also mentioned that the Planning
 10 Commission is looking to drop the number of people
 11 moving to this island from 16,000 to 11,000. And I'm
 12 just curious what kind of impact that's gonna have on
 13 the import/export of our resources if we just increase
 14 the population instead of maybe focusing on increasing
 15 our homegrown resources here such as food.
 16 The other question I have -- and this might
 17 sound a little cynical -- but on these developed lands,
 18 what kind of fees is the counties gonna collect -- is
 19 the County gonna collect from the developers on all of
 20 this? I mean, what's the motivation? I mean, like I
 21 said, it might sound cynical, but these are questions I
 22 ask.
 23 Then to bring up why I'm personally here. The
 24 development of these areas, especially down here in
 25 Pukalani where I'm a homeowner, will affect all of us

1 because of our infrastructure uses, such as the sewage
 2 treatment plant down there, which anybody who lives by
 3 it knows what that smells like. And our water supply,
 4 when I came to the meeting with Chris Hart's company,
 5 they mentioned something about a new well going in.
 6 But, you know, plans and definitions are all nice, but
 7 where are the hard figures that show that we have the
 8 extra water for these new people, we have the sewage
 9 treatment facilities to handle more people coming in?
 10 And those are questions I would like to have
 11 answered. Thank you.
 12 CHAIR HEDANI: Thank you very much. Any
 13 questions for the testifier? Seeing none, thank you
 14 very much.
 15 Next person to testify is Mr. or Ms. Sharrott,
 16 to be followed by Angie Hofmann.
 17 MS. SHARROTT: Good afternoon, ladies and --
 18 good afternoon, ladies and gentlemen and Committee
 19 Members. My name is Terry Sharrott. I have lived on
 20 Maui for 20 years. And I am the broker and owner of
 21 International Real Estate Services here on Maui. I have
 22 been a past director of the National Health Committee
 23 for 23,000 members. And I've directed a Global Ecology
 24 Summit at the UN Earth Summit. I'm an active Maui
 25 volunteer.

1 I'm here today to add my support and to
 2 express my enthusiasm toward a new project called
 3 Piiholo South, a planned progressive senior ecology
 4 community adjacent to downtown Makawao. It will provide
 5 transportation, active 60-acre open air environment,
 6 with gardens, vegetable gardens, hiking trails, and
 7 already has its own water well.
 8 I spoke with Deborah Arendale from the Maui
 9 County Office on Aging this morning, who told me that
 10 they had meetings scheduled today and no one would be
 11 here. I'm not sure if anyone is here.
 12 UNIDENTIFIED SPEAKER: I'm here.
 13 MS. SHARROTT: Okay. Then I won't quote her.
 14 She'll have time to testify. Maui's seniors need
 15 choice, not just room. We have an urgent need on Maui
 16 for senior housing. I've been told that there's a two
 17 to seven-year waiting list to get into any kind of
 18 housing.
 19 I belong to a group of nearly 80 Maui women
 20 here, calling ourselves The Angel Ohana. We are a
 21 diverse group of individuals of current/retired
 22 educators, school principals, professionals, who have
 23 made a conscious connection. We're active in our
 24 community, we volunteer, we support each other in many
 25 causes, pay our taxes. And now we want our County to

1 recognize our need.

2 This month alone, two educated contributing
3 members of our ohana have been forced to leave to
4 mainland retirement communities. There are no adequate
5 alternatives here for senior housing and none with the
6 choice of aging in place.

7 With the recent economic downturn, many
8 seniors who have thought in the past that they could
9 remain in their homes will not be able to do so. This
10 project will address the needs of the baby boomers on
11 the island by the time it's built. What's going to
12 happen when the march of the baby boomers is at hand on
13 the island? We have a crisis now. It's only going to
14 get larger.

15 And I haven't seen one plan for a senior
16 housing community on the General Plan. It's my desire
17 to age in place, close to my friends and ohana here in
18 Maui. There's no other senior communities being offered
19 at this time on the General Plan by any other developer
20 on the island, so we need to create this in order to
21 have a choice. Let's take this opportunity, put Piiholo
22 South on the map.

23 Thank you.

24 CHAIR HEDANI: Thank you, Terry. Question
25 from Commissioner Starr.

1 I grew up in Kihei and moved out of Kihei four
2 years ago because I couldn't take the sprawl my hometown
3 was experiencing. I moved to Kuau, and now live in
4 Makawao. It makes me sad to see some of the same
5 decisions being made Upcountry and North Shore that were
6 made down country.

7 I was bummed about the vote to urbanize the 50
8 acres of sugarcane in Kuau that A&B wants to do when
9 they already are talking about 200 units in Paia on 46
10 acres. The estimated need for the area is only 119
11 acres. So seeing that the traffic is already quite
12 awful there, it seems strange to make it worse if it's
13 not even needed.

14 Also, it just kind of came out of the blue.
15 Me and MY neighbors never heard about this project the
16 whole time I lived there. And a lot of projects are
17 being talked about without real community input.

18 Next I'd like to say we need to keep our prime
19 ag lots in ag. We are an island in the middle of the
20 Pacific that imports about 90 percent of our food. You
21 guys keep hearing this, but it's a ridiculous stat
22 when we have so much great weather and great land to
23 grow food on. When the County researched, they found
24 that there are many two, five and ten-acre lots that
25 were actually farmed, were actually being farmed on

1 COMMISSIONER STARR: Yeah. I have a question
2 for you. This Piiholo South, which is not on any of the
3 maps, was not recommended by the Department or the GPAC,
4 and is simply a big piece of land that's in cultivation
5 by Maui Land & Pine. What gives you the idea that they
6 would build senior housing there if it was urbanized?

7 MS. SHARROTT: This is not a Maui Land & Pine
8 project nor is it owned by Maui Land & Pine. This --
9 this project is a 300-acre parcel owned by Zachary
10 Franks and Cindy Pulis, I believe. And 60 acres is
11 adjacent to and just behind Saint Joseph's School --
12 Saint Joseph's Church in Makawao. And they plan on a --
13 helping out the community as it already exists in
14 developing from low income to assisted living in the
15 area. It's 60 acres only out of the 300 acres that they
16 own. And they have their own well.

17 Does that answer you?

18 COMMISSIONER STARR: Yes.

19 CHAIR HEDANI: Thank you very much, Terry.

20 Any other questions?

21 (Silence.)

22 CHAIR HEDANI: If not, the next person to
23 testify is Angie Hofmann to be followed by Irene Bowie.

24 MS. HOFMANN: Aloha, Commissioners. I'm Angie
25 Hofmann.

1 Upcountry.

2 So in Haliimaile, the projects that are being
3 talked about, in prime ag lands, it seems strange to put
4 high density houses there when we have, you know, such
5 few prime ag lands left. And, also, by King K School.

6 Prime Ag lands should not be determined by
7 what land the plantation owners want to keep and what
8 land they wanna get rid of. This Ag to Rural or Urban
9 switching is only good for their pocketbooks and not for
10 our island. We know sugar is economically failing, but
11 urbanizing those lands is not the answer, and is highly
12 unsustainable for our island.

13 You folks have the power to take our islands
14 in a better direction by honoring prime ag lands. So I
15 just ask that you please leave ag in ag.

16 You heard Waihee coming forward and say they
17 wanna keep growing taro and leave their lands in Ag.
18 You heard Wailuku Country Estates come forward and say
19 they wanna leave their lands in ag because they grow
20 food. So there are many farmers, you know, Upcountry,
21 too, that wanna farm. And you're hearing from a lot of
22 people that wanna farm. So, you know, let them. And
23 reward those people with lower taxes.

24 So, yeah, just want you to think about that.

25 Please don't allow them to grow houses on our ag land.

1 And think about, again -- many people have said it --
2 think about the seven generations and the future of --
3 the children need to eat something. And like the guy
4 pointed out earlier, it's like building houses, allowing
5 more people to come, and not having, you know, more food
6 being grown creates a real unbalance.

7 So, anyway, thank you.

8 CHAIR HEDANI: Thank you, Angie. Question
9 from Commissioner U'u.

10 VICE-CHAIR U'U: Yeah. I -- thanks for your
11 testimony, Angie. I think the reason why it was added,
12 it was stated by the landowners that it wasn't feasible
13 to be building in that area which was put in, I guess,
14 by the Planning Department or the General Planning
15 Committee. So even though you seeing the 200 growth for
16 the Paia region, it was stated by the landowners that
17 they weren't -- they weren't gonna move forward with
18 what was designated for them. And that was part of the
19 reasoning.

20 MS. HOFMANN: They were gonna move forward
21 with the Kuau or the Paia one?

22 VICE-CHAIR U'U: The Hamakuapoko.

23 MS. HOFMANN: Oh, okay.

24 VICE-CHAIR U'U: And the Paia project which
25 are projected to bring in an, I guess, infill, of 200

1 land use and community-based planning practices which
2 focused growth into existing communities by taking
3 advantage of infill and redevelopment opportunities.
4 Promoting compact, walkable mixed-use development and
5 revitalizing urban town centers.

6 Last week's presentation by Long Range
7 Planning clearly showed how these principles are being
8 used successfully throughout the country. Maui County's
9 decision-makers would be well advised to listen to the
10 voice of our community and make land use decisions based
11 on these principles.

12 The projects Maui Tomorrow rated for Upcountry
13 are Pukalani Town Center, Piihoho South, Haliimaile
14 Mauka and Haliimaile Makai. All four have two things in
15 common, each would need to build packaged sewer
16 treatment plants as there's no centralized sewage
17 treatment Upcountry. And none of the projects are
18 within the Urban Growth Boundaries recommended by GPAC
19 and the Planning Department, and supported by Maui
20 Tomorrow.

21 There are already over 2,400 units in Hawaiian
22 Homes Upcountry that are planned and/or being built.
23 They will and should have first rights to scarce
24 available water resources.

25 In addition, there are about 1,300

1 homes. And there's -- the landowners testified, said
2 they wouldn't move forward on that project. You know,
3 and I wouldn't know about them -- and I agree with you
4 totally on farming -- but like Mr. Balthazar said, we
5 gonna need some water to get (inaudible), but I do agree
6 with you on the farming.

7 MS. HOFMANN: Yeah, yeah. Water's a huge
8 issue here. Yeah, I'd like to see, you know, less water
9 be piped elsewhere and more saved for, you know, farming
10 and -- and, also, you know, all the many people who have
11 been waiting for meters, too.

12 So thank you.

13 CHAIR HEDANI: Thank you very much, Angie.

14 The next person to testify is Irene Bowie, to
15 be followed by Jody Vegas.

16 MS. BOWIE: Irene Bowie, Maui Tomorrow
17 Foundation. Welcome back, Chair Hedani. And Aloha,
18 Commission Members.

19 I brought Vanna White and props with me for
20 today's presentation.

21 The GPAC's Guiding Land Use Principles serve
22 as a framework for future land use decisions. They're
23 derived from the Focus Maui Nui, Walk Story/Plan Story,
24 public outreach events, community workshops, and public
25 testimony. Included in these principles are sustainable

1 applications on the existing Upcountry water meter list
2 that should be allowed before any new projects are
3 approved.

4 These must be considered as we go forward with
5 the 2030 plan.

6 Of the rated projects, Pukalani Town Center, a
7 multiuse project on 41 acres, opposite Pukalani
8 Superette, would be the closest to fulfilling the
9 principle of infill and revitalization as it includes
10 217 units and condos and cluster housing in what is
11 already a mixed-use area.

12 A library site is proposed, but it's unknown
13 given current budget constraints when the State would
14 build it. A fire station is on adjacent property.

15 Community concerns relate primarily to
16 anticipated traffic on Makawao Avenue and Old Haleakala
17 Highway. And both roads would need widening and left
18 turn lanes.

19 Piihoho South, near St. Joseph's Church, in
20 Makawao, is proposed for 200 senior housing units on 60
21 acres. Units would range from assisted living
22 apartments to detached houses. The owners have drilled
23 a new well which is producing 1.8 million gallons per
24 day of good quality water. Traffic and school capacity
25 impacts are anticipated to be low. And Maui Tomorrow

1 recognizes the community's great need for senior
2 housing.

3 The two projects at Haliimaile, A&B's
4 Haliimaile Makai and Maui Land & Pine's Haliimaile
5 Mauka, were rated the lowest of the four as they scored
6 poorly regarding proximity to jobs or agricultural
7 impact, no fire station nearby and the lack of water
8 supply and sewage disposal.

9 In closing, I again remind Commissioners of
10 GPAC's guiding light -- Guiding Land Use Principles,
11 based on public input, which state that given the high
12 cost of developing public infrastructure and facilities
13 to service remote areas, the significant environmental
14 and social impacts associated with long vehicle commutes
15 and the broad desire to keep the countryside country,
16 it's preferable to locate development as close as
17 possible to existing employment centers.

18 Undeveloped lands near Central, South and West
19 Maui are closer to existing public facilities and major
20 centers of employment and are the most feasible and
21 cost-effective for future development.

22 Thank you.

23 CHAIR HEDANI: Thank you, Irene.

24 The next person to testify is Jody Vegas, to
25 be followed by Linda Mau.

1 minutes.

2 The next person to testify is Linda Mau, to be
3 followed by John Wilson. And after John Wilson, we're
4 gonna take a 10-minute break.

5 MS. MAU: All right. Good afternoon. My name
6 is Linda Mau. I'm here as a public citizen. I work as
7 a public health nurse doing elder case management for
8 Department of Health, State of Hawaii.

9 I'm here to support the Piiholo South
10 proposal. It sort of resonated with a recent email that
11 I read about the Eden Alternative, or it's the work
12 based on Bill Thomas' work. And just to explain, there
13 is a culture change taking place as our seniors age in
14 place. And that is to create home. To move from an
15 institution model of care to a person-directed model of
16 care. And person-directed care is when we create a
17 world in which elders truly direct their own care and
18 make their own choices about how they spend their time.
19 Also, create a world in which care partners are highly
20 involved in their decisions that are relevant to their
21 jobs and the people they care for. And, lastly, they
22 have elders, their families, and the Staff in part of
23 thriving interdependent community where relationships
24 matter. And I think that's what they were sharing
25 earlier.

1 MS. VEGAS: Good afternoon. My name's Jody
2 Vegas. Thank you for listening to our testimonies.

3 I recently have had a mother-in-law who's been
4 really ill for quite some time. And our family -- prior
5 to her becoming ill, we tried getting her into senior
6 housing. And it took approximately five years, almost
7 to the day, to get letters and paperwork back.

8 By the time we got the paperwork back, she was
9 so bad with Alzheimer's and dementia that it took
10 another couple months to get her into Kula Hospital.

11 So I just wanna say we really need senior
12 housing. Piiholo area is a great site. I think it's
13 long overdue. Hale Makua is tapped out, there's no room
14 for patients. Kula Hospital, there's a waiting list.
15 All the senior housings, there's a long wait list.

16 And I just wanna say, in Piiholo, they also
17 propose that they're gonna have a geriatric doctor
18 on-hand and dentistry, or a dentist in the area, which
19 is really important for older people. Because their
20 ability to drive, their ability to go out into the
21 community is really difficult for them. I just wanna
22 say I'm in favor of it.

23 Thank you.

24 CHAIR HEDANI: Thank you very much. Jody, you
25 get extra brownie points for being under the three

1 I don't know that the -- the proposal sounds
2 like a very vibrant, active community where there are a
3 gathering place, community gardens, and talk about
4 access to hiking trails.

5 And especially want to also support what Jody
6 was saying that, in working with her and her
7 mother-in-law, we were having, really, a difficult time
8 trying to find specialists to specifically work with
9 elders. We lack geriatric psychiatrists here on Maui.

10 And I think Zachary Frank is open to ideas
11 from the public that would address this great need.

12 So I just see the proposal project to be
13 something that's really needed in the way of housing,
14 and, also, appropriate medical and dental care, and that
15 it addresses the whole person. So thank you for your
16 time.

17 CHAIR HEDANI: Thank you.

18 The next person to testify is John Wilson.

19 MR. WILSON: Aloha. I wanted to thank you all
20 for coming up to Upcountry to take part in this kind of
21 a discussion. We really appreciate it.

22 I'm currently the Treasurer of the Kula
23 Community Association Board and the Past President. We
24 have several recommendations, one of which Pua Gomes
25 will subsequently testify for.

1 Bear with me. I'm going to try to read this
2 as fast as I can. I timed myself and edited some of it
3 so I get under three minutes.

4 First: Do not add any urban growth areas in
5 Kula. The Directed Growth Strategy is designed to
6 provide growth in areas with adequate infrastructure and
7 to be near job centers. High-density developments
8 without adequate road infrastructure cause safety
9 problems. A lack of water in Kula is a perpetual
10 problem that affects all current residents. Placing
11 further demands on our water system is unwise.

12 The Kula Ridge subdivision proposed to put 116
13 units above the Kula Community Center. The Kula
14 Community Association has major concerns about the
15 project. A copy of our concerns is included with this
16 packet.

17 The second item is keep Kula on the Urban
18 Growth Boundaries as on the map. And Pua Gomes will
19 address that issue.

20 Third: The Kula Community Association Board
21 strongly supports the Ag land use designation,
22 especially Ag 3, which will help preserve land for
23 future large scale farming and protect open space. We
24 encourage these designations to be adopted through
25 ordinance to become meaningful.

1 subdivision, inadvertently include adjacent farm areas,
2 including one of Kula's most productive strawberry
3 farms. I have 15 copies of the actual subdivision here
4 to distribute to you.

5 And, finally, the Community Advisory Boards:
6 The Kula Community Association Board supports the GPAC
7 and Planning Director's recommendation found in the
8 planning's implementation section to establish an
9 advisory board in each of the six Community Plan
10 Districts, similar to the existing Hana Advisory
11 Committee.

12 Thank you.

13 CHAIR HEDANI: Thank you very much, John.
14 Question from Commissioner Starr.

15 COMMISSIONER STARR: Yeah. I understand you
16 said that you -- you support the -- the concept of the
17 Rural Growth Boundaries. Do you also support the way
18 they are delineated on the current maps in terms of both
19 Rural Growth Boundaries and, also, Rural Service Areas
20 inside of Kula?

21 MR. WILSON: Speaking for the Board, we feel
22 that is something that really should be discussed during
23 the Community Plan process itself to verify those
24 boundaries. But in general, yes, it's a good start.
25 I'm in one of those, which is the Kula Glen subdivision.

1 We also encourage the adoption through
2 ordinance of review of agricultural subdivisions with
3 four or more lots, and a requirement they be built with
4 conservation subdivision design, leaving large tracts of
5 land. We also recommend use of conservation subdivision
6 design be allowed for all the rural and agricultural
7 lands, not just prime or projected to preserve open
8 space.

9 Fourth, Rural Residential designation: The
10 Kula Community Association Board supports the Rural
11 Residential designation which allows for the voluntary
12 conversion of agriculturally-zoned lots, minimum
13 two-acre rural-zoned lots when main activity is
14 residential. The purpose of the new designation is to
15 better reflect the actual uses. There are many
16 small-size agricultural subdivisions that have become
17 residential. We request the Rural Growth Boundaries
18 which are at or near the end of the process be reviewed
19 and refined during the Community Plan Update when
20 detailed map site visits and broad-base community input
21 are done.

22 Fifth: Kula Glen subdivision designation
23 needs a site visit. That residential boundary was added
24 to the map by the Planning Department after the IRC
25 reviewed the map. Map line extends beyond the actual

1 And that's why I -- if you asked the same question you
2 asked Doug earlier, I farm, but I might not wanna farm,
3 I could change it easily.

4 CHAIR HEDANI: Thank you very much, John.
5 At this time, if there's no objection, we'd
6 like to go ahead and take a 10-minute recess.
7 (Recess, 2:26 p.m. to 3:01 p.m.)

8 CHAIR HEDANI: Planning Commission meeting of
9 September 2nd is back in session.

10 We do have in excess of 43 people that would
11 like to testify. So we're gonna be a little strict on
12 our time regulation.

13 Next person to testify is Jo Reyes to be
14 followed by Rita Barreras.

15 MS. REYES: Hello. Thank you for having this
16 opportunity to provide testimony.

17 There are two parts of my testimony. My
18 name's Josephine Reyes, and I am with the Maui County
19 Office of Aging. I'm a program specialist. One part of
20 my testimony will be on behalf of Maui County Office of
21 Aging; and the second half will be a personal one.

22 As far as Maui County Office of Aging, we
23 wanted to support the development of senior housing. We
24 need it Upcountry. And all of the data and studies that
25 we have clearly indicates that there is a great need for

1 it in Upcountry Maui -- well, throughout the island, as
2 a matter of fact. However, definitely in Upcountry
3 Maui.

4 There is a wait list in most of the senior
5 housing projects here in Maui of at least two or three
6 years. And in Makawao, it is our understanding there is
7 a wait list about seven years so. That speaks volumes
8 in terms of the need of people who live and reside
9 Upcountry, saying that, you know, they need housing.

10 And so that is the official testimony for Maui
11 County Office of Aging.

12 As far as my personal testimony, I want to say
13 that I have been employed in the field of social
14 services for 40 years. 32 years have been with Senior
15 Services. And I have been a very active member -- I --
16 I also have resided Upcountry Maui for 40 years. And
17 having been an active -- I mean, been in the area of
18 senior services for 32 years, I want to say that I have
19 been a very active member in many coalitions, in
20 networks, in organizations, primarily in the senior
21 services area. And based on planning that we have done
22 as a member of those organizations and community
23 partnerships, people have clearly indicated -- we have
24 done focus groups throughout the County of Maui,
25 Molokai, Lanai and Maui -- and they have all spoken

1 loudly and said -- and these are all senior groups --
2 they have all spoken loudly and said, we want to age in
3 place.

4 And in order to age in place, it's not in an
5 institution, but, rather, in their homes where they want
6 to be with their families, or in those areas that they
7 feel very familiar with.

8 And I think the data clearly shows that there
9 is a huge aging -- increase in aging population that is
10 coming about very shortly. And it's happening as we
11 speak. And we are not prepared, really, for all of
12 those things.

13 And so this testimony on my part is to speak
14 in support of Piiholo South. I believe that that
15 organization, the housing that they have in mind, is
16 very appropriate because they will address the various
17 needs of the aging population.

18 There are various levels of care that will be
19 addressed. Those that are independent, those that will
20 -- that need to perhaps --

21 CHAIR HEDANI: Three minutes.

22 MS. REYES: Pardon?

23 CHAIR HEDANI: If you could finish up. Three
24 minutes.

25 MS. REYES: And this is the end.

1 So I just want you to know that I am clearly
2 in support of Piiholo South.

3 Thank you.

4 CHAIR HEDANI: Thank you. Question from
5 Commissioner Starr.

6 COMMISSIONER STARR: Yeah. As far as senior
7 housing and aging in place and assisted living, I think
8 that a lot of us Commissioners feel strongly that these
9 are -- are good things and these are certainly things
10 that in our policies section of the plan we've put in.
11 The problem that we -- that some of us face in a
12 situation like this, though, is what is before us is not
13 a specific project as Piiholo South. It's not before us
14 as a -- a place for seniors.

15 What's before us is to take productive
16 agricultural land and -- above Makawao where there's
17 very -- where traffic impacts are already great, and
18 said we want to take it out of productive ag and turn it
19 into urban. And what happens after it's urbanized. And
20 I understand Mr. Franks and his people did buy it from
21 Maui Land & Pine, you know, a couple years ago. We have
22 no idea. And I don't know if anyone in the public or
23 anywhere in the world, even Mr. Franks, knows whether,
24 ultimately, it will be Piiholo South and senior living
25 or whether faith and realities will turn it into

1 something completely else.

2 So, you know, since you are here representing
3 the County, and, you know, also, the Planning Department
4 is certainly representing the County -- I mean, if there
5 was some mechanism -- and I don't know what this is at
6 the comprehensive plan level for us to, you know,
7 designate something as senior living and aging in place.
8 I think that would be a lot easier than just saying, you
9 know, here's a great big 325 acres of ag land that we're
10 gonna turn into Urban.

11 CHAIR HEDANI: Jonathan? Jonathan?

12 COMMISSIONER STARR: So how can -- yes?

13 CHAIR HEDANI: Can you phrase a question,
14 please?

15 COMMISSIONER STARR: Yes, I will, Mr. Chair.
16 And thank you very much for giving me the time to phrase
17 my question.

18 And so I'd like to know what is the County
19 willing to do to make us feel that this is definitely
20 gonna be a senior project and not -- we're not just
21 urbanizing ag land?

22 MS. REYES: I can't really officially speak in
23 terms of what the County or our office is willing to do.
24 I speak -- I'm here because my boss asked me -- Deborah
25 Arendale asked me to be here to say that we are

1 definitely in support of developing senior housing in
2 the Upcountry area. And beyond that, I cannot say
3 anything more other than that we are in support of it.
4 So I can't really answer your question.

5 Thank you.

6 CHAIR HEDANI: Thank you very much, Josephine.

7 Next person to testify is Rita Barreras, to be
8 followed by Dr. Tony Povilitis.

9 MS. BARRERAS: Aloha. Thank you for this
10 opportunity to speak before you. I'm Rita Barreras, the
11 Director of what's called Aging with Aloha Coalition.
12 We used to be called the Maui Long-Term Care
13 Partnership. I provided the Commissioner a copy of our
14 brochure and, also, a tabloid supplement that appeared
15 in The Maui News in July. This tells you a little bit
16 more of our background.

17 But, in a nutshell, we were funded by the
18 Robert Johnson Foundation years ago to put together a
19 strategic plan for long-term care, which we have done.
20 And I wanted to highlight a few things of what we have
21 done.

22 We traveled around the community and asked at
23 that time, similar to what you do, what are the needs of
24 seniors out there in terms of long-term care. The first
25 thing they said is we need information about where to

1 fastest growing aging population in the nation.

2 We need less emphasis on institutional
3 facilities. So as you do plan ahead and think of land
4 use, I think we need to balance it out with residential
5 options for low and middle income people. We need to
6 explore alternatives like the Greenhouse Project, or
7 aging in place options. Hale Mahaolu is the perfect
8 innovative example that we have here that we shouldn't
9 ever forget that, that we should cloak it out over the
10 islands. That's what people want, except for middle
11 class people. We don't have enough stock for the
12 population.

13 The Maui Foundation has been exploring The
14 Greenhouse Project, they've been in conversation with
15 Hale Makua and others. That's another one. Piihola
16 South, you just heard, is another alternative. The West
17 Maui Hospital, Big Island long-term care unit. So we
18 are a resource here in the community. That's what I
19 wanted to let you know primarily. If you could refer
20 initiatives to us, we could study them, give you
21 feedback.

22 There is a concept called the Community
23 Benchmarking System that perhaps we could look at things
24 like ag land, land use issues. That's something our
25 coalition hasn't really looked at.

1 go. So we now have a website, which we hope you will
2 help publish, www.agingwithaloha.org, because a lot of
3 people in the community need to know where to get help
4 when they need it.

5 We also said, okay, let's look at the
6 infrastructure on Maui and figure out what we have in
7 the way of stock of long-term care facilities and
8 residential options. And what we discovered in 2003,
9 that, in the worst case scenario, at a nursing home, in
10 Kula Hospital, or Hale Makua, that it ranged from
11 \$72,000 to \$108,000 a year to live there. Now, the
12 majority of those people are receiving Medicaid, so it's
13 primarily government sponsored.

14 We also have changed the terminology
15 "long-term care" to "home and community-based services."
16 We're getting away from long-term care because people
17 think only of facility-based care.

18 We're also addressing the workforce in the
19 community by teaching high school students and college
20 level students around a long-term care curriculum.

21 That in terms of infrastructure on Maui, we
22 clearly do have a tsunami in aging. If you see Dr. Bill
23 Thomas on Channel 9, he is the person who has been
24 modeling the Greenhouse Project and the Eden
25 Alternative. And he is correct that Hawaii is the

1 So just to close, there's a survey that our
2 coalition is doing in the community now. We're about to
3 release it. And it is to look at who's at risk in the
4 community. And if you have some thoughts about some
5 housing related questions or land use issues that we
6 could add to that survey, we'd be glad to.

7 Thank you.

8 CHAIR HEDANI: Thank you very much, Rita. The
9 next person to testify is Dr. Tony Povilitis, to be
10 followed by Mark Walker.

11 MR. POVILITIS: Good afternoon, Chairman and
12 Commissioners. My name is Tony Povilitis. I live in
13 Makawao. And I'm with a nonprofit organization called
14 Life Net Nature.

15 I'd like to share with you 10 conversation
16 points of importance in the future of Maui's coral
17 reefs. In the interest of time, I'll just go ahead and
18 read them off.

19 Number one: Maui is committed to reef
20 protection and restoration. As indicated, for example,
21 in the Draft Island Plan.

22 Number two: Maui's coral reef ecosystems are
23 in serious trouble. Some already have collapsed.

24 Three: Global heating is making coral reefs
25 even more vulnerable.

1 Four: Urbanization is the underlying cause of
2 coral reef degradation.

3 Five: Maui County is planning more coastal
4 urbanization.

5 Six: There is no proven mitigation for urban
6 impacts on Maui's coral reefs.

7 Seven: Development on Maui must be tied to
8 coral reef protection and restoration.

9 Eight: This Commission should recommend that
10 the pace of new development correspond to progress with
11 coral reef protection and recovery.

12 Nine: A high level task force should be
13 created to help integrate coral reef conservation and
14 development in this matter.

15 And, 10: Otherwise, to be frank, proceeding
16 with development plans condemns Maui's coral reefs.

17 I'd like to leave with you a paper just
18 published in the Scientific Journal. It's entitled
19 "Quantifying the Impact of Watershed Urbanization on
20 Coral Reefs." This is over on Oahu. It, basically,
21 concludes that reef recovery is a daunting task. And if
22 you read it and think about it, it's darn near next to
23 impossible, once coral reefs are heavily degraded or
24 destroyed in an urban environment.

25 I don't know how much discussion you've had on

1 and comply with.

2 This document as it stands today will create a
3 huge amount of additional work and unneeded confusion
4 for everyone, the public, the Planning Department, and
5 the future planning commissioners that will have to make
6 rulings based on the new General Plan.

7 I was encouraged to read some recent comments
8 from Commissioner Mardfin expressing some of the same
9 concerns as raised to the size and unwieldy nature of
10 the document. I know that the Planning Commission has
11 been tweaking the GPAC version of the General Plan,
12 doing some wordsmithing, some chopping here and there,
13 but, from what I can tell, the document remains very
14 large and overreaching.

15 As I suggested then, and reiterate now, the
16 Planning Commission should take a broader view of the
17 General Plan, leave the details, the minutia, if you
18 will, for the Community Plans and government agencies to
19 work out.

20 I want to again thank you and all the GPAC
21 Members for their tireless effort and dedication in
22 advancing the General Plan to this stage. As I have
23 previously testified, there are many, many good ideas
24 and concepts in this document; they just don't all
25 belong in the General Plan.

1 this topic, but it's really essential that this be given
2 high priority. Because once that development starts up,
3 you can't stop it. And, in retrospect, we'll regret
4 years from now what we've done to these precious
5 ecosystems.

6 Thanks a lot for your time.

7 CHAIR HEDANI: Thank you, Dr. Povilitis. The
8 next person to testify is Mark Walker to be followed by
9 Vicki Schulte.

10 MR. WALKER: Good afternoon, Mr. Chairman and
11 Commissioners. My name is Mark Walker.

12 I last testified before this body on June 30th
13 of this year. I provided copies of that testimony to
14 the Planning Department at that time and have also made
15 additional copies for you today, if you -- if you would
16 wish to receive them.

17 The basic gist of my previous testimony was
18 that the proposed General Plan has been -- that has been
19 forwarded to the Planning Commission by the GPAC is not
20 general at all, but, rather, very specific. And because
21 of its specificity, the document has swelled to 188
22 pages or so, which I testified had roughly 31 major
23 goals, 93 objectives and 543 policies and sub-policies.
24 Overwhelming. Overwhelming for the Planning Department
25 to enforce and overwhelming for the public to understand

1 For the public's sake, for future
2 commissioners' sake and for the Planning Department's
3 sake, please make the necessary reductions to this
4 document so that it is truly reasonable and usable. In
5 short, make the General Plan general.

6 Mahalo.

7 CHAIR HEDANI: Thank you, Mark.

8 Next person to testify is Vicki Schulte, to be
9 followed by Myrna Stone.

10 MS. SCHULTE: Aloha Planning Commission, e
11 komo mai my to Upcountry.

12 Oh, excuse me. I have a call.

13 Just a moment, please.

14 By the way, I'm interested in extra credit, so
15 I'm going to make this one minute or less.

16 Hello. No, no, no, no. No, that's not what
17 it is. No, no, no. No, it's not 325 acres that they
18 wanna make into senior housing. No. I told you, it's
19 60 acres.

20 CHAIR HEDANI: Vicki, can you speak into the
21 microphone?

22 MS. SCHULTE: It's 60 acres. Right. It's
23 right above Makawao. Right. No, no. It's zoned
24 Agriculture. And the rest of the parcels have all had
25 consolidation and re-subdivision and they're zoned

1 Agriculture. Right. So they're just talking about the
 2 60 acres that's right near town, and they're talking
 3 about senior housing. No, no, no. They can't do
 4 regular residential. There's no way it's gonna pass
 5 through all the traffic and other environmental
 6 infrastructure issues. No, it's never gonna work.
 7 There's no community support for them doing a regular
 8 residential project in that parcel. That's why they're
 9 not even going that direction. Yeah. No, no. Somehow
 10 they got it. I don't know. He's -- he's got this great
 11 idea, he wants to make an all-inclusive community,
 12 community gardens.

13 CHAIR HEDANI: Can you slow down your phone
 14 conversation, please, because it's being transcribed?

15 MS. SCHULTE: And so, in concept, the point
 16 that I wanted to make was that there can be a lot of
 17 miscommunications and -- and misinformation. And I
 18 wanted to clarify a few of those points. And that's
 19 because this project has not formally come up yet
 20 because it needs to be included in the Urban Growth
 21 Boundaries. It is currently Agricultural. And we are
 22 doing nothing but looking for community support for
 23 senior housing, an all-inclusive project. And there's a
 24 lot of information about how this project wants to take
 25 in what the community really wants Upcountry, and the

1 types of services that seniors really need to be
 2 adjacent to Makawao Country Town.

3 Thank you.

4 CHAIR HEDANI: Thank you very much. The next
 5 person to testify is Myrna Stone, to be followed by
 6 Richard Pohle.

7 MS. STONE: Good afternoon. And I'd like to,
 8 first of all, thank this -- the Planning Commission for
 9 all the time, hours, that you guys do put in. Those of
 10 us sitting back here, we really do appreciate you.

11 My name is Myrna Stone. I've lived here for
 12 28 years. And I love Maui. My job is editor with Real
 13 Estate Maui Style magazine. I am here today celebrating
 14 my 69th birthday. It is appropriate to do so, since I'm
 15 in that age group that's going to be needing senior
 16 citizen accommodations.

17 I have been actively involved with the women's
 18 group here. As Terry Sharrott mentioned earlier, we
 19 call ourselves The Angel Ohana. And we've been meeting
 20 for six years planning to create a community that would
 21 be able to help each -- care for each other as we grow
 22 older.

23 Piihola South seems to answer many of our
 24 needs. I am naturally anxious to hear more about the
 25 project and how it will impact more people than not.

1 I encourage you to put this on the community
 2 Urban Growth plan and give it serious consideration.

3 Thank you very much.

4 CHAIR HEDANI: Thank you very much. The next
 5 person to testify is Richard Pohle, to be followed by
 6 Doreen Gomes.

7 MR. POHLE: Hi. I'm Richard Pohle. I moved
 8 to Maui in 1969, married a local girl, and currently
 9 reside, since 1986, at Crater Road.

10 I'm on the Upcountry meter list. And it did
 11 not take me long to figure out that the Upcountry meter
 12 list is a place where you put your application to
 13 subdivide to sit and die. 13 years old is the Upcountry
 14 meter list.

15 So I took it upon myself to form the Upcountry
 16 Meter List Association, which everyone that's on the
 17 meter list, 1,300 people, is automatically a member.
 18 Now, I hide nothing, so I put everything that we're
 19 talking about on the website. And this is the website.
 20 I hope that you will go -- go to it and see what we're
 21 about.

22 One of the things that's apparent to me, in
 23 not many meetings, is that the water supply for
 24 Upcountry is available, it's just not utilized by Maui
 25 County. They could do some simple development to make

1 adequate water for special conservation meters if people
 2 with houses wanted to be limited to, say, two or three
 3 hundred gallons a day.

4 Now, right now, the Upcountry subdivisions is
 5 paralyzed because you can't do anything because there's
 6 no meters being awarded, and no boundaries are being
 7 changed.

8 So I have a question. When you go to your
 9 allowed development -- well, let me give you an example.
 10 On Crater Road, there are 20 -- in two miles, there are
 11 20 people on the list, and only three are in the first
 12 200. So it seems to me that you have to satisfy all
 13 1,300 on the list in order to do any development,
 14 irrespective of the fact that it says it's rural up
 15 there on Crater Road.

16 I wonder how you're gonna work that out.
 17 Seems to me the list has to be satisfied. Private
 18 enterprise, let these -- these are the little people on
 19 the list.

20 CHAIR HEDANI: Richard, can you speak directly
 21 into the microphone, please?

22 MR. POHLE: Okay. These are the little people
 23 on the list. They are not the big developers. The
 24 little people have been here a long time. It seems to
 25 me they deserve better treatment than they're getting

1 right now.
 2 Question: Does zoning -- does current zoning
 3 represent the current plan? Do we have to worry about
 4 the zoning is gonna be repealed?
 5 And I think that's it.
 6 Oh, Rural. I'm Rural. Does that mean I can't
 7 build a B&B with Special Use Permit?
 8 And I'll just leave everyone to look at my
 9 website. We hide nothing.
 10 Thank you.
 11 CHAIR HEDANI: Thank you very much. I like
 12 the sign, by the way.
 13 The next person to testify is Doreen Gomes, to
 14 be followed by Chris Hart.
 15 MS. GOMES: Chair Hedani, Members of the
 16 Commission, my name is Doreen Gomes.
 17 The Kula Community Association Board of
 18 Directors supports the Pukalani map that was adopted by
 19 GPAC and supported by the Planning Department.
 20 Specifically, we support the urban Growth area at the
 21 entrance of Pukalani and the open space area at the
 22 south end of Pukalani-Kula side, which is the gateway to
 23 our rural community.
 24 We do not support the Pukalani Triangle
 25 project as it will alter the character of the region and

1 Chris Hart, to be followed by Ed Thompson.
 2 MR. HART: Mr. Chairman, Members of the
 3 Planning Commission, my name is Chris Hart.
 4 I'd like to call your attention to a letter
 5 that I transmitted this afternoon. It should have been
 6 handed out to you. And it has four figures attached to
 7 it.
 8 On behalf of our client, Pukalani Associates,
 9 LLC, we are requesting that the 40-acre Pukalani
 10 Triangle, aka Upcountry Town Center, be included in the
 11 urban infill project as an urban infill project within
 12 the Pukalani Urban Growth Boundary.
 13 As the Planning Commission discussed as its
 14 meeting on August 24th, the infill development strategy
 15 means focusing new growth inward, in existing
 16 communities, instead of outward onto the island's
 17 natural areas, open spaces and agricultural lands.
 18 I'd like to call your attention to Figures
 19 Numbers 1 and 2. Haleakala Highway, aka Pukalani
 20 Bypass, has evolved as an edge of growth, clearly
 21 defining the Pukalani Urban Growth Boundary.
 22 In addition, the proposed Upcountry Town
 23 Center, has incorporated the following positive
 24 development features in support of -- in support of the
 25 existing Pukalani Country Town: Number one, adaptive

1 provide duplicate services to those at Kulamalu. Two
 2 shopping centers at the entrance to Kula are not needed.
 3 Maui Island Plan policies call for separation
 4 between communities through the use of greenbelts.
 5 Building out one of those greenbelts for high density
 6 housing and/or commercial use is not consistent with the
 7 Directed Growth concept.
 8 Instead, we support the 200-foot urban growth
 9 area along Makawao Avenue with a terminus at the fire
 10 station, thereby protecting open space along Haleakala
 11 Highway, preserving views and the rural character at the
 12 entrance to Kula.
 13 We do request that, as the area is built out,
 14 Makawao Avenue be upgraded for safety and that
 15 perpendicular parking where cars back out onto the road,
 16 as is currently done in front of Pukalani Superette, be
 17 prohibited for safety reasons.
 18 We would also like to point out that Makawao
 19 Avenue is a collector road and, thus, eligible for
 20 Federal funding for upgrades.
 21 On behalf of the Kula Community Association,
 22 thank you for your kind attention.
 23 CHAIR HEDANI: Thank you, Doreen.
 24 MS. GOMES: You're welcome.
 25 CHAIR HEDANI: The next person to testify is

1 reuse of the former cornmill camp barns as agricultural
 2 support; B, equipment, plant nursery sales, et cetera;
 3 third: Turn-of-the-century cornmill camp had a
 4 population of approximately 300 residents. See Figure
 5 Number 3.
 6 Upcountry Town Center will be planned and
 7 zoned BCT, Country Town Business District, with a
 8 Pukalani Main Street Business District along Makawao
 9 Avenue, and approximately 225 multifamily, senior and
 10 gap group housing units with support public park,
 11 library and ag museum facilities. See Figure Number 4.
 12 The Planning Commission is to be congratulated
 13 for its efficient and diligent work on the Maui Island
 14 Directed Growth Plan. In this regard, I would not be
 15 too concerned about the number of policy statements.
 16 For the most part, the policies are easy to understand
 17 and can be readily used to bring clearly to -- to the
 18 ultimate vision of Maui Island as a community of small
 19 towns surrounded by agricultural and open space lands.
 20 Thank you for your consideration and your
 21 dedication. Thank you very much.
 22 CHAIR HEDANI: Thank you, Chris.
 23 Question from Commissioner Hiranaga.
 24 COMMISSIONER HIRANAGA: Chris, for the
 25 proposed project, where would you be getting your water?

1 MR. HART: They're -- the -- the parcels --
 2 there were two parcels -- actually, three, but two, one
 3 was (inaudible), which is a subdivision project that's
 4 down at the bottom of Old Haleakala Highway and the
 5 Pukalani Triangle were purchased from Maui Land & Pine.
 6 And there is a water agreement that involves the
 7 ultimate basic use of the Piihoho Well. So there is, in
 8 the context of the sales agreement, water available for
 9 development of those parcels.

10 CHAIR HEDANI: Commissioner Hiranaga.

11 COMMISSIONER HIRANAGA: Piihoho Well, is that
 12 a County well?

13 MR. HART: It was in the process. It was
 14 drilled by Maui Land & Pineapple Company. And,
 15 obviously, with everything that involves transfer, you
 16 know, from, you know, private to public, there have been
 17 glitches involved in the process. But it is a private
 18 well that will eventually become public.

19 COMMISSIONER HIRANAGA: Thank you.

20 MR. HART: You're welcome.

21 CHAIR HEDANI: Thank you very much.

22 Next person to testify is Ed Thompson, to be
 23 followed by Gary Heller.

24 MR. THOMPSON: Okay? Good afternoon, Chair
 25 Hedani and Members of the Planning Commission. My name

1 where he is quoted as saying not all is doom and gloom
 2 on Kauai. Timeshare visitor numbers have helped to
 3 cushion Kauai's tourism downturn. Kauai's numbers would
 4 look good, bad, worse, were it not for timeshare -- the
 5 timeshare component, which has always held up better
 6 than the hotels. The timeshare rentals are down, owners
 7 are still coming.

8 And then I'd like to respond to Commissioner
 9 Warren Shibuya's question from last week. And this was
 10 his question in regards to Maui employment in the
 11 timeshare industry, how many workers work part-time.
 12 And I got responses from four different locations, four
 13 of our Members, within the week.

14 So on Maui Schooner, they mentioned that they
 15 have 22 full-time workers, one of which is part-time,
 16 working less than 20 hours.

17 At Kahana Falls, they have 31 full-time
 18 employees and none on part-time.

19 Over at the Westin Kaanapali Ocean Resort
 20 Villas, they have seven to 33 employees, of which 73 are
 21 casual workers, but their definition for casual workers
 22 is 30 hours or less. So that means about maybe 10
 23 percent of their employees are part-time.

24 And then one last one was from one of our much
 25 smaller members, which was Royal Aloha Vacation Clubs,

1 is Ed Thompson, representing the American Resort
 2 Development Association of Hawaii, the Local Chapter of
 3 the National Timeshare Trade Association.

4 I'm just gonna summarize what I had already
 5 stated at the last hearing that you had last week, where
 6 the MIP, as has been stated by other Members --

7 CHAIR HEDANI: Ed, can you pull the microphone
 8 closer to your mouth, please?

9 MR. THOMPSON: Okay. As was stated earlier by
 10 other members of the public that the MIP should not be
 11 -- should not set specific policy guidelines, but should
 12 be flexible so future policymakers can utilize it.

13 And in my testimony we continue to clear up
 14 misconceptions of the timeshare industry. We do pay the
 15 highest property taxes in the visitor industry.
 16 Timeshare occupancy continues to remain high compared to
 17 hotels and offers good-paying jobs for people in the
 18 industry. And timeshare visitors average about \$4,200
 19 in spending per person, which adds to about \$1.6 billion
 20 in visitor spending a year.

21 I wanted to point out an article in the Star
 22 Bulletin on August 26th, where they talked about Kauai
 23 and their outlook for Kauai jobs, that it looks grim.
 24 And one of the speakers at that conference on Kauai was
 25 the First Hawaiian Bank economic adviser, Leroy Laney,

1 where they have only 12 units, and one full-time manager
 2 and five part-time workers. That's their total
 3 employment.

4 So that's the answer to your question that you
 5 had. So I'm available to answer any questions.

6 CHAIR HEDANI: Thank you very much, Ed.

7 MR. THOMPSON: Thank you.

8 CHAIR HEDANI: The next person to testify is
 9 Darren Heller. Not here? Darren, Darren Heller?

10 Next person to testify is Joanna -- Joanne
 11 Ceceri, to be followed by Grant Chun.

12 MS. WORTHHEIM: Hi. My name is Elizabeth
 13 Wortheim, I'm Joanne Ceceri and Derek --

14 CHAIR HEDANI: Joanne, can you speak directly
 15 in the microphone, please?

16 MS. WORTHHEIM: The two people that you just
 17 called had both had to leave for other appointments.
 18 And they and myself -- my name is Elizabeth Wortheim.
 19 I've lived on the island 32 years. And the three of us
 20 are in support of the Piihoho South.

21 Thank you.

22 CHAIR HEDANI: Thank you very much. Gold star
 23 for brevity.

24 Grant Chun to be followed by Pat English.

25 MR. CHUN: Good afternoon, Chairman -- good

1 afternoon, Chairman Hedani, Members. My name is Grant
2 Chun. And I'm here on behalf of the A&B Properties.
3 Thank you for the work that you're doing for our
4 community's future.

5 Being that you are involved in reviewing the
6 Maui Island Plan's draft maps for boundaries for the
7 Upcountry area, I'll just focus my comments on our lands
8 at Haliimaile.

9 In both the Maui Planning Department and
10 General Plan Advisory Committee versions of the map,
11 there is an area of approximately 63 acres makai of
12 Hali'imaile Road of already urbanized and zoned land,
13 roughly adjacent to the existing Haliimaile
14 neighborhood, which is included in the Urban Growth
15 Boundaries of the plan. This area is shaded in pink on
16 the map that is attached to the testimony that I'm
17 circulating.

18 Surrounding this area is a larger acreage of
19 approximately 345 acres that had been the subject of a
20 community-based planning process in 2006. And that area
21 is shaded in blue.

22 The community-based planning process was very
23 successful and the community came up with a compact
24 self-contained plan that builds on the attributes of the
25 existing neighborhood. The plan employed many smart

1 Rural or Urban neighborhoods. Providing for an expanded
2 neighborhood at this locale could provide a good
3 alternative to that practice.

4 Thank you very much, again, for the work
5 you're doing for our community.

6 CHAIR HEDANI: Thank you very much, Grant.
7 The next person to testify is pat english to be followed
8 by Diana Dahl.

9 MS. ENGLISH: Good afternoon, Chair, Director,
10 and Members of the Commission. My name is Pam English
11 with Maui Land & Pineapple Company.

12 As you deliberate today on the Upcountry area
13 of the Maui Island Plan, I have a few comments for your
14 consideration. The numbers that you are currently using
15 to make the assumption that 100 percent of the currently
16 entitled and unbuilt product will be built out to meet
17 future demand, this is unlikely. Some of these
18 entitlements have been on the books for years. Quite a
19 few of those in the Upcountry area are ag lots which not
20 only cost more to develop, they create sprawl.

21 If the projection was even a bit more
22 realistic, at 80 percent, this would add 4,700 to 4,900
23 units to the island demand.

24 People want to live Upcountry. The Hawaii --
25 Hawaii Housing Policy Study of 2006, by SMS, reported

1 growth principles that would establish the area as a
2 neighborhood that would not sprawl into Pukalani or
3 Makawao.

4 It is also close to excellent infrastructure
5 with the improvement of Haleakala Highway and the
6 eventual construction of the Kihei-to-Upcountry highway.

7 While this area in blue is not included in the
8 draft maps of the General Plan Advisory Committee, or of
9 the Department, I wanted to make sure that you were
10 aware of our continuing interest in this area as a
11 location for accommodating future growth in the
12 Upcountry area, even if that area were smaller than the
13 345 acres that had previously been under public
14 discussion.

15 There's currently very little acreage
16 reflected in the plan to accommodate growth Upcountry.
17 Most of the mapped areas simply reflect existing
18 settlement patterns. Moreover, the new expansion areas
19 at Makawao and Pukalani assume densities and unit counts
20 that may not be realistic given the sloping terrain of
21 Upcountry.

22 Our observation has been that if people want
23 to live Upcountry, they're gonna find a way to do so,
24 even if it means living in overcrowded conditions or in
25 non-conforming structures, in existing Agricultural,

1 that 47.4 percent of persons that would like new housing
2 on Maui would prefer to live Upcountry.

3 We have an affordable housing dilemma. How do
4 we provide for Upcountry demand in an affordable manner?

5 The Maui Island Plan goals aspire to have
6 compact, walkable communities, near schools and services
7 like grocery and gas. Expecting this demand to be met
8 with ag lot build-out will not only -- will not meet
9 these goals and will not be affordable.

10 The SMS Housing Study also pointed out that
11 the greatest opportunities for developing large numbers
12 of housing that create the greatest opportunities for
13 units at affordable prices are usually located some
14 distance from population centers and jobs.

15 This is not the mainland where perfect
16 tran-sectary development patterns will be found. It's a
17 10-minute drive to Kahului from Haliimaile. That's not
18 unreasonable. And perhaps we can build a (inaudible)
19 transport system, too.

20 If we're not given the opportunity to create
21 affordable housing for these markets, our crisis will
22 worsen. Our scarce expensive ag, straw, lots will
23 become more and more expensive. Supply for growth in
24 the Upcountry area by building out ag lots will create
25 wider disparities between population and services. And

1 these ag lots will not provide for new schools, nor
 2 community-based services such as gas and grocery.
 3 We've seen wide support for a well-planned,
 4 affordable and energy-efficient housing development in
 5 Haliimaile. Compact development, phased over time, in a
 6 well-planned long-range vision, can provide for future
 7 families of the Upcountry region.
 8 Please consider inclusion of the Haliimaile
 9 expansion area in the Country Town Growth Boundary so we
 10 may begin work on supplying the demands of this market.
 11 Thank you.
 12 CHAIR HEDANI: Thank you, Pat.
 13 The next person to testify is Diana Dahl, to
 14 be followed by Larry Carter.
 15 MS. DAHL: Well, good afternoon,
 16 Commissioners. Thank you so much for coming Upcountry
 17 and letting us share this -- our mana`o with you today
 18 and hear your mana`o.
 19 That was a wonderful presentation, to begin
 20 with. And I'm heartened to hear all those good words.
 21 And the good stories of the Planning Commission.
 22 My name is Diana Dahl. And I'm here to
 23 testify in support of the GPAC's not supporting the
 24 proposed development of mauka and makai in Haliimaile.
 25 I see why Pam said, "I'd like to talk after

1 you instead of before."
 2 I live in the Project District. And I often
 3 drive from my home and farm on Lilikoi Road to the
 4 Haleakala Highway. And what a jam-up that would be if
 5 we put in all of that sea of houses instead of those
 6 lovely rolling hills that could be planted in food
 7 crops, which is really my interest. The access roads
 8 are narrow. Makawao is backed up just because of school
 9 traffic in and out. And, well, the sense of place in
 10 Upcountry Makawao would be destroyed should Haliimaile
 11 and their plans continue.
 12 We could go on and on.
 13 There's other -- Irene Bowie of the Maui
 14 Tomorrow Foundation pointed out that there's already on
 15 the books other developments that are 240 units in
 16 Hawaiian Homelands Upcountry, and I'm certain many more.
 17 I hear that my neighbor of 23 years, Doug MacCluer,
 18 former executive of Maui Land & Pine, had tears in his
 19 eyes when he testified at GPAC, that the land in
 20 question is prime ag land and should be left for
 21 farming. I agree.
 22 As an organic farmer, a founder and trustee of
 23 Hawaii Organic Farmers Association, and an advocate for
 24 island self-sufficiency, I understand the need to hold
 25 prime farmland for production. And, currently, we have

1 just enough of such lands to feed the County.
 2 The General Plan Advisory Committee advised
 3 well, allowing for development of 68 acres in H'poko,
 4 A&B's new town, and not support the development of 720
 5 more acres and over 1,600 more houses. We just can't
 6 sustain that much growth.
 7 Thank you.
 8 CHAIR HEDANI: Thank you, Diane.
 9 Question from Commissioner Starr.
 10 COMMISSIONER STARR: Yeah, Ms. Dahl, the land
 11 around Haliimaile, where you have some experience, if
 12 that's planted for food production, and water is made
 13 available with the land, what kind of crops that would
 14 be edible here could -- can be grown on that land?
 15 MS. DAHL: Well, first of all, I would say
 16 that we would want to put a remedial crop of mushrooms
 17 over the entire place to restore the soil, because it
 18 has been in -- I mean, this -- this may seem off the
 19 wall, but this is a very good technique for reclaiming
 20 soil. But it takes three years to reclaim soil that's
 21 been, you know, pineapple and so on, and in sugarcane.
 22 Food crops. You know, any -- any sustainable
 23 food crop. And it would be reasonable to expect that
 24 Maui could support -- and that was something in -- in
 25 the first presentation, Maui could support itself. And

1 this is a perfect example.
 2 CHAIR HEDANI: Thank you very much.
 3 The next person to testify is Larry Carter, to
 4 be followed by Robin Pilus.
 5 MR. CARTER: It's my pleasure to ask for the
 6 opportunity to address you and ask that you include the
 7 Piiholo South as a senior housing project in your urban
 8 planning.
 9 There's a lot of statistics out there about
 10 boomers and them coming up on us, and the aging and the
 11 silver tsunami and the age wave and all those things.
 12 But if I could tease just a little bit, I
 13 think I can make the point more clear.
 14 CHAIR HEDANI: Larry, can you pull the
 15 microphone a little clear?
 16 MR. CARTER: Yeah. It's easy to do. Sorry.
 17 I'm a little older than a baby boomer. And so
 18 all my life I watched the hospitals grow after I was
 19 born, nursing homes grew. For kids, we had kindergarten
 20 the first time. I missed that. I graduated from grade
 21 school, they built a new one. Graduated from junior
 22 high, which I really didn't because we didn't have one
 23 yet. But then the boomers had a junior high, and they
 24 built a new one. And then a gym, of all things, after I
 25 quit playing basketball. And then high school, built a

1 new high school.

2 So all I'm asking you to do is keep up the
3 good work. And as you get to the senior aging level --
4 which, in 500 days, the first boomer will be 65, some of
5 them are already 60 and over. So don't quit now, but
6 just speed it up a little bit, maybe. So before I
7 graduate from the school of life, you'll build this
8 center for me.

9 Okay. Teasing over. Thank you.

10 There are folks who are at Maui Memorial and
11 Kula Hospital that don't need to be there. They are
12 looking for long-term care. The (inaudible) already
13 there, also, in that population. So we have people in
14 long-term care that don't need to be there and can't
15 leave because they have no place to age in place.

16 So this proposal before you is a place where
17 seniors can age in place and reverse this trend of
18 stacking things in the wrong direction. We need to
19 relieve it, help on this end, pull people through the
20 system or keep them from getting into it.

21 They're paying five times more if they're in a
22 hospital than if they could age in place at home and
23 have nursing visit, telecare, clinic onsite, or visit a
24 doctor via video cam or whatever.

25 So thanks for your positive consideration of

1 astonishing gift of all that should be donated and
2 designated to our kupuna. And that's the gift of water.

3 I believe that the philosophy of the Piiholo
4 South owners and the developers is that good, thoughtful
5 management, which includes the use of rainwater
6 catchment, gray water recycling, and predictable well
7 output, that Piiholo South will be developed to meet
8 this need in a socially-responsible and self-sustaining
9 way.

10 So I urge you to include this project in the
11 Urban Growth Boundary and make it happen in a way that
12 we all believe it should be and can be, to meet the
13 needs of our population.

14 Thank you.

15 CHAIR HEDANI: Thank you, Robin.

16 The next person to testify is Ann Tryggestad,
17 to be followed by Mike Foley.

18 MS. TRYGGESTAD: Aloha, Members of the
19 Planning Commission. My name is Ann Tryggestad. I'm
20 here as a concerned citizen. However, I'm currently
21 faculty at Maui Community College Nursing Department,
22 the former community case management and project
23 coordinator for Kula Hospital. And the co-chair for the
24 Aging with Aloha Coalition Policy Advocacy Committee,
25 and, finally, currently the Vice-Chair of the Mayor's

1 this once-in-a-decade opportunity to help hundreds of
2 our kupuna here on Maui, and hundreds of our kupuna
3 experience the grace in aging that they deserve. Thank
4 you very much.

5 CHAIR HEDANI: Thank you, Larry.

6 Next person to testify is Robin Pilus, to be
7 followed by Ann Tryggestad.

8 MS. PILUS: Good afternoon, everyone. I'm
9 here, also, to support Piiholo South and its vision to
10 provide a community of kupuna housing for our island.

11 I realize that this is, in many ways, a
12 process matter. And I urge you to include this project
13 in the Makawao Urban Growth Boundary so that, in fact,
14 you can then go forward and ferret out all the details
15 to make sure that this community in fact meets that
16 need.

17 I think we're all in agreement that the
18 population trends on Maui indicate that there will be an
19 exponential growth of senior citizens in the very near
20 future, and that there simply are not adequate housing
21 options to manage the unique needs of seniors.

22 Piiholo South offers a opportunity to design
23 and build a community from the ground up, to accommodate
24 the very, very specialized needs of this population.

25 Piiholo South also comes with the most

1 Council on Health.

2 I support the Piiholo senior housing project
3 along with Zach Franks, Roy Katsuda of Hale Mahaolu will
4 lend his expertise to develop affordable senior housing.
5 Mr. Katsuda has had an extraordinary track record of
6 creating terrific senior housing for our community.
7 Currently, he has developed seven Hale Mahaolu senior
8 housing locations. All of the units are filled with
9 over a 600-person waiting list ready to move in.
10 Unfortunately, there isn't the capacity.

11 Hale Mahaolu has been recognized as a national
12 model for affordable senior housing. So I'm very
13 grateful that he would be lending his expertise to the
14 Piiholo South project.

15 We're all aware of the rapidly growing aging
16 population projected that 20 percent or one in five
17 people greater than the age of 65 in 2030. Maui's elder
18 care infrastructure on all levels is an adequate to meet
19 Maui's current elder needs.

20 Routinely, Maui Memorial Medical Center has a
21 long-term care wait list of 40 to 60 elderly per month,
22 and an estimated cost of approximately \$6 million per
23 year to the State. Hale Makua and Kula Hospital are
24 both full, running approximately 99 percent capacity
25 with waiting lists.

1 The Piiholo development offers to meet needs
 2 for the highly dependent -- highly independent senior to
 3 those that require round-the-clock care, which are the
 4 extremes of the aging continuum. The project would
 5 address the financial needs of the senior gap group,
 6 which are those that are above poverty level, but unable
 7 to meet the high cost of long-term care. Which at this
 8 point, the skilled nursing level at Hale Makua and Kula
 9 runs in excess of \$100,000 per year. It is also in
 10 keeping with the aging -- the aging in place trend that
 11 is occurring nationally and the support by the Federal
 12 Government because of the huge cost savings in health
 13 care noted by the feds.

14 Often, and additionally, relocation from home
 15 community to institutions causes a medical phenomenon
 16 known as failure to thrive, which often results in
 17 significant deterioration of seniors' health once they
 18 are removed from their own homes and the community.

19 In response to Mr. Staff's [sic] questions
 20 about use of Ag land, Zach Franks has stated that he
 21 would accept Urban zoning as contingent on affordable
 22 senior housing being built on the property. Otherwise,
 23 it would remain as agricultural.

24 I participated with development of legislation
 25 that has changed State building codes to allow more

1 CHAIR HEDANI: Thank you very much.
 2 Next person to testify is Mike Foley, to be
 3 followed by Lucienne de Naie.

4 MR. FOLEY: Good afternoon, Chairman Hedani,
 5 Members of the Commission, and Staff.

6 Welcome back, Wayne.

7 Irene Bowie earlier did a great presentation
 8 for Maui Tomorrow. So I'm gonna speak as an individual
 9 living in Makawao.

10 First of all, I wanna comment on this idea of
 11 having Piiholo South in the Urban Growth Boundary. What
 12 I recommend you do is ask the Staff to come up with a
 13 specific designation for senior housing projects, and
 14 you could designate all the existing and future senior
 15 housing projects. I'm sure there's some way to get
 16 specific language in the General Plan that says that
 17 it's in the Urban Growth Boundary only as senior
 18 housing.

19 I also wanted to support the concept of Rural
 20 Growth Boundaries. We all came to this idea a little
 21 later than we did Urban Growth Boundaries. But I think
 22 Rural Growth Boundaries are important.

23 I wanted to mention that Maui Tomorrow did not
 24 analyze or rate H'poko because it wasn't recommended by
 25 the GPAC or by the Staff. And we -- it's so, obviously,

1 assistance in assisted living facilities, increasing the
 2 length of stay for seniors in an alternative setting,
 3 rather than forcing them into premature
 4 institutionalization.

5 It has been suggested that the Planning
 6 Commission consider developing a special residential
 7 zoning code for reclassification of land to help meet
 8 this particularly high need for senior housing. This
 9 idea would allow for residential alternatives in the
 10 community that allow people to age in place and age with
 11 aloha.

12 Thank you.

13 CHAIR HEDANI: Thank you very much.

14 Question from Commissioner Mardfin.

15 COMMISSIONER MARDFIN: I'd like to ask you two
 16 questions. How big is the property for Piiholo South?

17 MS. TRYGGESTAD: I think it's 300 acres.

18 COMMISSIONER MARDFIN: 300 acres. And how
 19 much of that would be used for senior housing?

20 MS. TRYGGESTAD: 60.

21 COMMISSIONER MARDFIN: If 60 acres were
 22 re-zoned, were put into a growth boundary, would that be
 23 sufficient?

24 MS. TRYGGESTAD: Yes. Per Mr. Franks.

25 COMMISSIONER MARDFIN: Thank you.

1 far from jobs and infrastructure that we didn't bother.

2 I also wanted to recommend that the Commission
 3 continue to support the specificity in the Maui Island
 4 Plan. It's specific for a reason. And the reason is
 5 that it reduces misinterpretation opportunities in the
 6 future.

7 Plans that are very general are of no use to
 8 the planners and others who need to implement the plans.
 9 And plans that are very general are put on the shelf
 10 when they're not used. So don't be afraid of
 11 specificity. Specificity is where we got -- how we got
 12 to the Urban Growth Boundaries.

13 I also wanted to mention that the policies are
 14 guides when it says "should" or "consider," but the
 15 policies are mandatory when they say "shall" or "will"
 16 or "must." I also recommend that you not weaken the
 17 negative language regarding timeshares because they have
 18 fewer employees than hotels, and they eliminate
 19 conference facilities.

20 The reason that there were few future
 21 development opportunities Upcountry, which has been
 22 mentioned by several people, is because Upcountry is
 23 blessed with a lot of fine agricultural land and not
 24 adequate water.

25 Thank you.

1 CHAIR HEDANI: Thank you very much, mike.
 2 The next person to testify is Lucienne de
 3 Naie, to be followed by Joyclynn Costa and her father.
 4 MS. de NAIE: Thank you, Chair Hedani and
 5 Members of the Commission, for speeding through this
 6 plan. I'm here, Lucienne de Naie, testifying as a
 7 private individual.
 8 Once again, I'd like to echo the word that to
 9 make this General Plan more general and more nonspecific
 10 seems to me kind of a polite way of saying let's put
 11 these decisions off to the Community Plan level where
 12 only regional authority is given. We need to make
 13 interregional decisions in the Maui Island Plan. That's
 14 why it's the Maui Island Plan.
 15 And there are so many different aspects of
 16 this; roads, bikeways, streams, housing and community
 17 design standards, cultural site protection. All of
 18 these span multiple regional jurisdictions. And we need
 19 to have strong policies for the whole island stated
 20 here. It's not fair to expect them to emerge at the
 21 Community Plan level. We should distill what has been
 22 in the Community Plan into this General Plan.
 23 So I hope you will support the work that your
 24 Staff and GPAC has done.
 25 Yes, there's some duplications. You know, we

1 rushed through some things. It can be consolidated.
 2 But this whole campaign by the land use industry to make
 3 it so simple so everyone can understand it is really a
 4 ruse. And a very sad one, in my opinion.
 5 I also wanna urge you to learn from the
 6 mistakes that GPAC made. I feel personally we made a
 7 big mistake by putting growth boundaries in Waihee
 8 without hearing from a single person in the community
 9 about whether that would be good or bad.
 10 We had GPAC Members that, you know, knew
 11 something about it and we followed our best intentions,
 12 but as you have heard more recently, folks in that
 13 community have their own ideas. I'm afraid the same
 14 mistake is being made for Kuau.
 15 I mean, it's wonderful that Mr. Chun explained
 16 that this was a preferred location, but this is not what
 17 your community supports. And you haven't heard from
 18 your community. So I would urge you to rethink that.
 19 A&B deserves plenty of land to develop. And
 20 they will get plenty in this plan. And the Council may
 21 add more. I think they've been fairly treated.
 22 And Kuau, because of its impacts, should be
 23 removed. And it doesn't need to be going to the
 24 Community Plan level. The Community Plan, last time
 25 around, kept out lots of proposals for that general area

1 that they just felt it wasn't time for it to grow. And
 2 I think the community's sentiment is still the same.
 3 Thank you.
 4 CHAIR HEDANI: Question from Commissioner
 5 Mardfin.
 6 COMMISSIONER MARDFIN: Lucienne, with respect
 7 to that last point, if -- if the community still feels
 8 that it's inappropriate, then they can, in their
 9 Community Plan, say that that is not appropriate for
 10 development, can't they?
 11 MS. de NAIE: Well, you're gonna hear this
 12 argument like let's let everyone decide it at the
 13 Community Plan. But what you're gonna hear when it
 14 comes to the Community Plan is, "The Planning Commission
 15 thought it was a really good idea, they put it in."
 16 They may not get the nuances of your message, that we
 17 thought the community should decide.
 18 You know, I've attended a lot of these
 19 meetings. And, basically, any level of approval or
 20 entitlement is worked up to its maximum sort of
 21 potential. And I would just advise you, if the
 22 community right now doesn't think it's a very good
 23 place, it's like don't put it in.
 24 You know, use your guidelines, use your
 25 standards, and look at those as the criteria, not only

1 what landowners request. The landowners's request is
 2 one part of the process. But -- because we could put
 3 everything in that's been suggested and let it be sorted
 4 out to the Community Plan. It's a bit of a slippery
 5 slope. Especially since Paia's already got enough for
 6 the anticipated population. But if we're short, yeah,
 7 maybe you wanna do that.
 8 Thank you.
 9 CHAIR HEDANI: Thank you very much.
 10 Next person to testify is Joyclynn Costa, to
 11 be followed by Sundra Souza Amaral.
 12 MS. COSTA: Good afternoon, Commissioners. My
 13 name is Joyclynn Costa. When I'm done speaking, my
 14 father also wants to say some things.
 15 I thought that was a really good point, what
 16 Lucienne had said, reflecting on Waihee and not being
 17 able to hear the voices of the people of Waihee.
 18 And I just wanna let you know that, last
 19 night, I found out that this meeting was coming about,
 20 so I spent about three hours in Kuau Mart and asked the
 21 public that live in Kuau whether they think that this is
 22 a good thing or not for their area. And in the three
 23 hours, I've collected over 100 signatures. And I plan
 24 to leave this tablet in the store so we can continue to
 25 census the community there in Kuau so you can get a

1 better prospective of what they want. And they were
2 very adamant. I mean, if you were just there to see the
3 reaction. The public has no idea what you guys are
4 doing up here right now, really.

5 And the time factor here -- I'm standing here
6 because I was privileged enough to take the time out.
7 These 100 people that rushed to sign this paper had no
8 time to come here to tell you. So I said, "I'll bring
9 your voices on paper so that they'll know that you're
10 against it."

11 They don't want the rural and the urban
12 sprawl. They don't want the runoff into the ocean.
13 They don't want to have a whole new community dictate
14 how their life should be.

15 Isn't it ironic that an entity such as A&B,
16 who has built their empire upon agriculture, stands
17 before you and says it's poho, that what we should do is
18 go into housing. That's kind of confusing to me. They
19 may -- they made their money already. So now they gonna
20 just take their money and run.

21 And as far as the retirement home, I'm all for
22 the concept, but what happened to our way of life?

23 I had a grandmother that would keep her
24 mother-in-law on her back, when she wasn't able to stay
25 in the room with her, and take her around and took care

1 of her. It was ohana.

2 This lifestyle is not affording us the time to
3 take care of our ohana. So we're on waiting lists to
4 shove them into facilities.

5 And I'll give you an example of how this is
6 affecting -- and this will be my closing -- how this is
7 affecting our way of life. I was at the store one day,
8 Kuau store, and I saw this little young man that was
9 hurrying up to pick up his things to go to construction
10 work. And I asked him, "How's the ocean today?" And he
11 said, "Well, kinda junk because the water is flat. No
12 more surf, so I going work." I said, "That is the
13 difference between now and then. My father was in
14 construction. And if the water was exactly how you
15 described it, that is the day he would turn around his
16 car, call in sick, and go to the beach. Because he knew
17 that particular day he could feed not only his family,
18 but his entire community."

19 So we've come to the point in our society
20 where entertainment is more important than
21 sustainability.

22 Thank you.

23 CHAIR HEDANI: Julia, is that three minutes?

24 You're gonna have to just wrap up your comments.

25 COMMISSIONER STARR: Mr. Chair?

1 COMMISSIONER HIRANAGA: Second testifier?
2 MR. SAGAWINIT: Sustainable farming.

3 Sustainable farming is --

4 CHAIR HEDANI: Can you state your name for the
5 record, please?

6 MR. SAGAWINIT: James Sagawinit, (inaudible).

7 Sustainable farming. I think you say no more
8 farming. You guys should look at if we gonna build or
9 if we gonna use the water so everything gets sustainable
10 farming for the old folks. Go down to Keanae, Wailua,
11 and look at how much taro patches is not usable because
12 it's lack of water. Sustainable farming meaning if you
13 guys need taro, all you guys life, you guys can live.

14 Try sugar, try. One, two years, I wonder if you guys
15 can live on sugar. But taro, you guys can live.

16 If I go to the store and I buy a bag of rice,
17 it's 20 pound. It costs me \$14. Wow. \$14. But if I
18 go to the store and buy a bag of poi, that is one pound,
19 that cost me \$7. I go out to 20 pounds, compared to the
20 rice, compared to the poi, \$140 to the poi, \$14 to the
21 rice. We can plant our own.

22 Give us back the water.

23 Thank you.

24 CHAIR HEDANI: Thank you.

25 Question from Commissioner Starr.

1 COMMISSIONER STARR: Yeah, Ms. Costa, I have a
2 question. Those 100 signatures from Kuau Mart, are
3 those in regard to the extension of Kuau Bayview, the
4 200 house sites?

5 MS. COSTA: Correct.

6 COMMISSIONER STARR: Thank you.

7 CHAIR HEDANI: Question from Commissioner U'u.

8 VICE-CHAIR U'U: For Joyclynn. The reasoning
9 behind that -- I didn't hear A&B say they was poho, so I
10 don't know what was that about, but I didn't know. It
11 was put in -- and I might disagree with Lucienne -- as
12 an option. It's not to build total build-out of what
13 was projected. That's not what I was intending it for.
14 And I don't think Commissioner Guard intention was total
15 build-out. And that's not the reason. The reason
16 behind it was option.

17 And I do feel that the community should have
18 an input. So at the Community Plan level, I would like
19 the people of -- the 100 people who signed their name to
20 potentially show up there. So it's more
21 project-specific, site-specific instead of all of
22 Wailuku testifying on all of Lahaina, or all of Makena
23 testifying in Paia. And I agree with you, where the
24 Paia-Kuau people should have a some sort of control of
25 what's happening in their district, not so much the

1 outsiders coming in. So I agree with you on that.
 2 But like I said, they gonna have their option
 3 to testify at the Community Plan level. And I would
 4 encourage them to participate not only by giving
 5 testimony, but being an actual person involved, or like
 6 this group, we part of the Community Plan. I think
 7 there's nine members or so that they can be recommended
 8 by -- I don't know how it works -- by Council or by
 9 appointment -- to get involved. And they can have their
 10 fair say in that. Because I plan on being there myself.

11 MS. COSTA: Well, if I can respond to that.
 12 As far as the Community Plan, it's no different from
 13 when you look at development. Because when you wanna
 14 look at the entire development and see what the
 15 ramifications is, they end up cookie-cutting it, and you
 16 don't really realize the full potential of -- of
 17 destruction.

18 And so when you look at just individual
 19 Community Plan, you don't really realize the effect that
 20 they might have on the side of them, above them. And
 21 same thing with the people above us, their Community
 22 Plan might not be meshing with down below.

23 So I think it needs to become broader, too,
 24 and not just narrow. And then when it gets down to that
 25 point, then it's more on suggestions and

1 recommendations, you know. And -- because it's already
 2 kind of like being set as policies.

3 So I think you need to nip it in the bud
 4 before it even gets to that -- that type of degree.

5 CHAIR HEDANI: Joyclynn, your father's last
 6 name?

7 MS. COSTA: Sagawinit.

8 CHAIR HEDANI: How do you spell that.

9 MS. COSTA: S-A-G-A-W-I-N-I-T.

10 CHAIR HEDANI: Thank you.

11 The next person to testify is Sundra Souza
 12 Amaral, to be followed by Roy Katsuda.

13 MS. AMARAL: Aloha, Chair Hedani and
 14 Commissioners. Thank you for your service.

15 And in your opening statement, you had spoken,
 16 very eloquently, about preserving agriculture and our
 17 lifestyle for our children. And I think this is exactly
 18 what my family has done for generations, over 100 years,
 19 to be exact, in ranching and farming here in Makawao,
 20 Kula, Lahaina, as well as Kauai, Molokai, Lanai and the
 21 island of Hawaii.

22 Today, I am speaking regarding the Urban
 23 Growth District Makawao side of Kee Street. Through
 24 public testimony, or (inaudible), and other public
 25 forums, it was decided all of the land Makawao outside

1 of Kee Street be included in the growth -- Urban Growth
 2 Boundary.

3 However, as my cousin Brendan Balthazar so
 4 eloquently pointed out, both his lot, 5.9 acres, and my
 5 brother, Allen Marciel's lots, had been left out.
 6 Brendan manages this land in the hopes that he will be
 7 able to turn this land over to his brother's children
 8 one day. Unfortunately, my friends, my cousin Brendan
 9 Balthazar's brother, Arnold Balthazar, died prematurely,
 10 when his plane was shot down while serving the United
 11 States of America. He left three children, very young
 12 children, behind, who deserves to be able to build on
 13 land that has been in our family for generations.

14 The lot in question, both Allen -- my brother
 15 Allen Marciel's and Brendan Balthazar's, would not be
 16 plausible for agriculture because if you grow there,
 17 brothers and sisters, you'll see that the property is
 18 surrounded by residential homes and agriculture.

19 Although Brendan does work as a full-time
 20 firefighter, as my brother did before he retired, he
 21 runs his day. He, as well as my brother, both farm and
 22 are ranchers who knows the need for ag land. My family
 23 lives it; we don't only talk it. But they also know the
 24 importance and the value of putting their children in
 25 homes, especially those who do not have parents alive to

1 help them fulfill this dream. And they have found a way
 2 to do this by preserving my family's land in
 3 agriculture.

4 Brendan does love ranching. So does my
 5 brother Allen. So does my brother Anthony Amaral. And
 6 some of you know them. Some of you grew up with them.
 7 But, also, they know the balance of being able to take
 8 some of this property, put it into homes so that their
 9 children can have affordable homes, the very thing we
 10 preach on all the time.

11 So I humbly ask you -- and I know that there's
 12 been some kind of far sight [sic], but I just thought
 13 I'd come before you and put this on the record, to know
 14 that it is important that both Allen Marciel's and
 15 Brendan Balthazar's lots, which is Makawao side of Kee
 16 Street, be put in your Urban Growth Boundary.

17 Mahalo, (Hawaiian), malama.

18 COMMISSIONER HIRANAGA: Question.

19 CHAIR HEDANI: Thank you very much, Sundra.
 20 Question from Commissioner Hiranaga.

21 COMMISSIONER HIRANAGA: Looking at the aerial
 22 photo of that area, it's not very densely developed at
 23 this point. So I'm wondering if a Rural Growth Boundary
 24 designation would be acceptable to your -- is it your
 25 brothers or brother-in-laws?

1 MS. AMARAL: My brother, Allen Marciel, that's
2 my brother. Brendan Balthazar is my cousin. When
3 Brendan referred to his cousin, that was my brother
4 Allen he was referring to.

5 And both their lands is up there on the map.
6 And it's -- I mean, it was included by public testimony,
7 but, for some reason, it was left out. And whatever
8 would facilitate, this is their dream --

9 COMMISSIONER HIRANAGA: Well, a Rural
10 designation would allow subdivision into lots smaller
11 than two acres.

12 MS. AMARAL: See, and I believe -- and I
13 cannot speak for my brother and Allen, because they're
14 not here, but I do believe that their primary goal -- my
15 brother has daughters of his own, grandchildren of his
16 own. And I think that whatever would serve the purpose
17 of being able to put the babies on properties, be it
18 Urban, be it Rural, would probably be okay. But, again,
19 this, I know, is their motive, to be able to place their
20 children and his nieces and nephew into homes, whether
21 it be Urban or Rural. And I don't think that would be a
22 problem. But, again, I cannot speak for them on that
23 level.

24 Thank you.

25 CHAIR HEDANI: Thank you very much.

1 community.

2 In the mid nineties, Hale Mahaolu was asked to
3 develop a 40-unit project senior housing project in
4 Makawao. It's right next to the post office. At that
5 time we knew that 40 units was inadequate -- were
6 inadequate, but we went ahead and developed it, anyway.
7 And we have been looking for another site ever since.

8 Currently, there are more than 200 names on
9 our wait list at Hale Mahaolu. This is without
10 marketing or advertising. We believe and suggest that
11 there is a strong demand for senior housing, and Piihola
12 South will offer such an opportunity.

13 Thank you for considering -- your favorable
14 consideration to incorporate Piihola South project into
15 the Makawao Urban Growth Boundary.

16 Thank you, and best wishes in your
17 deliberations today.

18 CHAIR HEDANI: Thank you. Question, from
19 Commissioner Starr.

20 COMMISSIONER STARR: Mr. Katsuda, what -- what
21 kind of assurance or confidence can you give us that if
22 this 60 acres for the Piihola South were added, say, to
23 the Makawao 1, Country Town area, that it would really
24 be used for this type of senior housing, assisted
25 living, et cetera?

1 The next person to testify is Mr. Roy
2 Katsuda.

3 MR. KATSUDA: Good afternoon, Chairman Hedani
4 and Commissioners. My name is Roy Katsuda, and I'm the
5 Executive Director of Hale Mahaolu.

6 Hale Mahaolu is a private 501(c)(3) housing
7 corporation. We've been around since 1967. Hale
8 Mahaolu has developed, owned and/or managed over 1,000
9 units in Maui, Molokai, and Lanai.

10 Currently, we're developing Hale Mahaolu
11 Nahiku in Kihei. It's a 115-unit project for seniors.
12 We finished the first phase and people have been living
13 there for about two years.

14 The second phase includes more housing,
15 apartments, and it has South Maui's senior center, adult
16 day care center, dental office, and has spaces for
17 offices for Office of Aging, Kaunoha and Alzheimer's.

18 Our third phase is about 30 percent completed.
19 We expect it to be completed about 12 months from now.
20 And that would complete 115-unit project.

21 Mr. Franks and his group had shared the
22 Piihola Shell -- Piihola Shell -- Piihola South
23 conceptual proposal with me. It offers a wide variety
24 of services and resources which will have healthy
25 impacts on its aging in place philosophy for Makawao

1 MR. KATSUDA: Assurances. Well, that's a good
2 one.

3 We can only go by our past record. And we've
4 been successful. We're a long time -- with the
5 development -- and, by the way, the affordable housing
6 component would probably only take about eight or 10
7 years. It will take a while.

8 Our South Maui project, from start to
9 finish -- and I mean completion is like next year --
10 from when we started it, it was -- oh, I think it will
11 be a total of about eight and-a-half years. So it takes
12 a little while to do all this.

13 As far as assurances, if I print some money, I
14 can guarantee you we can build it, but I don't think I
15 can do that.

16 But we do look for all kinds of resources,
17 whether it's federal, state, county, private
18 foundations. We even use our own monies to develop.
19 We're able to utilize our own funds for predevelopment
20 costs. Predevelopment costs can be quite high, and it's
21 a risk that our developers don't want to take, but
22 that's what you have to do. And Hale Mahaolu is willing
23 to do that.

24 CHAIR HEDANI: Thank you. Question from
25 Commissioner Mardfin.

1 COMMISSIONER MARDFIN: I have two. One is,
2 are -- has it been agreed, basically, that if they -- if
3 this particular lot is zoned that it will be Hale
4 Mahaolu that will be running it and developing it?

5 MR. KATSUDA: Our discussions have been
6 preliminary. We -- we haven't finalized anything. But
7 we seem to have a good understanding of what it takes to
8 create an entire village to serve the aging population.

9 I neglected to mention one thing. In our
10 South Maui project, our final piece is a care home. It
11 will be the only 24-7 operation on that side. So it
12 runs the aging in place continuum. We're hoping to
13 duplicate something similar at this site.

14 COMMISSIONER MARDFIN: And I have a second
15 question. I think you were in the community of Hana six
16 months ago, maybe a little longer ago than that. What's
17 happening there? Because I know the people in Hana were
18 interested in a similar kind of operation.

19 MR. KATSUDA: That's correct. As most of you
20 know, I mean, Hana's terrain is quite challenging. So
21 the site that we had been looking at is full of gullies
22 and ravines and streams, and it would be extremely
23 difficult to develop there. So the search is still on
24 for a more suitable site.

25 We're hoping that with cooperation of Hana

1 Okay, we'll come back to them.

2 Tam (inaudible). Come back to him.

3 Peter Martin, to be followed by Lyn Scott.

4 MR. MARTIN: That was close. Almost dropped
5 everything. Can you pass these out?

6 Good afternoon, my name is Peter Martin.

7 COMMISSIONER STARR: Turn the mike on.

8 CHAIR HEDANI: Press the button, Pete.

9 MR. MARTIN: Ah. Good afternoon. Good
10 afternoon. My name is Peter Martin. And I appreciate
11 what the Commissioners are doing and the time that
12 they've put in.

13 The handout is the same article I wrote as a
14 viewpoint to The Maui News. And I actually am quite
15 proud of it. I keep thinking I was a genius when I
16 wrote it, then other times I thought I was an idiot when
17 I wrote it. So it's somewhere in between that. And I
18 have to tell you folks, this -- these things -- this
19 took me like six months to write. And I fiddled with it
20 and showed it to everybody, and rewrote it and cut out
21 stuff. And I'm working on another one now. It'll be
22 out there in a couple weeks. And it took me another six
23 months. So I hope you will actually keep it with you
24 and read it. I think it flows pretty well.

25 I wanna highlight the fourth paragraph from

1 Ranch, or support of Hana Ranch, as well as the people
2 in Hana, that we'd be able to do something up there as
3 well.

4 And one other thing. Hale Mahaolu has only
5 gone into communities where they have asked us or
6 invited us. We are very careful not to impose our own
7 -- our own motives, although I think they're pretty
8 good, onto a community.

9 COMMISSIONER MARDFIN: Thank you very much.
10 And do I know you were invited into Hana by (inaudible)
11 and other people. And I was at that meeting. Thank
12 you.

13 MR. KATSUDA: Thank you.

14 COMMISSIONER MARDFIN: Thank you very much.

15 CHAIR HEDANI: Thank you. We'd like to take
16 another 10-minute recess at this point so our
17 stenographer can get relief. Thank you. 10-minute
18 recess.

19 (Recess, 4:26 p.m. to 4:43 p.m.)

20 CHAIR HEDANI: Planning Commission meeting of
21 September 2nd is back in session. We'd like to thank
22 the testifiers for their patients. We have six more
23 people that have signed up to testify. The first
24 testifier is Leona Bak Nomura, to be followed by Naomi
25 Hillinger, I think. Leona Bak Nomura? Naomi Hillinger?

1 the bottom, where it starts out, "We all believe
2 strongly in our personal order of values." And that any
3 rational discussion with others, we could convince our
4 fellow citizens of our position. The hope of the
5 government planners, and all of us here, is that this
6 General Plan will secure the objectives that we each
7 personally care most about.

8 You can see how much people care about
9 agriculture or affordable housing or senior citizens. I
10 mean, each of us has something we really, really care
11 about and we wanna see that -- we wanna see this
12 protected, we wanna see that protected, we wanna do
13 this.

14 And in a lot of ways, this isn't really very
15 healthy to bring everybody into your -- what should be
16 done on your land. It sounds wonderful. Let's all work
17 together and decide what should be done on your land.

18 I was thinking about if I went to my neighbors
19 and asked them what color roof or what color I should
20 paint my house. And I go around to everyone, we have a
21 meeting. And somebody be so passionate about blue, they
22 would love blue. And I go, God, I really don't know if
23 I like blue, but, you know, Mary Beth loves blue and Joe
24 loves blue and this guy loves pink. And I paint my
25 house. Right? I will eventually paint it some color.

1 People would be fried. They wouldn't even talk to me
2 again about something.

3 So the idea is to create a system of rules.
4 And that's where I go to my last paragraph in this, this
5 page. It says, "The government has taken it upon itself
6 to decide where we should live with only a very limited
7 knowledge of the facts." Sure, we all think we got all
8 the facts. But, really, we don't. We have a very
9 limited -- we all think we're specialists. We're,
10 actually, a bunch of know-it-alls, think we know this.
11 But really, you know about your lot, I know about my
12 lot. But, you know, you really -- it -- it's a lot of
13 facts. And we think we know.

14 It says, the (inaudible) for government is for
15 the health and safety of the citizens. No factories
16 spewing toxic fumes or loud noises near homes. Then I
17 say, if a project has no health, safety, environmental
18 or cultural issues, and pays its fair share of impact
19 fees for sewage, roads, schools, parks, et cetera, then
20 it should be free to build a vibrant community for our
21 residents.

22 So how do we incorporate my little thoughts
23 here into what you're doing? And I kind of tried to lay
24 that out in the last paragraph, on the next page. It
25 says, What makes sense today could be the exact wrong

1 and saw one of our relatives signed the --

2 CHAIR HEDANI: Lyn, can you pull the --

3 MS. SCOTT: I'm sorry. Annexation against
4 United States, annexation, getting us into -- sorry. No
5 matter how many times I do this, I'm always nervous
6 because it's such a passion.

7 My issue here is the water. Okay. Where are
8 all these people and all these subdivisions gonna get
9 water from? Okay.

10 I wanna give you a little bit of history.
11 Since 2001, my mother, that little Hawaiian lady sitting
12 over there, along with her cousin, Beatrice Kekahuna,
13 along with (Inaudible), supported by the Native Hawaiian
14 Legal Corporation, to help us to return water to East
15 Maui streams. We have been in this fight since 2001.

16 We have been through IIF standards, we've been
17 through meetings, meeting with the commissioners, we've
18 had them come in and put monitors into our loi. And now
19 I have to prove to them that HC&S and A&B are injuring
20 us. And they are. And that's not the right way.

21 We have superior water rights before any of
22 these other subdivisions, before A&B, before anybody
23 else. And we are not being satisfied.

24 And I think that each and every one of you
25 should take that into account before you approve all

1 plan for tomorrow. I'm optimistic that Members of the
2 General Plan Advisory Committee, and the Planning
3 Commission, and the Council Members, can temper the
4 General Plan document, because it is a law and we have
5 to obey the law and create this document, to allow for
6 the creativity and innovation which will be needed to
7 satisfy the present and future needs of our residents.

8 Thank you.

9 CHAIR HEDANI: Thank you very much, Peter.

10 The next person to testify is Lyn Scott, to be
11 followed by Cindy Warner.

12 MS. SCOTT: Aloha, Committee Members, aloha,
13 everybody in the place today for this really important
14 issue.

15 CHAIR HEDANI: Sorry. You got to check and
16 see if it's turned on.

17 MS. SCOTT: I can yell. Yeah. I'm Lyn Scott.
18 Woah. And I wanna thank everybody for being here about
19 this important issue, and every issue for the public.

20 I come from Honopou. And as you see me now, I
21 didn't come here dressed up or with any props or
22 anything. I came here straight out of our taro patch in
23 Honopou. I come from family that has been here in the
24 islands since before the Great Mahele. We are Hawaiian.
25 We've -- as a matter of fact, I just looked up online

1 these different subdivisions.

2 It's a sad shame that while we were there with
3 the judges, McConnell, and in private mediation, that
4 A&B had the nerve to sit there and tell us that they are
5 not gonna develop homes, that they're going to stay in
6 sugarcane. No matter how many times our attorney, Allen
7 Murikami, faced them with that question, they still
8 denied that.

9 And you look at this now, in 2009, what are
10 there, six of them up there in Haliimaile? And where
11 are they gonna get their water from? They're going to
12 take more water from my stream, from the stream that
13 nourishes my ancestors and my mother. How can we get
14 ahead if we're gonna take all this water and leave it to
15 everybody else?

16 I mean, I don't think that's really fair. You
17 know, we pay taxes, but we don't get anything in our
18 little neighborhood. There's one of my neighbors that I
19 told to come here. They don't come and repair our
20 roads. We don't get sewer. We don't get electricity.
21 And we would rather not have that. With our tax money,
22 we would rather see better government control over all
23 these development on Maui.

24 You know, I'm not against senior citizens, you
25 know, but what did I just hear? You got 300 acres and

1 only you really need 60 for the senior citizens. Why
2 are you doing this to the island? You know, we're not
3 gonna be able to support ourselves with no water and no
4 subsistence living with no farming. I grow taro. Are
5 they here helping me grow taro?

6 Mr. Sagawinit said, "Can you eat sugar?" I
7 can eat taro. I'll be happy to share it with you. But
8 you got to think that I need the water. My taro is so
9 small because I cannot grow taro with the little water
10 that we have in our lois.

11 Let's see. Grant Chun came up and he was
12 talking about -- he's from A&B, so, you know, I -- I
13 really don't agree with him. And he says that because
14 of them and putting these houses up that we don't have
15 to live in squalor. Well, let me tell you. I can't get
16 ahead where I am, and we have to live in a little bit of
17 squalor and poverty because there's no water. So if you
18 take this water and give it to everybody else, I need to
19 let you know that Kanaka Maoli and everyone on the east
20 side, depending on their streams, will suffer. And it
21 will be impacted by this.

22 As I was reading your statement up there, on
23 the Ag lands, it says that agricultural lands protect
24 the viability of small scale and ag production, and
25 limit impact between Ag uses and (inaudible) slash

1 to reroute water back into the stream. It was all into
2 just taking it away into town.

3 CHAIR HEDANI: So what you're saying is that
4 your kuleana water rights were essentially aborted?

5 MS. SCOTT: Diminished, yes.

6 CHAIR HEDANI: I see. Thank you.

7 MS. SCOTT: You're welcome.

8 CHAIR HEDANI: Commissioner Starr.

9 COMMISSIONER STARR: Yeah, I have a question
10 for you.

11 MS. SCOTT: Oh, for me? Oh, I'm sorry.

12 COMMISSIONER STARR: Please. You know -- and
13 thank you for working so hard for the in-stream
14 standards and trying to bring some justice back. But
15 from the standpoint of where we sit here, we're trying
16 to create, you know, kind of a -- almost a
17 prioritization for growth in the future. And, you know,
18 growth kind of happens, whether you like it or not. You
19 know, we're trying to create a form. How -- you know,
20 from your viewpoint, how should we kind of prioritize
21 it, where should we, you know, give and where should we
22 hold?

23 MS. SCOTT: Well, I think that you should take
24 care of the local people first. I mean, that's one
25 thing. And just keeping down a lot of it. You know,

1 future residential development and recognize and provide
2 for small subsistent ag uses and slash lifestyle
3 options.

4 I am here to tell you to please protect our
5 lifestyle. And that it's our option. And I speak for
6 everyone on that side of the island.

7 If you have any questions, I'll be happy to
8 answer them for you.

9 CHAIR HEDANI: Thank you very much, Lyn.

10 I have one question. Is it the Keanae area
11 that you're talking about?

12 MS. SCOTT: Actually, no, we are not in the
13 Keanae area. We're in the Twin Falls area.

14 CHAIR HEDANI: In the Twin Falls area?

15 MS. SCOTT: That's correct.

16 CHAIR HEDANI: And you have kuleana water
17 rights that were -- were they severed or reduced?

18 MS. SCOTT: They were reduced. They have been
19 reduced ever since 1932, when the Wailoa and Hamakua
20 Ditches were dug into our stream, and we no longer have
21 our waters that -- our -- our stream at the end of
22 Honopou Stream does not ever -- has never ever seen the
23 head waters that have come from the top of the
24 mountains, because there's no way. When they built that
25 ditch, they did not build that ditch with the intention

1 there's so many homes out there that are for sale, in
2 foreclosure, for rent, that I don't see why we need so
3 many homes. If you add it all up, it comes up to about
4 100 homes or year or so that you're planning. Do we
5 really need that much growth here on the island? And
6 where is all our (inaudible) going to come from, where
7 is that water coming from?

8 Anyone else?

9 CHAIR HEDANI: Thank you.

10 MS. SCOTT: Thank you.

11 CHAIR HEDANI: Cindy Warner.

12 MS. WARNER: Thank you. Hi. I'm Cindy
13 Warner. And with me is Zach Franks. We're business
14 partners with the Piiholo South project.

15 And I think you all have heard a lot about
16 that. So I pretty much wanted to come up in case there
17 was any questions that we could clarify.

18 One critical point we'd like to wrap up with
19 is we're asking for 60 acres, not 300 acres, to be
20 considered for the expansion of Makawao Urban Growth
21 Boundaries for the sole purpose of senior housing
22 community to support aging in place in an
23 environmentally-sensitive and ecologically-friendly
24 developmental format.

25 Our intention would be to work with Roy

1 Katsuda and Hale Mahaolu. And we would be fine to work
2 with a provisional zoning designation where it mandates
3 us to do senior housing.

4 And I -- any questions that you have for
5 either Zach or I or both?

6 CHAIR HEDANI: Commissioner Starr.

7 COMMISSIONER STARR: Why 60 acres? It seems
8 like a lot for this.

9 MS. WARNER: It's -- it's one lot, so it's its
10 own entity. So it seemed like an ample amount so we
11 could still create a lot of green space, parks,
12 community gardens. To honor the agricultural use in the
13 area, our plan was to have a community garden where the
14 seniors could have their own plot in addition to garden
15 which we could offer to Saint Joseph's School for their
16 kids to have a garden plot. We really want to
17 acknowledge the agriculturalness of the area. And so 60
18 acres is the size of the parcel that we're proposing be
19 added.

20 CHAIR HEDANI: Commissioner Mardfin.

21 COMMISSIONER MARDFIN: What's been the
22 reaction of -- you border a church?

23 MS. WARNER: Uh-huh, yes.

24 COMMISSIONER MARDFIN: What's their reaction
25 to this proposal?

1 soil remediation and having it come back to a productive
2 agricultural area.

3 COMMISSIONER SHIBUYA: Is this 40 -- I mean,
4 60 acres, is this the level portion of the 100 acres?

5 MS. WARNER: It is. It's the --

6 COMMISSIONER SHIBUYA: And at the same time,
7 you have 240 acres that is not exactly level, but you're
8 gonna put it into agricultural use?

9 MS. WARNER: It's going to maintain -- or
10 retain its agricultural use. It's always been zoned and
11 designated as agricultural use. So we're not asking for
12 any different designation.

13 We didn't do a subdivision to create any new
14 lots. They were existing lots. We -- at one point in
15 time, we did a lot line adjustment, a consolidation and
16 re-subdivision, but that's all big ag lots that will
17 remain that way. And we're committed to that. They are
18 further away from Makawao and the more sloping sites.

19 So the only lot that makes any sense to look
20 at to serve the community would be our lowest lot, which
21 is the 60-acre parcel which lies on a -- primarily, on a
22 plateau above St. Joseph's Church, and is very lowkey
23 and not hardly visible from Makawao Town and from
24 Piiholo South -- Piiholo Road. So it's just above the
25 cemetery on the right, going up, and then up on that

1 MS. WARNER: Zach's met with them more
2 recently than I have. We haven't met with the diocese
3 in Honolulu that kind of, I think, just makes a lot of
4 the decisions, but they know. We've had repeated
5 meetings with the school principal and some of the
6 members of the board. And I don't think there's a
7 formal position stated, nor have we asked for one, but
8 we have open communication.

9 COMMISSIONER MARDFIN: But they're not here
10 supporting you?

11 MS. WARNER: No, they are not. But we haven't
12 asked them to be. That's right.

13 CHAIR HEDANI: Commissioner Shibuya.

14 COMMISSIONER SHIBUYA: Thank you for
15 testifying. I just wanted to find out, of this
16 remaining 240 acres that you have, what do you plan to
17 do with that?

18 MS. WARNER: It's -- it's all separate large
19 agricultural parcels ranging from -- the smallest is 15
20 acres to the largest is 45 acres. So that -- that's --
21 no question that's intended for and shall always be
22 agriculturally-oriented land. Right now, we've
23 converted it from the old pineapple, which it was, to --
24 it's being grazed by cattle. So we're reinstating the
25 natural grasses and have fenced it and are trying to get

1 flat hill. So it's a suitable terrain for seniors.
2 It's not a sloping site where there would have to be a
3 lot of stairs for the architecture. So it feels like an
4 ideal place to serve the community with taking care of
5 our elders in that way.

6 COMMISSIONER SHIBUYA: How many seniors are
7 you expected to serve --

8 MS. WARNER: What --

9 COMMISSIONER SHIBUYA: -- and what kind of
10 Staff service will be available and where would they be
11 housed?

12 MS. WARNER: A lot of business is being
13 formulated based on what the needs of the community are
14 and what it takes to take care of those needs. But our
15 -- our intention would be to have about 200 units, 110
16 of those being with Hale Mahaolu, and the balance we
17 would have aging in place homes and facilities so people
18 could have in-home care with doctor, nurses on Staff.
19 The 24-hour care facility would be provided through Hale
20 Mahaolu. Staffing, we would -- we would be working with
21 whatever staffing it would take to, you know, serve that
22 population in the best way.

23 And we would make sure that the employment
24 cycles would make sure that we limited the traffic in
25 the area. So the staggered work hours. But it would

1 not be a great deal of staffing traffic.
 2 Our -- our intention would be Hale Mahaolu is
 3 fairly self-sufficient and the rest of the project would
 4 be aging in place for retired people only. Age limit is
 5 in place.
 6 Our -- our hope would be, if we could do it
 7 without appearing discriminatory, would be to open it to
 8 Upcountry residents first and then Maui residents second
 9 so that we would be meeting the needs of our local
 10 population.
 11 And -- and did that answer your question?
 12 CHAIR HEDANI: Thank you very much, Cindy.
 13 MR. FRANKS: Shall I answer that,
 14 Mr. Chairman?
 15 CHAIR HEDANI: State your name for the record.
 16 MR. FRANKS: Zachary Franks.
 17 It was -- it was discussed by some of the
 18 prior testimony of caregivers that there was -- they
 19 were seeking a sense of ohana.
 20 There was a story told to us by Roy Katsuda,
 21 when we met with him a couple weeks ago -- we had
 22 ongoing meetings with him for a couple years now -- in
 23 which he talked about the way the plantation --
 24 plantation camps really worked. He said, you know, if
 25 somebody -- if somebody had a problem in the house, they

1 COMMISSIONER MARDFIN: Two things. One, I'd
 2 like to make a comment. You said you preferred to give
 3 preference to people in the area. When Hale Mahaolu
 4 came to Hana, we asked the same question. And the
 5 answer was very directly, it cannot be done if you're
 6 taking any federal funds. So I would -- don't fool the
 7 people in Upcountry that they're gonna be able to get
 8 there. They may not.
 9 MS. WARNER: Thank you. I wasn't aware of
 10 that.
 11 COMMISSIONER MARDFIN: The second thing: Have
 12 you talked with the Tri-Isle Main Street people? And
 13 how is that discussion going?
 14 MR. FRANKS: I -- it's -- actually, Jocelyn
 15 Perreira at Tri-Isle has been extremely helpful to us in
 16 helping us to formulate our plans. And it's an ongoing
 17 conversation. They are -- I -- I think they like our
 18 concept. They are still asking us for more details.
 19 And -- but, you know, it's moving in a positive
 20 direction with them.
 21 CHAIR HEDANI: Okay. Thank you very much.
 22 MR. FRANKS: Okay.
 23 CHAIR HEDANI: Are there any other members of
 24 the public that would like to offer testimony at this
 25 time? We've reached the end of our list. There were

1 could go outside and, you know, ring the bell or go next
 2 door and there was always somebody there to help. In
 3 the same sense, we wanna create a similar ohana, that
 4 there's always somebody there among your friends, among
 5 your peers to help.
 6 The other great thing -- there are a couple
 7 other great things that can happen, though, Mr. Shibuya.
 8 One of them is what is coming into -- into more
 9 prominence all the time is telecare and electronic
 10 monitoring of people. So that you can become -- pseudo
 11 health authorities and private health authorities can
 12 become aware of problems very quickly.
 13 A couple of people who were here today,
 14 Mr. Carter, actually, has a company called Age Wave.
 15 And Age Wave is involved in telecare. And it is a
 16 licensee of the State of Hawaii. And we would be
 17 installing, you know, sophisticated telecare in homes
 18 and fitting homes for people to age in place so that
 19 they -- and -- and that would make it much easier for
 20 public Staff to -- you know, like nurses like Linda Mau
 21 who testified to go from home to home closeby rather
 22 than having to drive all over the Upcountry to get to
 23 people who are (inaudible).
 24 Yes, sir.
 25 CHAIR HEDANI: Commissioner Mardfin.

1 three people that I called on that weren't present.
 2 Leona Nomura, Naomi Hillinger, and Tam (inaudible).
 3 Dick, go ahead state your name for the record.
 4 MR. MAYER: Thank you very much. Long
 5 afternoon. My name's Dick Mayer. I'd like to make some
 6 comments based on things I've heard this afternoon.
 7 The main issue seems to be shortage of water
 8 Upcountry. And there are many, many constituencies
 9 asking for that water, the streams in East Maui, taro
 10 growers, taro farmers, Hawaiian Homelands, which has a
 11 project it's building that will be wanting to put up
 12 somewhere around 2,400 to 2,800 more units. Agriculture
 13 Upcountry certainly has a need. Residents who already
 14 live up here, the people on the meter list, and their
 15 1,300 applications, represent the rounds of 2,000
 16 meters, and now the proposed Urban Growth Boundaries and
 17 Rural Growth Boundaries. That puts a lot of stress on
 18 the water Upcountry. And your job will, obviously, be
 19 to prioritize.
 20 The Upcountry Plan says that agriculture in
 21 Hawaiian Home Lands should have highest priority. And I
 22 would hope that we keep that in minds.
 23 With regard to adding more units to the count,
 24 the present numbers that you have is that there are
 25 3,692 units entitled already in the Upcountry region.

1 3,692. That's why the Planning Department only
2 recommended 821 additional units in Makawao and
3 Pukalani, because there are already that many units
4 entitled. And that's in addition to the 1,300 people,
5 applications on the water meter list.

6 So there is no great need to add huge
7 projects. That comes to the next item, Haliimaile.

8 Haliimaile's asking you for around 2,600 units
9 for two projects. This is, as Doug MacCleur said, some
10 of the best prime ag land on the island. And he said
11 that to us in the GPAC, and he said it again to you
12 today. And I think he, as a plantation manager there,
13 knows very well what he's talking about.

14 A&B is one of the requesters. Since 1996,
15 they have had the right to go ahead and build on 64
16 acres in Haliimaile. And they've not yet done it. If
17 the demand were that great, you certainly would have had
18 them putting in the housing on that 64 acres in
19 Haliimaile.

20 With regard to the Pukalani Town Center,
21 Pukalani Triangle as it's generally called Upcountry,
22 there are certain things you should be aware of. One is
23 that the EIS that was done on that site showed that
24 there are extremely high toxic levels on the site
25 because of the chemicals used. That was a place where

1 the policy section of your document, under one of the
2 actions, that will describe specifically that this
3 project would be allowed, in giving the parameters, how
4 many units, et cetera. It would be put in there with
5 the idea that this would be transferred from the rest of
6 the 300-acre parcel. That will make this project, to
7 me, at least, acceptable. And down the road, 20 years
8 from now, if successful, somebody may wanna revise the
9 plan and put senior housing on the rest of it.

10 The last issue that I want to mention are the
11 wells. There are three or four wells, all in the same
12 area. This particular well that the Piiholo South has
13 drilled, very productively, it's relatively close to
14 Pookela, which is a County well at present, and the new
15 Maui Land & Pine Piiholo Well. They may all be drawing
16 from the same pool down below. They're big straws going
17 down there. And the interactions of the three, we do
18 not know. We really don't know how much water will be
19 available long-term if these three wells start pumping
20 water out.

21 And one last comment: I want to reiterate
22 Kula Community Association said the advisory committees
23 for each of the Community Plan Districts is something
24 that I would urge you to seriously include in the plan.

25 Thank you.

1 chemicals were poured into trucks, I guess, and other
2 equipment. And there's a very big residue up there.
3 And I can show you the site -- the EIS if you want to
4 see that.

5 We're also concerned about traffic and water,
6 as the Kula Community Association said. Because one of
7 the water sources is the Piiholo Well, which, right now,
8 is showing underperformance in its ability to serve the
9 site, plus the housing project below Pukalani Terrace.

10 With regard to Piiholo South, I think it's
11 been obvious from your testimony you've had that senior
12 housing is absolutely critically needed, and I couldn't
13 agree more, in the Upcountry region as well as all over
14 the island. And that's why, in your policy plans, you
15 have a number of statements saying how important senior
16 housing is to be added. Because we cannot put people
17 into institutions anymore, it's just too expensive; we
18 need to put 'em into homes that meet their needs.

19 And so I'm suggesting that you be creative
20 with this particular project, that you do extend the
21 Urban Growth Boundary around the site, but that the
22 entire 300-acre parcel be considered together with this,
23 and that we have, as a transfer of development rights,
24 the other 240 acres will be remained in open space,
25 conservation design. And that where it will be put is

1 CHAIR HEDANI: Thank you, Dick.

2 Question from Commissioner Hiranaga.

3 COMMISSIONER HIRANAGA: Yes. You mentioned
4 the number 3,600 entitled units in the Upcountry area.
5 Do you know approximately how many or what percentage
6 those units have water meters?

7 MR. MAYER: I don't -- I certainly didn't do
8 any calculation on that. Some of them have rights, I
9 think, to the water system. Hawaiian Home Lands, for
10 example, has rights to the water system. They're not on
11 the water meter list, but those units will have the
12 highest priority both in Community Plan -- and, by law,
13 I think the Hawaiian Homelands have rights to water. So
14 those units could go in the -- they probably would get
15 water over people on the water meter list since that is
16 the highest priority.

17 COMMISSIONER HIRANAGA: The 1,300 or so people
18 on the water meter waiting list for Upcountry, are there
19 any -- are they included in the 3,600 or they're --

20 MR. MAYER: No. Those are additional lots,
21 where somebody may have a vacant lot, in Pukalani or
22 Makawao, Kula, somewhere, and they're just waiting --
23 and Haiku as well, where they're waiting for -- the only
24 thing that's stopping them from developing right now,
25 they don't have to subdivide they could go ahead and

1 build.

2 In addition to the 1,300 on the list, many of
3 those 1,300 are asking for subdivisions. Those people
4 are also not included in this list number here. That
5 will be all in addition to the 3,600 already committed
6 in large lot subdivisions.

7 COMMISSIONER HIRANAGA: Thank you.

8 CHAIR HEDANI: Thank you very much, Dick.

9 Are there any other members of the public that
10 would like to offer testimony at this time? If so,
11 please step to the microphone and state your name for
12 the record.

13 MR. FRANKS: Mr. Chairman, would it be
14 appropriate for me to respond to -- it would not be
15 appropriate for me to respond to Mr. Mayer's testimony,
16 his suggestion?

17 CHAIR HEDANI: At this point I'm just gonna
18 open it up to any additional testimony from any members
19 of the public that would want to testify on any subject.

20 MR. FRANKS: Okay. I wanna thank Mr. Mayer
21 for his testimony. Are you opening it up to me?

22 CHAIR HEDANI: You've already testified.

23 MR. FRANKS: Oh, okay. In that case, I'll sit
24 down.

25 CHAIR HEDANI: Are there any other members of

1 Hiranaga.

2 COMMISSIONER HIRANAGA: Yeah. Before we get
3 into Hana, I wanted to have a more deeper understanding
4 of this rural boundary growth designation and how it
5 will impact Community Plan designations, State Land Use
6 designations and zoning. Now, the question is -- RGB
7 designation, does that become a voluntary option of the
8 land to pursue a State Land Use Amendment to Rural if
9 it's Ag, to then pursue County zoning, if he is some
10 other zoning besides Rural, or does this RBG [sic]
11 designation start an automatic process that the
12 landowner has no input? Because I'm concerned that
13 we're going to start doing these broad-brush
14 re-designations, which may not be to the best interest
15 of each individual landowner. So I wanted to know the
16 implications before we start going deeper into these
17 plans and start designating places as RBGs [sic].

18 CHAIR HEDANI: Director.

19 MR. HUNT: As we've discussed before, one of
20 the advantages of designating growth areas is there's
21 some assurance and support from the County that this is
22 where growth will be, will occur and be supported. One
23 of the concepts is that we would -- during the community
24 plans, they would designate these areas to be consistent
25 with the Urban or Rural Growth designation. Then the

1 the public that would like to offer testimony at this
2 time? Okay. Seeing none, public testimony is closed.

3 It's 5:15 right now. We're gonna take a break
4 for dinner, and then we'll be back at 6:15.

5 We're going to -- because dinner is not here
6 yet, we're going to continue on with the next item on
7 our agenda and press forward until our dinner arrives.

8 We've completed public testimony. We're on
9 Item D. Director.

10 MR. HUNT: Item D involves your discussion of
11 the recommendations regarding the Draft Maui Island
12 Plan's Directed Growth maps. The intent is to review
13 the island by community planned region in the order that
14 the Commission adopted.

15 This can be changed, but at this point this is
16 your order: Hana, followed by Upcountry, followed by
17 South Maui, followed by West Maui, and ending up in
18 Wailuku-Kahului.

19 So at this point I'll turn it over to the Long
20 Range Planning Staff. And when we left off with Hana
21 last time, there was a little bit of discussion. And
22 then if people start getting hungry -- and I think we
23 broke, but, again, you did start in on the discussion of
24 Hana, just to kind of remind you where you left off.

25 CHAIR HEDANI: Question, Commissioner

1 County could also simultaneously do a comprehensive
2 rezoning. And that was felt that it would actually be
3 an advantage. It was felt it was a benefit for people.

4 It sounds like you're now suggesting that
5 perhaps there's some concerns with that. So I guess the
6 answer to your question is that it was envisioned that
7 if you are within a Rural Growth area on the Maui Island
8 Plan, and once the Community Plan is updated, they would
9 designate appropriate Community Plan designation within
10 that area, and the County would follow up with a zoning
11 designation to implement the Community Plan.

12 COMMISSIONER HIRANAGA: So just a follow-up
13 question. So the RGB designation does not initiate an
14 action, it's a recommendation for an action, but the CAC
15 is the one that initiates an action when they update the
16 Community Plan?

17 MR. HUNT: I -- I would describe it as the --
18 the growth boundary would give direction to the
19 Community Plan as to the type of development and
20 Community Plan designation which is intended. Now, it's
21 almost like it puts a limit on it. If -- if there's a
22 Rural Growth Boundary on a map, the Community Plan would
23 not have to necessarily designate all of that Rural.
24 Perhaps they would designate a portion of it. But the
25 Community Plan could not go beyond that and designate it

1 Urban. So it puts a cap, but it does not mandate
2 necessarily that everything under it will be designated
3 with a Rural designation.

4 COMMISSIONER MARDFIN: Mr. Chairman, can I ask
5 a question?

6 CHAIR HEDANI: Commissioner Mardfin.

7 COMMISSIONER MARDFIN: Yeah, as a follow-up on
8 this. I think I understand what you've just told us.

9 And as you know, I've consistently been one in favor of
10 letting the communities decide as much as possible
11 everything that they can decide. I would -- tell me if
12 you think I'm incorrect in my interpretation. I would
13 see this as guidance to the committees that are devising
14 the new community plans. And -- but if they thought
15 that we hadn't really screwed up, they could, within
16 some limits, recommend changes. They couldn't create an
17 urban boundary in Koali or anything like that, but if we
18 were to delete all Rural Growth Boundaries makai of Hana
19 Highway, and they thought, well, you know, that was
20 really too broad, we really wanna get this one back in,
21 that they would probably be able to do that? Is that a
22 reasonably correct interpretation?

23 MR. HUNT: I think it would be difficult for
24 them to get that back in. I agree with your statement
25 that the growth boundaries offer guidance, but there are

1 process was to get us away from this piecemeal
2 developer-driven project-by-project Community Plan
3 amendments. Just to lay out for the next 20 years,
4 here's where we intend growth to occur.

5 COMMISSIONER MARDFIN: Thank you very much.

6 CHAIR HEDANI: Mr. Summers, fill this room
7 with your brilliance.

8 MR. SUMMERS: I'll just -- I'll just add a few
9 comments -- thank you, Mr. Chairman -- because we do
10 have the State land use law that's part of this.

11 There's also that third process that would have to be
12 addressed. And, of course, the Council doesn't have --
13 our County Council doesn't have the authority to make
14 those changes. So in terms of the automatic zoning
15 portion of it, if the underlying State land use
16 designation was Agriculture, that's another set of
17 processes that would have to be addressed.

18 CHAIR HEDANI: Commissioner Hiranaga.

19 COMMISSIONER HIRANAGA: And who would address
20 the State land use issue, in your conceptual idea of
21 this -- this designation of RBGs [sic]? Is it the
22 individual landowners? Is there a County mechanism?

23 MR. SUMMERS: Thank you, Mr. Chairman.
24 Currently, there is no tool at the State level for
25 concurrent re-designation within the State Land Use

1 also -- it also puts some limits on it. So, again, for
2 instance, a Rural Growth Boundary could not have
3 Community Plan Urban designations in it. It wouldn't --
4 it wouldn't match. It wouldn't fit. It would be
5 inconsistent.

6 COMMISSIONER MARDFIN: But if it were
7 agriculture there, could they possibly include it in a
8 Rural Boundary? Could they expand the Rural Boundary?

9 MR. HUNT: Not without an amendment to the --
10 to the Maui Island Plan.

11 COMMISSIONER MARDFIN: But we were talking
12 much earlier about they -- that -- as the -- the
13 community plans have to be adopted by the Council,
14 anyway.

15 MR. HUNT: Correct.

16 COMMISSIONER MARDFIN: So the Council at that
17 time could amend the Maui Island Plan to -- to be
18 consistent?

19 MR. HUNT: It's conceivable. It would be a
20 little -- it would be trickier having those two systems
21 going on, two processes going on, but it's conceivable.

22 COMMISSIONER MARDFIN: Thank you.

23 MR. HUNT: Then the other option is there is
24 -- you can come in for an individual Community Plan
25 Amendment. It's just that the whole intent of this

1 District, to have a concurrent change of the State Land
2 Use District boundaries to reflect updated General Plan
3 or community plans. We discussed that. That tool does
4 not exist. So if you were to pursue it, it would have
5 to be sort of a County-initiated proposal that would go
6 to the State Land Use Commission to review and comments.

7 Our focus has primarily been on the automatic
8 zoning that could occur. And we haven't really at this
9 point dug too deeply into how that would work in terms
10 of the State Land Use Commission. So we would have to
11 do that.

12 Yes, individuals outside of the two-year
13 window, that the 2.80B provides a two-year window
14 whereby you cannot propose an implemental change to the
15 boundaries once a plan is adopted. Outside of that, an
16 individual landowner could come forward and propose
17 changes to both the zoning as well as the Community Plan
18 or the State Land Use District boundaries. It could be
19 driven two ways, comprehensively by the County or by an
20 individual homeowner.

21 COMMISSIONER HIRANAGA: Follow-up question?

22 CHAIR HEDANI: Commissioner Hiranaga.

23 COMMISSIONER HIRANAGA: So just
24 hypothetically, if we designate certain areas as an RBG
25 [sic], and the CAC says, "This is a great thing so let's

1 change the Community Plan to Rural," does that create a
2 non-conforming situation because you've got Community
3 Plan Rural, State Land Use Ag, County zoning Ag?

4 MR. SUMMERS: Yeah. We could not apply County
5 zoning that is more expansive than the underlying State
6 District. So the -- it would have to be concurrent. We
7 would have to address the State Land Use designation
8 concurrently or before the County zoning.

9 COMMISSIONER HIRANAGA: But you can
10 re-designate as in the Community Plan as Rural?

11 MR. SUMMERS: You can do it at the Community
12 Plan level, but you can't do it at the zoning level.

13 COMMISSIONER HIRANAGA: Or the State Land Use
14 level? Those take separate actions?

15 MR. SUMMERS: State Land Use would have to
16 come first. In other words, let's say we had a parcel
17 that's currently Ag. The County could go forward and
18 change the Community Plan designation to Urban or Rural;
19 they could not go forward and change the County zoning
20 without concurrently doing a State Land Use District
21 Boundary Amendment.

22 COMMISSIONER HIRANAGA: So if nobody does
23 anything to the State Land Use designation or the
24 zoning, do you create an Interim zoning situation
25 because now you've got Community Plan Rural, State Land

1 But it was to adopt the four growth boundaries by this
2 Commission. That was -- that motion was made and
3 seconded. I then made a motion to -- which was
4 seconded, to delete from the Rural Growth Boundaries
5 between -- it was, basically, below -- from the road to
6 the south of Hana -- you can see it goes out -- yeah.
7 If you look at the map, it -- I'm gonna step away from
8 the mic one minute and go up and show you where I mean.

9 COMMISSIONER STARR: Mr. Chair, point of
10 order.

11 CHAIR HEDANI: Commissioner Starr.

12 COMMISSIONER STARR: Just for process, I was
13 the seconder of both those motions. I'd like to suggest
14 that we remake that motion. Just so we're sure that
15 when we pass it, we're -- we're kosher.

16 CHAIR HEDANI: My apologies for being missing
17 in action.

18 COMMISSIONER MARDFIN: You had a very good
19 reason to. Our hearts were with you, I would like to
20 add, and your son.

21 I will make -- if it's appropriate, to make
22 that -- move the amendment again.

23 CHAIR HEDANI: Director, do you have a
24 comment?

25 MR. HUNT: I think we all need to get on the

1 Use Ag?

2 MR. SUMMERS: That -- I don't believe so.
3 There may be an issue in the SMA which requires
4 consistency. But outside of that, no, that would not be
5 an issue.

6 CHAIR HEDANI: Any other questions?
7 Commissioner Mardfin.

8 COMMISSIONER MARDFIN: If there are no other
9 questions, can I -- we're back at the main motion to
10 adopt the -- do you want me to go there? You see where
11 I'm -- I'm gonna get us up to where we left off last
12 time.

13 CHAIR HEDANI: I wasn't present where we left
14 off the last time, so I'm not sure what we're talking
15 about in the process right now.

16 COMMISSIONER MARDFIN: If you'll allow me.

17 CHAIR HEDANI: Commissioner Mardfin.

18 COMMISSIONER MARDFIN: I think I made a motion
19 to accept the Directed Growth map as presented, E1, and
20 it was one that we had been issued that pretty much
21 looks like it. And it was to adopt the -- the four
22 growth boundaries, the Urban Growth Boundary, the Rural
23 Growth Boundary, the Country Town boundary, which
24 doesn't -- and the Rural Service Center boundary. The
25 Rural Service Center doesn't actually occur on this map.

1 same page literally here. The Department handed out a
2 new set maps today. And the maps that you guys were
3 going on last time are different. So we wanna make sure
4 that we're all seeing the same maps. The maps that we
5 want to go off of now have a lot more maps. If you look
6 over on the index, on the side, there's a -- there's
7 many more maps than before. And the Hana one, the E1,
8 shows the entire airport. It's not clipped.

9 COMMISSIONER MARDFIN: Okay. I can go to that
10 map.

11 MR. HUNT: Does everyone have it? Does anyone
12 not have it? If I could just take a moment.

13 CHAIR HEDANI: The maps that we're looking at
14 have a title of Planning Department Directed Growth map,
15 Plans B and C, Hana E1, on the upper right-hand side
16 corner.

17 COMMISSIONER MARDFIN: If that's what we're
18 working from, it is appropriate for me to remake the
19 motion, because it is -- it was with reference to a
20 different map.

21 CHAIR HEDANI: Please proceed.

22 COMMISSIONER MARDFIN: So withdraw the motion
23 to amend from last time. And I believe my seconder will
24 accept? I'll make a new motion. If you folks would
25 look at Map E2, not Map E1, it says Kipahulu, but it is

1 -- it does not show Kipahulu on here. What it shows in
2 the bottom, in the far south, is Wailua, but it does not
3 go out to Kipahulu. At the top of the -- the
4 northernmost part of the map, you see a bay with a hill
5 on the --

6 COMMISSIONER STARR: Excuse me, Mr. Chair.
7 I'd like to suggest that he make the -- first make a
8 motion to accept the -- you know, accept the map in
9 general and before modifying it, because that --

10 COMMISSIONER MARDFIN: That's the one that's
11 up there.

12 COMMISSIONER STARR: That's not on the table,
13 either, right now, I don't think.

14 CHAIR HEDANI: Okay. The question that I had
15 was you withdrew the amendment to the motion that you
16 made at the last meeting. Are you withdrawing the main
17 motion as well?

18 COMMISSIONER MARDFIN: The main motion was to
19 accept the Director's --

20 COMMISSIONER STARR: That's changed.

21 COMMISSIONER MARDFIN: The Directed Growth
22 map. They didn't change the lines. They changed the
23 way they presented it.

24 CHAIR HEDANI: Clarification from the
25 Director. The plans B and C is just a more detailed

1 a laser pointer that can be provided to the Commissioner
2 so he can point out -- so he can point out portions of
3 the map?

4 COMMISSIONER STARR: That looks dangerous,
5 like a weapon, guys.

6 COMMISSIONER MARDFIN: The -- in the upper
7 part of the map, up here, will you see some dark green.
8 That is Ka Iwi o Pele Hill, which we all went over. It
9 goes up -- the road goes up and then goes down. We turn
10 here on Haneoo Road. This area is known as Hamoa. This
11 area here goes -- and all the way out to here. Don't
12 stand up, Jeff, or you'll get blinded. This is area is
13 known as Koali. So I'm gonna be referring from before
14 Hamoa to Koali. And the motion is to delete all the
15 Rural Growth Boundaries makai of the main road. So
16 everything makai would be deleted.

17 COMMISSIONER STARR: Second.

18 CHAIR HEDANI: Makai of Hana Highway?

19 COMMISSIONER STARR: No.

20 COMMISSIONER MARDFIN: Technically, it's
21 Piilani Highway, I believe.

22 CHAIR HEDANI: On the map, it's designated as
23 Hana Highway 31.

24 COMMISSIONER MARDFIN: Okay.

25 COMMISSIONER STARR: Excuse me.

1 version of the East Maui E1 map, or have there been
2 changes made?

3 MR. HUNT: I think, technically, it would be
4 cleaner if you just withdrew the previous motion and
5 wiped it clean.

6 COMMISSIONER MARDFIN: I withdraw the previous
7 motion.

8 MR. HUNT: And deal with the E1. I'm sorry to
9 be a pain.

10 COMMISSIONER MARDFIN: That's okay. I
11 withdraw the previous motion.

12 CHAIR HEDANI: Commissioner Mardfin?

13 COMMISSIONER MARDFIN: May I make a new
14 motion? I move that we -- the Commission accept the
15 directed -- Planning Department's Directed Growth map
16 Plans B and C, E1 for East Maui, E2 for what it is
17 improperly labeled Kipahulu.

18 COMMISSIONER STARR: Second.

19 CHAIR HEDANI: Discussion? Commissioner
20 Mardfin.

21 COMMISSIONER MARDFIN: I move to amend Map E2.
22 And if I may, I'd like to go up to the board to show you
23 the things I want to reference because I'm going to use
24 names.

25 CHAIR HEDANI: So question for Staff, is there

1 CHAIR HEDANI: Discussion? Commissioner
2 Starr.

3 COMMISSIONER STARR: Yeah. My -- my thought
4 was that it would be -- when you were talking about the
5 main road, you were talking about Hana Highway, when
6 Hana Highway is the most makai road. But, also, you
7 know, what they call the Hamoa Road when -- when the
8 loop that goes Koki/Hamoa occurs.

9 COMMISSIONER MARDFIN: I will -- I will accept
10 that as the way I should have phrased the motion, the
11 motion to amend. In other words, follow -- the red line
12 is showing Hana Highway, we go down -- this is Haneoo
13 Road. We go down Haneoo Road. Everything on the makai
14 side of this would be deleted, everything on the mauka
15 side would be left in. Haneoo Road goes up here and
16 reconnects with Hana Highway. But all on this -- up at
17 this end, all the stuff makai of the Hana highway would
18 be deleted from the Rural Growth Boundary, RGB.

19 CHAIR HEDANI: Does everybody understand?
20 Discussion? We're discussing the amendment at this
21 point. Commissioner Hiranaga.

22 COMMISSIONER HIRANAGA: Actually, before we
23 move on, at some point I would like to ask several
24 questions regarding the Residential Land Use Report,
25 which is the basis for determining the supply and demand

1 of units for this island. And I have questions
 2 regarding assumptions. And I'm not sure at what point
 3 you want me to bring those up. It may be not as
 4 important for Hana, but it has some relevance to Haiku
 5 and the Makawao-Pukalani-Kula community planned areas.
 6 I think we were -- had some incomplete discussions
 7 regarding Paia-Haiku, and Staff was gonna look into
 8 that, which, hopefully, they're gonna be able to discuss
 9 that today versus waiting for the end of the process.

10 CHAIR HEDANI: Does Staff have a response to
 11 the prior question at this point or are you prepared to
 12 answer? Director?

13 MR. HUNT: We're prepared to answer, I think,
 14 almost all of your questions. But could we postpone
 15 those until we get through Hana and come back to it?

16 COMMISSIONER HIRANAGA: Yeah.

17 CHAIR HEDANI: Any discussion on the
 18 amendment? Commissioner Mardfin.

19 COMMISSIONER MARDFIN: I just wanna --

20 CHAIR HEDANI: You wanna provide a rationale
 21 for the amendment?

22 COMMISSIONER MARDFIN: Yes. First of all, I
 23 will. I have talked to many, many people in Hana. And
 24 there is almost unanimity that we do not wanna -- we
 25 wanna preserve the ocean view. There -- people can

1 COMMISSIONER MARDFIN: This -- this shows up
 2 -- this is where Hana Highway and we turn left to go --
 3 turn left to go down Haneoo Road. This is Haneoo Road.
 4 This is Koki Beach in here. And it's a little hard for
 5 me to see because of the lighting, but the main Haneoo
 6 Road goes here and then Haneoo Road cuts up. And we
 7 stopped here to look at Hamoa Beach. And then Haneoo
 8 Road goes to here. And so with respect to Haneoo Road,
 9 it's the stuff down there. But with respect to Hana
 10 Highway, we would also be deleting this portion here.
 11 This would be in, this would be out, this would be in,
 12 so forth.

13 COMMISSIONER HIRANAGA: Got it.

14 CHAIR HEDANI: Director.

15 MR. HUNT: If Staff doesn't have concerns --
 16 and don't misinterpret the comments, but we just want
 17 you to be aware a lot of this land is Community Plan
 18 Rural, I believe.

19 MR. MICHAELSON: Yes.

20 MR. HUNT: And you should just be aware that
 21 there's a expectation or an entitlement, to some extent,
 22 for those properties.

23 COMMISSIONER DOMINGO: Exactly.

24 MR. HUNT: Don't read too much into that.
 25 That's informational, not opposition.

1 build a house on agricultural lot and that sort of
 2 thing, but, as much as possible, we wanna maintain the
 3 views to the ocean. And we don't wanna see a whole lot
 4 of development in that area. There's sufficient area
 5 mauka of the road to take care of any potential growth
 6 that we had -- that we have need of.

7 Let me just add one thing about the way the
 8 motion was. It's -- if you look at -- I'll describe it
 9 -- Hana 9, it would be makai of -- of Haneoo Road.
 10 It's -- everything in Hana 10, 11 and 12 that is makai
 11 of Hana Highway would be deleted from the Rural Growth
 12 Boundary.

13 CHAIR HEDANI: Staff, are we clear on what the
 14 motion is at this point? We're all clear we're all on
 15 the same page? Okay. Does Staff have any comments that
 16 you would like to offer in terms of original mapping
 17 that was provided, or do you have any comment on it at
 18 this point? Mr. Summers?

19 MR. SUMMERS: No, sir, no comment.

20 CHAIR HEDANI: Silence is golden.
 21 Commissioner Hiranaga.

22 COMMISSIONER HIRANAGA: I'd like to ask
 23 Commissioner Mardfin to -- since I've got a greater
 24 detailed map, to show exactly what he is talking about
 25 in the previous map.

1 CHAIR HEDANI: Further discussion?
 2 Commissioner Shibuya.

3 COMMISSIONER SHIBUYA: I'm looking at earlier
 4 map that showed hazards, tsunami evacuation. And I just
 5 wanted to confirm with my colleague whether these areas
 6 are also considered FEMA flood zone as well as tsunami
 7 evacuation routes that you're now rezoning into
 8 agriculture.

9 COMMISSIONER MARDFIN: With respect to Hamoa,
 10 in 1946, the major -- April 1st, 1946, when the tsunami
 11 hit Hilo, and hundreds of people were killed, nine
 12 people in this area and two people in Keanae were
 13 killed. And it was all in this area here. This is very
 14 low. And the tsunami came up about this far.

15 In the old days, there used to be an airport
 16 right where I'm showing here. And that was done -- and
 17 the waves came up to about here. Pushed houses back 100
 18 yards. And lives were lost there.

19 Here, it's not quite -- here, it's mauka of
 20 the road, but it's not quite -- well, this part is
 21 makai, this is fairly low-lying, too. And it is subject
 22 to tidal wave, tsunami action.

23 This is, by the way, where Oprah Winfrey,
 24 Oprah owns.

25 CHAIR HEDANI: Commissioner Hiranaga.

1 COMMISSIONER HIRANAGA: Just to follow up with
2 what the Director said. Exclusion from -- exclusion
3 from the RGB does not preclude use of the land that's
4 already in place. So if it's got Rural zoning,
5 exclusion from the RGB does not preclude rural use, is
6 that correct?

7 MR. HUNT: Well, it's an interesting question
8 what happens between now and the Community Plan. But
9 the direction that the Community Plan level will be to
10 remove that Rural zoning. And I'm not sure. Is there
11 much Rural zoning out there, or is it mostly Interim?

12 CHAIR HEDANI: Mr. Summers.

13 MR. SUMMERS: Thank you. Thank you,
14 Mr. Chairman. These areas designated on the map, it's
15 Rural Residential, are currently Rural in the Community
16 Plan, the Hana Community Plan. The vast majority of the
17 land is currently Interim zoned. We tried to do a
18 comprehensive zoning out there about 10 years ago, and
19 there were objections within the community. So removing
20 that designation or pulling back the growth boundary.
21 We're not changing anybody's zoning, just not including
22 it within the growth boundary. That would not preclude
23 somebody from building their home, but it would send a
24 signal during the Community Plan Update that that Rural
25 Community Plan designation would likely revert back to

1 agree. Because -- I would enlarge it because of the
2 FEMA flood zone area as well as tsunami area. I would
3 not want to have any of these areas within the Rural
4 area because we're now inviting development. And I'd
5 like not to endanger some of the lives.

6 I'd just like to hear you comments on that.

7 CHAIR HEDANI: Staff, Mr. Summers.

8 MR. SUMMERS: Thank you, Mr. Chairman.

9 So this question, Mr. Shibuya, is related to
10 the tsunami inundation zone?

11 Mark, can you guys pull out those maps?

12 MR. NAPIER: Thank you. Mike Napier, Staff.

13 The red zone that you see overlaid over the
14 zoning is the tsunami inundation zone. And I will turn
15 off the zoning so you can see it better.

16 CHAIR HEDANI: Additional discussion?
17 Commissioner Mardfin.

18 COMMISSIONER MARDFIN: I think my colleague
19 was requesting that I eliminate, because of dangers --
20 are you suggesting that I -- as a friendly amendment, we
21 eliminate all of Hana 9?

22 COMMISSIONER SHIBUYA: That's correct.

23 COMMISSIONER MARDFIN: I will accept that as
24 -- if my seconder will, I'll accept that as a friendly
25 amendment.

1 Agriculture through that plan in process.

2 And then, subsequently, the County would like
3 to, or individual property owners would look at going
4 from the Interim category, Interim Zoning District, to
5 the -- to the Agricultural District, to be consistent
6 with the Community Plan.

7 CHAIR HEDANI: Okay. What is the intent --
8 once we adopt the General Plan, would not the intent of
9 the community plans be to cause the Community Plan maps
10 to match the General Plan map?

11 MR. SUMMERS: That's correct.

12 CHAIR HEDANI: Okay. So this would be a
13 downzoning, essentially, of all of those properties that
14 are makai of the highway?

15 MR. SUMMERS: I don't think, technically, it's
16 a downzoning.

17 CHAIR HEDANI: It's a down-planning.

18 MR. SUMMERS: It essentially sets in motion
19 steps that would lead, at some point, through the
20 Community Planning process, to a different -- probably
21 an Agricultural designation for those lands.

22 CHAIR HEDANI: Okay. Additional discussion?
23 Commissioner Shibuya.

24 COMMISSIONER SHIBUYA: I'm more in favor of
25 enlarging the agricultural line, if my colleagues would

1 COMMISSIONER STARR: Well, my suggestion is to
2 make that a secondary -- a second -- a second-tier
3 amendment.

4 COMMISSIONER MARDFIN: Okay.

5 COMMISSIONER STARR: That the border be
6 extended inland wherever the inundation zone is extends
7 mauka of the road.

8 CHAIR HEDANI: Additional discussion?
9 Commissioner Hiranaga.

10 COMMISSIONER HIRANAGA: Question to Staff.
11 When you say tsunami inundation, are you talking about a
12 v.17, or what level of inundation are you speaking of?

13 MR. NAPIER: Sorry. I misspoke. This is
14 tsunami evacuation zone.

15 COMMISSIONER HIRANAGA: That is totally
16 different, evacuation and inundation. I'm -- I live in
17 a tsunami evacuation zone. So if I hop over my wall at
18 Hana Highway, jump onto Hana Highway, and outside of the
19 evacuation zone. But I'm not in a inundation zone
20 because I live 55 feet above sea level. So if you are
21 going to exclude the evacuation zone, you're talking
22 about Kahului all the way up to Christ the King Church.
23 You know, we need to be cautious about what we're
24 excluding here. So if it's the evacuation zone, I'll be
25 voting against that second amendment.

1 CHAIR HEDANI: Okay. I have a question for
 2 Staff. And anybody can answer because I'm getting a
 3 little confused at this point. The areas that are
 4 designated in blue in the Rural Growth Boundary maps,
 5 growth would be allowed inside of the blue boundaries,
 6 but not outside of the blue boundaries, am I correct?
 7 MR. HUNT: The Rural Growth Boundaries would
 8 allow a Rural Community Plan designation and Rural
 9 zoning. Outside of it, it would likely be Agriculture.
 10 So there would still be development allowed outside, it
 11 would just be on a far smaller scale.
 12 CHAIR HEDANI: Okay. Any additional
 13 discussion? Commissioner Shibuya.
 14 COMMISSIONER SHIBUYA: That is my reasoning
 15 here, is that, for Hana, especially, the warning of this
 16 kind of problem is that we need to take proactively the
 17 -- because it is a long-reaching, far-reaching plan, let
 18 that we allow for limited type of development and that
 19 we designate it for limited development. And
 20 Agriculture, all of number 9, zoned areas, should really
 21 retain that Agriculture zoning.
 22 COMMISSIONER MARDFIN: Mr. Chairman?
 23 CHAIR HEDANI: Commissioner Mardfin.
 24 COMMISSIONER MARDFIN: While I was willing to
 25 take it as a friendly amendment, I don't think the

1 COMMISSIONER STARR: Yes.
 2 COMMISSIONER MARDFIN: I'll second that.
 3 COMMISSIONER STARR: I think the Department
 4 knows what we're talking about.
 5 CHAIR HEDANI: I'm glad. John, do you guys
 6 understand what we're talking about here?
 7 MR. SUMMERS: Yes, sir. We understand the
 8 motion that's been made, yes, related to Rural Growth
 9 Area Number 9.
 10 CHAIR HEDANI: Okay. So the mauka boundary of
 11 Hana 9 would look like what? You can't eliminate one
 12 side of it.
 13 COMMISSIONER MARDFIN: It would not be -- it
 14 would not be -- it would not be in a Rural Boundary.
 15 COMMISSIONER STARR: Yeah, in effect, there
 16 would be no Hana 9.
 17 CHAIR HEDANI: So this would be to eliminate
 18 Hana 9 as Rural Growth Boundary? So that's the second?
 19 That's the amendment to the amendment. Okay. So we all
 20 understand.
 21 Is there any discussion? Everybody --
 22 Commissioner Hiranaga.
 23 COMMISSIONER HIRANAGA: I just want
 24 clarification from Staff. What is the current zoning
 25 for that area mauka of that road, Hana 9?

1 seconder agreed to that. But I'm willing to -- in light
 2 of what Commission Hiranaga said, I think it might be
 3 wiser to take -- vote on the main amendment. Then if we
 4 want to make a second amendment to remove the lands
 5 mauka of Haneoo, that could be entertained after we have
 6 dealt with the first one.
 7 CHAIR HEDANI: Commissioner Starr.
 8 COMMISSIONER STARR: Yeah. I had made an
 9 amendment to the amendment. That's called a second-tier
 10 amendment, which would modify the first amendment. But
 11 we would vote on first the amendment -- the second-tier
 12 amendment, which would be the tsunami zone, and whether
 13 -- and so -- but we didn't get a second on my
 14 second-tier amendment. So --
 15 CHAIR HEDANI: You wanna restate your
 16 second-tier amendment?
 17 COMMISSIONER STARR: Yeah. The second-tier
 18 amendment was that we extend the boundaries mauka in
 19 Hana 9 wherever the -- wherever they're shown to be
 20 mauka of the road.
 21 COMMISSIONER MARDFIN: I'll second that, but
 22 with -- if he would reword it. We're not extending the
 23 boundaries; we're eliminating the boundary.
 24 COMMISSIONER STARR: Yes.
 25 COMMISSIONER MARDFIN: If that's your intent.

1 MR. SUMMERS: The area within Hana 9 or mauka
 2 of Hana 9?
 3 COMMISSIONER HIRANAGA: Within Hana 9, mauka
 4 of that road.
 5 MR. SUMMERS: I'm not giving a zoning
 6 interpretation per se, but it's our understanding that
 7 most of the rural areas in Hana are currently designated
 8 Interim, they're Interim zoned.
 9 COMMISSIONER HIRANAGA: So there is zoning?
 10 MR. SUMMERS: Well, technically, it is a form
 11 of zoning, but it's -- it is what it is, as the name
 12 implies.
 13 CHAIR HEDANI: Okay. So for my clarification,
 14 again, the intent will be to remove the ability to have
 15 a rural subdivision within Hana 9, if this amendment
 16 were to pass, is that correct?
 17 MR. SUMMERS: That's correct.
 18 CHAIR HEDANI: Okay. Any further discussion?
 19 All those in favor, signify by saying "aye."
 20 (A chorus of ayes.)
 21 CHAIR HEDANI: Opposed, "nay."
 22 COMMISSIONER HIRANAGA: Nay.
 23 COMMISSIONER DOMINGO: No.
 24 CHAIR HEDANI: One nay. Motion is carried.
 25 The amendment is to amend Map E2 to eliminate

1 the portions of the Rural Growth Boundaries below Hana
2 Highway, inclusive of the amendment to Hana 9. Is there
3 any further discussion on that?

4 Are we setting ourselves up for 150 different
5 lawsuits at this point, Mr. Summers? I just want to
6 sleep at night.

7 MR. SUMMERS: Yeah. Thank you, Mr. Chairman.
8 I don't believe so. Not with the Interim zoning that's
9 currently in place.

10 CHAIR HEDANI: Thank you.
11 Any further discussion?

12 COMMISSIONER DOMINGO: I have a question.

13 CHAIR HEDANI: Commissioner Domingo.

14 COMMISSIONER DOMINGO: Thank you. After we're
15 done with the maps, and we're all done, it goes to the
16 County Council. What would they be looking at? Would
17 they be looking at three different elements?

18 CHAIR HEDANI: They'll be looking at a revised
19 map based on our recommendation, if it's what the
20 Director recommends, yeah.

21 COMMISSIONER HIRANAGA: Three maps.

22 COMMISSIONER DOMINGO: So what would they be
23 looking at?

24 MR. HUNT: The Department will make a final
25 recommendation to the Council. And it may reflect the

1 Council, I think there may be a conflict or a time lag.

2 MR. HUNT: The County-Wide is anticipated to
3 be adopted weeks or months. They went through the fifth
4 element recently out of eleven, so they're almost
5 halfway through. I would anticipate perhaps by the end
6 of October. So ideally, at this time, it sounds like
7 the County-Wide Plan will be adopted and this will be
8 getting up there near that time. And so they'll have
9 that County-Wide in which to then start reviewing the
10 Maui Island Plan, which they should. We will start
11 working on the community plans as soon as the
12 County-Wide is done. That'll free up Staff, which then
13 we can go and start on the community plans.

14 The first community plans to get initiated in
15 the update will be Molokai and Lanai and then West Maui.
16 Hana, I think, is fourth. So it'll be a while before we
17 get to Hana.

18 CHAIR HEDANI: Commissioner Hiranaga.

19 COMMISSIONER HIRANAGA: Yeah. I just wanted
20 to point out that you asked the question, are we opening
21 ourselves up to a bunch of lawsuits. And by eliminating
22 the RGBs, there is a taking, because the current
23 zoning's Interim which allows up to three -- one
24 dwelling per 6,000 square foot of lot area. Since
25 someone who has a half-acre lot could build three

1 Planning Commission's recommendations, it may not.
2 Regardless, the Planning Commission's recommendations,
3 as well as the GPAC's, will be included as appendices so
4 they can reference those.

5 COMMISSIONER DOMINGO: So their binder is
6 going to be pretty big, then?

7 CHAIR HEDANI: Yeah. You think our stuff is
8 confusing, wait until they get it.

9 COMMISSIONER DOMINGO: So in regards to as
10 well as the elements that we went through, the matrix?

11 MR. HUNT: Yes, as well as the policies. It's
12 not as bad as it sounds. The County-Wide Plan went
13 through three GPACs and three planning commissions. And
14 it's thick, but it's -- it's not unmanageable.

15 COMMISSIONER DOMINGO: Okay. I have one more,
16 one more question.

17 CHAIR HEDANI: Commissioner Domingo.

18 COMMISSIONER DOMINGO: In regards to the
19 Community Plan, so what's the timeline in that? Because
20 if you are taking this to the County Council at the end
21 of October -- in October, okay, then they have a year,
22 so there'll be probably some delays. So when they do
23 take any action, then we go -- where is the Community
24 Plan gonna start? Because the rate we going and the
25 changes that we'll be doing right now for the County

1 dwellings, but removing the RGB and it reverts to Ag,
2 they're now limited to one dwelling with a farm plan and
3 possibly 1,000 square foot ohana. So you may create
4 non-conforming situations, which is very similar to what
5 happened in Kuau. You weren't here, but their lots are
6 Interim, they built three houses, got zoned Ag, now
7 they're all non-conforming.

8 CHAIR HEDANI: Any further discussion?
9 Commissioner Starr.

10 COMMISSIONER STARR: Yeah, I don't really
11 think that is the case. It's been stated before us
12 that, by doing this, we're -- we're not diminishing
13 either zoning or Community Plan that is -- this is a
14 pointer to the Community Plan process. So by this
15 action, it would be a real stretch to have a cause for a
16 lawsuit, whereas if it does -- if the -- when the zoning
17 gets changed and the Community Plan gets changed, that
18 might be the case, but not by what we're doing here.

19 CHAIR HEDANI: Further discussion?
20 Commissioner Shibuya.

21 COMMISSIONER SHIBUYA: My concern is really
22 for public safety, knowing that the sea level is rising.
23 So this is my basic concern.

24 Thank you.

25 CHAIR HEDANI: Any further discussion? Ready

1 for the question? All those in favor of the amendment
 2 to delete the sections below Hana Highway, for 10, 11,
 3 12, inclusive of 9, signify by saying "aye."
 4 (A chorus of ayes.)
 5 CHAIR HEDANI: Opposed, nay.
 6 COMMISSIONER DOMINGO: No.
 7 CHAIR HEDANI: All those in favor, please
 8 raise your hands. One, two, three, four, five.
 9 Opposed, same sign. One, two.
 10 Motion is carried.
 11 Main motion is the floor is to approve the
 12 Planning Director's recommendation for E1 and E2 as
 13 amended.
 14 Additional discussion? Commissioner Mardfin.
 15 COMMISSIONER MARDFIN: Mr. Chairman, I move to
 16 amend by deleting -- on the Map E1, Hana, it is probably
 17 right at the bottom, if you flip it over. We're all on
 18 Plan B and C, Hana, E1. If you look at this area right
 19 here, it's Hana 6. This is Hana Bay here, or, properly
 20 speaking, (Hawaiian). This is Hana 6, it is known as
 21 Waikoloa. This is the area we had testimony from Lesley
 22 Bruce last week. Her property is right here. And --
 23 right here. And this area is also very low. It does
 24 not have electricity. It does not have water. There's
 25 a stream that goes through and floods semi-frequently,

1 CHAIR HEDANI: What's the current zoning,
 2 Mr. Summers?
 3 MR. SUMMERS: It's our understanding that most
 4 of the zoning out there is -- is Interim.
 5 CHAIR HEDANI: So Hana 6 is Interim?
 6 MR. SUMMERS: That's our understanding.
 7 That's a general statement. We would have to go look at
 8 each parcel specifically, but, for the most part, the
 9 rural areas out there in the Community Plan are Interim
 10 zoned.
 11 CHAIR HEDANI: Let me ask a general question,
 12 because it's been stuck in the back of my mind and it's
 13 been bothering me. We go through all of the gyrations
 14 of adjusting these maps, setting Urban Growth
 15 Boundaries, Rural Growth Boundaries, and all the other
 16 boundaries. What is the effect on State two-acre ag
 17 lots? Can people still take an agricultural piece of
 18 land and divide it up into two-acre agricultural lots
 19 irrespective of what we do?
 20 MR. SUMMERS: Your question is whether or not
 21 somebody who is in the State Ag District can do a
 22 two-acre ag lot? That would be fine. In any of the
 23 zoning districts we have, you can develop as long as you
 24 don't develop something that's more intensive than
 25 what's allowed in our Zoning Ordinance. That's fine.

1 it is impassable. And this is probably not a very good
 2 place to have Rural Growth.
 3 Even though, I will admit, I have seen old
 4 photos from the 1920s, and there used to be some housing
 5 there. But we didn't care whether we lost plantation
 6 workers in the past.
 7 COMMISSIONER STARR: I second.
 8 CHAIR HEDANI: I'm sorry. Was that a motion?
 9 COMMISSIONER MARDFIN: That was a motion.
 10 CHAIR HEDANI: Can you restate the motion,
 11 please?
 12 COMMISSIONER MARDFIN: The motion is to delete
 13 Hana 6, Rural Boundary.
 14 CHAIR HEDANI: Seconded by Commissioner Starr.
 15 Discussion? Commissioner Starr.
 16 COMMISSIONER STARR: This is a very quiet area
 17 where there's no grid power or any other services. The
 18 road is unpaved. And it is really low. It's not really
 19 suitable and won't be for many years.
 20 CHAIR HEDANI: Additional discussion?
 21 Director.
 22 MR. HUNT: Staff, correct me if I'm wrong, but
 23 it is already community planned Rural. Again, just for
 24 your information.
 25 MR. SUMMERS: That's correct.

1 So, yes.
 2 I'd like to point out that the minimum lot
 3 size in the State Land Use District is one acre, not two
 4 acres. It's our County Zoning District, Ag Zoning
 5 District that has the two-acre minimum lot size.
 6 CHAIR HEDANI: Okay. So although we could set
 7 a Rural Growth Boundary that manages rural growth
 8 standards, they could still do one-acre lots on
 9 agricultural lands wherever they wanted to?
 10 MR. SUMMERS: Not if it's County-zoned Ag.
 11 Because our minimum lot size and the County Ag Zoning
 12 District is two acres.
 13 CHAIR HEDANI: Okay. They could still do
 14 two-acre ag lots, then?
 15 Director?
 16 MR. HUNT: The draft plan that you're working
 17 on speaks to increasing the minimum lot size and
 18 discouraging -- this isn't verbatim, but the concept is
 19 to discourage more agricultural subdivisions out there.
 20 So your statement is accurate right now, but, if this
 21 plan's implemented, there's a chance that would be
 22 affected.
 23 CHAIR HEDANI: Okay. Thank you. I feel
 24 better.
 25 Any further discussion on the main motion -- I

1 mean -- I'm sorry -- on the second amendment, the
 2 amendment to the amendment to page E1?
 3 VICE-CHAIR U`U: Delete.
 4 CHAIR HEDANI: To delete Hana 6. Any further
 5 discussion? All those in favor, signify by saying
 6 "aye."
 7 (A chorus of ayes.)
 8 CHAIR HEDANI: Opposed, "nay."
 9 COMMISSIONER HIRANAGA: No.
 10 COMMISSIONER DOMINGO: No.
 11 CHAIR HEDANI: Opposed, please -- all those in
 12 favor, please raise yours hands. Opposed, same sign.
 13 One opposed. Motion is carried.
 14 Any further discussion on the main motion?
 15 Commissioner Mardfin.
 16 COMMISSIONER MARDFIN: Can you go back to Hana
 17 8? This is Hana 8 here. It's where we're hoping to be
 18 able to rebuild the Hana General Store where it
 19 originally was. But Hana 8 also goes makai of Hana
 20 Highway. And I would move to delete this Rural Growth
 21 Boundary makai of Hana 8, just makai of Hana Highway.
 22 CHAIR HEDANI: Is there a second? Seconded by
 23 Commissioner Starr. Discussion?
 24 COMMISSIONER STARR: Yeah.
 25 CHAIR HEDANI: Commissioner Starr.

1 COMMISSIONER STARR: Actually, I have a
 2 question for Commissioner Mardfin. Is that (inaudible),
 3 is that place?
 4 COMMISSIONER MARDFIN: No, it isn't. It's
 5 where (inaudible) has his food stand. (inaudible) is
 6 down -- I'm not absolutely certain. I think she's down
 7 here.
 8 COMMISSIONER STARR: Okay. (Inaudible).
 9 COMMISSIONER MARDFIN: It must be because the
 10 road turns, it has that big bend in it, and the big
 11 bends doesn't show on this map.
 12 COMMISSIONER STARR: Okay.
 13 COMMISSIONER MARDFIN: This is (inaudible)
 14 right here.
 15 CHAIR HEDANI: Okay. Additional discussion?
 16 What's the rationale behind that, Ward?
 17 COMMISSIONER MARDFIN: It's -- it's,
 18 basically, two things. It -- it's potentially tsunami,
 19 but I'm not actually too worried about that, it's mauka
 20 enough. But it's to preserve view planes of the
 21 coastline.
 22 CHAIR HEDANI: Additional discussion?
 23 Director?
 24 MR. HUNT: Again, in all likelihood, it's
 25 already community planned Rural for your information.

1 CHAIR HEDANI: Additional discussion?
 2 (Silence.)
 3 CHAIR HEDANI: Ready for the question? All
 4 those in favor of the motion to delete the portion makai
 5 of Honoapiilani Highway and Hana 8 signify by raising
 6 your hand. Two, three, four, five. Opposed same sign.
 7 Abstentions? One, two, three abstentions. Motion is
 8 passed.
 9 Any additional amendments? Commissioner
 10 Mardfin.
 11 COMMISSIONER MARDFIN: You'll be happy to hear
 12 I have no additional amendments.
 13 CHAIR HEDANI: Any additional discussion on
 14 the main motion?
 15 (Silence.)
 16 CHAIR HEDANI: All those in favor of the main
 17 motion as amended, signify by raising your hands. One,
 18 two, three, four, five. Opposed, same sign. Motion is
 19 carried. Thank you.
 20 Our dinner is here and it's 6:10. We'll take
 21 a break and reconvene at 7:00.
 22 (Recess, 6:10 p.m. to 7:05 p.m.)
 23 CHAIR HEDANI: Planning Commission meeting of
 24 September 2nd is back in session.
 25 COMMISSIONER MARDFIN: Mr. Chairman?

1 CHAIR HEDANI: Commissioner Mardfin.
 2 COMMISSIONER MARDFIN: We finished the motion
 3 on Hana, but I just wanted some clarification for the
 4 record. For the record, I'd like to ask either
 5 Mr. Summers or Mr. Michaelson to ensure that I'm correct
 6 that for the entire East Maui District, there are
 7 absolutely no growth boundaries for Keanae, for Nahiku,
 8 Kipahulu, Kaupo, or any place else aside from the two
 9 maps that we dealt with?
 10 CHAIR HEDANI: Mr. Summers?
 11 MR. SUMMERS: Thank you, Mr. Chairman. Yes,
 12 that's correct.
 13 CHAIR HEDANI: Thank you very much. Okay.
 14 The next item on your agenda is the
 15 Makawao-Pukalani-Kula maps. What's your pleasure?
 16 COMMISSIONER HIRANAGA: Mr. Chair?
 17 CHAIR HEDANI: Commissioner Hiranaga.
 18 COMMISSIONER HIRANAGA: I wanted an
 19 opportunity to ask some questions regarding the land use
 20 forecasts, so I have a complete understanding of the
 21 assumptions.
 22 CHAIR HEDANI: Please proceed.
 23 COMMISSIONER HIRANAGA: Okay. I'm not sure
 24 you all have your copy here, but I'm looking at Table
 25 3-1, which is on Page 3-5. And this is, basically, a

1 graph that was used to -- or the methodology used to
2 determine the supply of potential housing units on
3 vacant land planned for housing and known projects. I
4 know there's a footnote to it that it includes all units
5 within Community Planned designations. My question
6 is --

7 COMMISSIONER STARR: Excuse me. Could we find
8 out what document you're on, so we're all working on
9 that?

10 COMMISSIONER HIRANAGA: The Land Use
11 Forecasts, Page 3-5, Table 3-1.

12 CHAIR HEDANI: Go ahead, Kent.

13 COMMISSIONER HIRANAGA: Okay. Table 3-1,
14 known projects. This is, basically, the unit count
15 based upon areas that have Community Plan designations
16 for Single-family. And my question is, do you take into
17 consideration the availability of water -- let's take
18 Paia-Haiku, for instance, known projects, 594 units. Do
19 you take into account how many of those units have water
20 meters or not, or is that not within the scope of this
21 count?

22 CHAIR HEDANI: Staff? Mr. Summers?

23 MR. SUMMERS: Thank you, Mr. Chairman.

24 We did consider water. Generally, we looked
25 at regional growth distribution. But for the Land Use

1 a significant amount of development in Kula despite that
2 moratorium with the development of private wells and
3 catchment systems and some limited expansion of public
4 water service.

5 CHAIR HEDANI: Director.

6 MR. HUNT: We understand the concern that
7 you're raising. When you study water infrastructure,
8 and you graph it out, it's very level and plateaued in
9 terms of supply. And then, all of a sudden, it will
10 jump up because there will be some new source or some
11 new facility that will come online.

12 So, yeah, if you look back 17 years and
13 project that forward and say, well, geez, we haven't had
14 any progress in 17 years, you know, it -- it's not the
15 same as population projection, which, you know, is a
16 little incremental every year. Water is more like it's
17 flat and then a huge jump and then it's flat and a huge
18 jump.

19 So I guess to support Mr. Summers' conclusion
20 that, well, this is a 20-year planning period, you know,
21 that's the assumption that they will get water
22 eventually.

23 CHAIR HEDANI: Any additional questions?
24 Commissioner Starr.

25 COMMISSIONER STARR: Yeah. I -- this is

1 Forecasts, specifically that column, because this is a
2 20-year forecast, we did not look at whether or not a
3 parcel had a water meter.

4 COMMISSIONER HIRANAGA: Do you think it's
5 appropriate to assume these 21,000 units would have
6 water meters in the next 20 years, since there's been a
7 shortage for the past 17 years with not much progress by
8 the Department of Water Supply? I mean, there's a
9 waiting list dating from 1982 that people are still on.
10 That was 17 years ago. So you're assuming these 21,000
11 units will all have water meters, or they will go
12 catchment or drill their own well.

13 CHAIR HEDANI: Mr. Summers?

14 MR. SUMMERS: Thank you, Mr. Chairman. Well,
15 this is a 20-year plan, so I think it's a reasonable
16 assumption that water development will occur to serve
17 areas that have existed entitlements as well as some of
18 these areas that we include within the growth
19 boundaries.

20 COMMISSIONER HIRANAGA: Just to repeat myself.
21 The moratorium on Kula water meters started in 1992.
22 That was 17 years ago. And there's still 1,300 people
23 on that list. So we're only talking about the same
24 timeframe.

25 MR. SUMMERS: That's true, but there has been

1 something I've struggled with. I'm sure Commissioner
2 Hiranaga's struggled with this, too, because we were
3 both on the Water Board about 10 years ago when the
4 lists were quantified. And at that time -- well, since
5 that time, hardly anyone from the list has been -- has
6 been served. And when the list rule was created, it was
7 created so that as the County went through the list,
8 they went through it customer by customer. And a lot of
9 those customers were people who wanted one or two meters
10 for family subdivision or for themselves, but there were
11 quite a few in there that were for subdivisions. So
12 what happened, it would move through one or two families
13 and then it would hit a subdivision until, you know, 100
14 meters or 200 meters were issued for that. And at the
15 same time, most of the water development has been
16 private, which has not gone through the County.

17 So people who have been waiting 10 years, 20
18 years, even 30 years, sit there and wait and -- and they
19 watch, you know, the projects and, you know, where we, I
20 guess, are allowing some more projects to go through,
21 which will create private water systems. Which some of
22 them will be taken over by the County, some won't. But
23 they will allow people who have not been standing in
24 line to get meters. So there's a real unfairness to
25 this.

1 And I don't know if there's any mechanism that
 2 now we're at a General Plan stage we can employ to take
 3 this into consideration. So I'm kind of looking for
 4 some wisdom from Department.
 5 CHAIR HEDANI: Commissioner Hiranaga.
 6 COMMISSIONER HIRANAGA: The other assumption I
 7 wanted clarified is on Page 3-4, 3.2, land supply,
 8 there's a phrase "ultimate build-out," which I assume
 9 the assumption is all these units are assumed to be
 10 built out in the 20-year period. Is that interpretation
 11 correct?
 12 CHAIR HEDANI: Mr. Summers.
 13 MR. SUMMERS: Thank you, Mr. Chairman.
 14 Yes, that's correct. There's a section in
 15 Chapter 1 that addresses that assumption more
 16 specifically in terms of rationale.
 17 Just to give you a little bit of background
 18 data, most land use forecasts in other jurisdictions
 19 include a 25 to 30 percent buffer. They pad the
 20 forecast to account for uncertainty.
 21 In this case, because the enabling ordinance
 22 for -- for our general planning process has a mandatory
 23 10-year update, because we don't have neighboring
 24 jurisdictions that can affect land supply, it's not
 25 necessary to do that. So assuming a build-out with a

1 designation but didn't have zoning. So they weren't
 2 fully entitled. So that's -- that's the main difference
 3 in the numbers.
 4 The second part of it is the revisions of the
 5 DBEDT forecast that resulted in some additional change.
 6 COMMISSIONER HIRANAGA: I'm sorry. What table
 7 was that again?
 8 MR. SUMMERS: If you go to the appendix --
 9 COMMISSIONER HIRANAGA: Right.
 10 MR. SUMMERS: -- there's an alternative
 11 forecast for residential lands.
 12 COMMISSIONER HIRANAGA: Right.
 13 MR. SUMMERS: And the primary difference, if
 14 you look at page A-2 --
 15 COMMISSIONER HIRANAGA: Right.
 16 MR. SUMMERS: -- was that we are looking at
 17 supply as land that's planned and zoned. So that would
 18 be land that's fully entitled and it would be very
 19 difficult or perhaps very quite expensive for the County
 20 to take those entitlements away.
 21 COMMISSIONER HIRANAGA: Is that A-A.3-1?
 22 MR. SUMMERS: That's correct.
 23 COMMISSIONER HIRANAGA: So you --
 24 CHAIR HEDANI: Any other questions.
 25 COMMISSIONER HIRANAGA: So you just updated

1 10-year requirement to update the plan, basically,
 2 builds in a 50 percent fudge factor. So build-out does
 3 -- does mean what it says, full build-out, but with the
 4 understanding that we're doing an update in 10 years.
 5 And to keep that forecast has been historically very
 6 accurate.
 7 CHAIR HEDANI: Commissioner Hiranaga.
 8 COMMISSIONER HIRANAGA: Just a couple more
 9 questions. So we get to the 32,029, which is the total
 10 potential units, which is on Table 3-1. And then we
 11 look at Table 3-3, on Page 3-7, some of additional units
 12 needed, 40,319. And then we look at Page 3-8, Table
 13 3-4, surplus of potential housing units, it's a deficit
 14 of 8,290. So I'm just trying to get from 8,290 to the
 15 11,154 that's on our spreadsheet.
 16 CHAIR HEDANI: Mr. Summers.
 17 MR. SUMMERS: Thank you, Mr. Chairman.
 18 The forecast that DBEDT used is Appendix A, if
 19 you go to the appendix. We thought that the best
 20 approach for calculating land supply was to look at
 21 those lands that are fully entitled. So that's spelled
 22 out in Table A.3.5, Page A-3.
 23 So the numbers are a little bit different than
 24 the table that you were reading, which was looking at
 25 supply as those lands that had Community Plan

1 that number based upon the DBEDT information?
 2 MR. SUMMERS: Right. The DBEDT -- the DBEDT
 3 numbers, as well as the corrections that we made based
 4 on the Heidi Bigelow report.
 5 CHAIR HEDANI: Okay. Any other questions for
 6 Staff? If not, next item is the Makawao --
 7 COMMISSIONER HIRANAGA: Mr. Chair?
 8 CHAIR HEDANI: Commissioner Hiranaga.
 9 COMMISSIONER HIRANAGA: I had some questions
 10 regarding Haiku-Paia that the Staff was gonna get back
 11 to me. Primarily, the subdivision next to Paia -- Haiku
 12 Community Center, and implications of designating that
 13 as a Rural Growth Boundary. Because that's already, I
 14 believe, zoned. So is that a good thing or bad thing
 15 for those people?
 16 MR. SUMMERS: Yeah. Thank you, Mr. Chairman.
 17 We did go in and look at that area in more
 18 detail. And Commissioner Hiranaga raised some very
 19 important concerns. The original boundaries were Rural
 20 Residential. And if you go and look at the Community
 21 Plan, we have some Single-family designations, some
 22 Public/Quasi-Public type designations. And so that
 23 could potentially create a problem having a Rural
 24 Residential Growth Boundary around these two areas.
 25 So Staff is suggesting that you use the Rural

1 Service Center boundary instead of a Rural Residential
2 boundary. And that would allow for the -- and recognize
3 the Community Plan designations that are currently in
4 place. So we did -- we did go ahead and make those
5 changes.

6 CHAIR HEDANI: Commissioner Hiranaga.

7 COMMISSIONER HIRANAGA: I'm not sure how the
8 Rural Service Center designation settles that issue, but
9 if you look at Haiku, there's other areas that need to
10 be looked at. Say like Rice Camp, Haiku Road and
11 (inaudible) Road, those are like 4,000-square-foot lots.

12 MR. SUMMERS: Do you know what the Community
13 Plan designation is on those?

14 COMMISSIONER HIRANAGA: Let's see. Well, it's
15 -- you see Haiku 3? All those little houses there,
16 right over the hop. I believe that's Rice Camp. See
17 where the SF --

18 MR. SUMMERS: So that would be this area right
19 through here.

20 COMMISSIONER HIRANAGA: Primarily where the SF
21 is. See those tiny small lots there. I believe that's
22 Rice Camp.

23 MR. SUMMERS: Yeah. That would be an
24 appropriate Rural Service Center. That would be the
25 recommendation.

1 COMMISSIONER HIRANAGA: As we head into
2 Upcountry, one of my concerns I have regarding this
3 Rural Growth Boundary is designating areas like Kula 200
4 and Kula Glen as possible RGBs, and there are some, you
5 know, real property tax implications. If you are zoned
6 Rural in order to get an ag discount for ag use, you
7 must -- my understanding, you must dedicate your land
8 for 20 years. It's a State application. If you qualify
9 for ag water rates, it's my understanding you need ag
10 zone to qualify for ag water rates. So if you're in a
11 Rural zoned property, even though you're engaged in ag
12 activities, you cannot get ag rates.

13 So I have these concerns about starting to
14 designate these two-acre lot subdivisions. So I'm gonna
15 have maybe more detailed discussion as we go into the
16 Upcountry plan.

17 CHAIR HEDANI: Okay. Are we ready to move on
18 to Makawao? What's your pleasure?

19 COMMISSIONER STARR: Yes.

20 CHAIR HEDANI: Commissioner Starr.

21 COMMISSIONER STARR: Okay. To open up the
22 discussion, I move that we accept the Director's map
23 number -- hold on. Sorry. Lot of maps.

24 CHAIR HEDANI: Be Plans B and C, Makawao.

25 COMMISSIONER SHIBUYA: B-1.

1 COMMISSIONER HIRANAGA: So my concern is, you
2 know, I've been able to point these two instances out,
3 and I really haven't spent the time looking at every
4 little Haiku 1, 2 or 3, to find out these potential
5 inconsistencies. So I'm wondering, who is gonna do
6 that?

7 MR. SUMMERS: Thank you, Mr. Chairman.

8 We're in the process of combing through these
9 areas and doing that. And, again, when the Commission
10 was pointing these things out, it's very helpful. So,
11 you know, we appreciate you pointing these out. We're
12 also going through on an incremental basis and cleaning
13 these things up.

14 COMMISSIONER HIRANAGA: Are you gonna come
15 back to us, say, after we're doing with Wailuku-Kahului,
16 with all these changes or corrections?

17 MR. SUMMERS: That's correct. As you will
18 recall in your vote on Paia-Haiku, it was a provisional
19 vote. What we found was those two areas we concurred
20 with -- with your comments at a previous meeting. We
21 also identified a small area of Rural that would be
22 appropriate for Rural Residential boundaries. So we'll
23 make those recommendations for you at the end of the
24 process when you do your final vote.

25 CHAIR HEDANI: Commissioner Hiranaga.

1 COMMISSIONER STARR: Yeah. I would guess --
2 well, let me start with C5, U1, U2, U3, U4.

3 CHAIR HEDANI: Is there a second?
4 Commissioner Mardfin?

5 COMMISSIONER MARDFIN: I will second it
6 assuming that the motion is -- at the last meeting we
7 decided that we -- all these maps we were approving the
8 growth boundaries as presented, then modifying them, and
9 it's provisional. We were voting on these, and, at the
10 end of the process, we'll go back and check the
11 spreadsheet and make minor corrections as need be. So
12 these are provisional votes, basically.

13 COMMISSIONER STARR: Yes. The intent is that
14 it be provisional and we leave out the boundaries as
15 presented on these maps.

16 CHAIR HEDANI: Is that a second, commissioner
17 Mardfin? Ward, is that a second?

18 COMMISSIONER MARDFIN: That was a second.

19 CHAIR HEDANI: Discussion?

20 (Silence.)

21 CHAIR HEDANI: Oh, this is gonna be easier
22 than I thought.

23 Director.

24 MR. HUNT: Could I get the exact maps again?
25 Or let me make it easier. Is it C5 and then U1 through

1 U4?
 2 COMMISSIONER STARR: It was intended to be the
 3 whole Upcountry -- Upcountry area. So it would be, I
 4 guess, Pulehu Road, which may or may not -- which I'm
 5 not sure if that should be in there, but I've put it in,
 6 Pulehu Road, and then the Makawao and the Pukalani and
 7 the Kula.
 8 CHAIR HEDANI: And Ulupalakua?
 9 COMMISSIONER STARR: And Ulupalakua.
 10 CHAIR HEDANI: Discussion? Commissioner
 11 Shibuya.
 12 COMMISSIONER SHIBUYA: I felt that the C5 is
 13 located more centrally and I was more willing to
 14 consider that in the Central Maui discussions.
 15 COMMISSIONER STARR: I'm amenable to that.
 16 CHAIR HEDANI: So the motion would be amended
 17 to read U1, 2, 3 and 4 to cover the Makawao through
 18 Upcountry areas? Discussion? Commissioner Starr.
 19 COMMISSIONER STARR: Yeah. I -- I move to
 20 amend to modify the boundaries for Makawao 1 to include
 21 properties to the south of Kee Road on both the east and
 22 the west of Makawao Highlands. Does Staff know what I'm
 23 talking about? Right now, it looks like key slots in
 24 there.
 25 CHAIR HEDANI: Can we pull that up on the map,

1 I'm wondering if a Rural Growth Boundary is more
 2 appropriate than an Urban Growth Boundary, taking into
 3 account that cul-de-sac subdivision was a mistake, it
 4 was done by the County and ended up in a lawsuit, and
 5 that's how the home got built. But if you look at that
 6 entire section -- if we can pan out a little bit and
 7 have more of the right. If you look at that area, it's
 8 pretty much still in agricultural use, yeah.
 9 So my proposal would be to -- that large
 10 building there below the subdivision, that's the
 11 Upcountry County baseyard. Everything east of that
 12 would be Rural as well as that little pocket west of the
 13 cul-de-sac subdivision would be Rural Growth Boundary.
 14 I really don't see the need to -- so this would be Rural
 15 and this would be Rural.
 16 I don't know -- I guess the Department can
 17 comment whether you really want urban Growth in this
 18 area.
 19 COMMISSIONER STARR: Mr. Chair?
 20 CHAIR HEDANI: Commissioner Starr.
 21 COMMISSIONER STARR: Yeah, just to make a
 22 correction. It's not -- it's not Urban. It's -- it's
 23 being expanded to the Country Town, which is kind of a
 24 subset of Rural. And it seemed to make more sense to
 25 just extend that straight through there instead of spot

1 John?
 2 COMMISSIONER STARR: Yeah. Get rid of those
 3 two junkers in there. Correct.
 4 CHAIR HEDANI: So the motion will be to
 5 include those two pockets?
 6 COMMISSIONER STARR: Yeah.
 7 CHAIR HEDANI: Is there a second?
 8 VICE-CHAIR U'U: Second.
 9 COMMISSIONER STARR: And --
 10 CHAIR HEDANI: Who was that? Commissioner
 11 U'u. Seconded by Commissioner U'u. Discussion?
 12 Commissioner Starr.
 13 COMMISSIONER STARR: Yeah. And the logic for
 14 that is that these have been owned by local families for
 15 generations who are, you know, substantially doing ag
 16 all over -- all over Maui. And they were basically
 17 changed not to many years ago when -- when the fiasco
 18 that we know as Makawao Highlands was created. And it's
 19 kind of -- kind of spot zoning. To help them out.
 20 CHAIR HEDANI: So this was the testimony we
 21 heard today from the Balthazar family?
 22 COMMISSIONER STARR: Yeah.
 23 CHAIR HEDANI: Commissioner Hiranaga.
 24 COMMISSIONER HIRANAGA: Yeah. If you look at
 25 the aerial photo, this area is not developed much. So

1 zoning those two properties something different.
 2 CHAIR HEDANI: Additional discussion?
 3 COMMISSIONER HIRANAGA: I was hoping Staff
 4 would comment.
 5 CHAIR HEDANI: Mr. Summers. I'm sorry.
 6 Director.
 7 MR. HUNT: We would concur with -- I think
 8 we're concurring with Mr. Starr, to just keep it Country
 9 Town along the road. And I think there's one little
 10 piece over here that's left out that we should consider
 11 including. So then the growth boundary would just
 12 follow the road rather than having this one little
 13 piece.
 14 CHAIR HEDANI: Commissioner Starr?
 15 Discussion?
 16 So we're all talking about the same thing,
 17 everybody understands what we're talking about in terms
 18 of the amendment? Any further discussion?
 19 COMMISSIONER HIRANAGA: Just the two slivers?
 20 CHAIR HEDANI: Those two slivers and that
 21 little tit --
 22 COMMISSIONER STARR: Actually three lots.
 23 CHAIR HEDANI: -- for lack of another word.
 24 Director.
 25 MR. HUNT: Let me state it a little stronger.

1 Staff would ask that somebody amend the motion to
 2 include the third little lot over here to include that.
 3 So the Country Town boundary would follow the road all
 4 the way across as opposed to following the road and then
 5 cutting down here.
 6 COMMISSIONER HIRANAGA: Mauka of --
 7 CHAIR HEDANI: Commissioner Starr.
 8 COMMISSIONER STARR: Yeah, I think my motion
 9 was to follow Kee Road, and it would be to follow Kee
 10 Road up to Baldwin Avenue.
 11 COMMISSIONER HIRANAGA: Mauka, on the mauka
 12 side.
 13 COMMISSIONER STARR: Yeah, follow Kee Road on
 14 the -- I said south side, but mauka side of Baldwin
 15 Avenue.
 16 VICE-CHAIR U`U: Second.
 17 CHAIR HEDANI: Isn't that the makai side?
 18 VICE-CHAIR U`U: No.
 19 COMMISSIONER STARR: No.
 20 CHAIR HEDANI: Okay. I'm looking at it upside
 21 down.
 22 COMMISSIONER STARR: Got to tilt it.
 23 CHAIR HEDANI: Any further discussion?
 24 Commissioner Shibuya.
 25 COMMISSIONER SHIBUYA: I just wanted to find

1 is part of a portion -- which is a portion of a 325-acre
 2 piece of land. And that portion to be utilized for
 3 senior housing and assisted living, you know, as well as
 4 agriculture. We've also had testimony suggesting that
 5 either a transfer of development rights be created from
 6 the portion that is not utilized for senior housing and
 7 allow density in a -- a small downhill portion adjacent
 8 to the church, or to create some kind of wording that it
 9 would be ag unless it's being used for that specific
 10 use.
 11 Now, I know we are getting a little bit too
 12 specific for what should be a more generalized plan, but
 13 I -- I don't know how else to deal with it. So can I
 14 leave that for recommendation on how we can deal with
 15 that to the Staff?
 16 CHAIR HEDANI: Mr. Summers.
 17 MR. SUMMERS: Thank you, Mr. Chairman.
 18 As you'll recall, in the April Draft the
 19 Department provided you, we had, for each of these
 20 projects, clear and specific language that discussed a
 21 general intent of the project, some maximum and minimum
 22 unit count ranges, and other details, just to serve the
 23 purpose that Commissioner Starr is talking about. So,
 24 yes, we can come up with some language to clarify the
 25 entire project that -- the intent of Piiholo South

1 out how are we zoning this now? It looks Urban to me,
 2 but you're going to put it in Country Town?
 3 CHAIR HEDANI: Mr. Summers.
 4 MR. SUMMERS: Mr. Chairman, are you talking --
 5 Mr. Shibuya, about the Single-family --
 6 COMMISSIONER SHIBUYA: Yes.
 7 MR. SUMMERS: -- designation there? The
 8 Country Town boundary would be consistent with that.
 9 CHAIR HEDANI: Any further discussion on the
 10 amendment? The amendment on the floor is to add those
 11 three areas that we're talking about. Any further
 12 discussion?
 13 (Silence.)
 14 CHAIR HEDANI: All those in favor, signify by
 15 saying "aye."
 16 (A chorus of ayes.)
 17 CHAIR HEDANI: Opposed, "nay."
 18 (Silence.)
 19 CHAIR HEDANI: Carried. Thank you.
 20 Commissioner Starr.
 21 COMMISSIONER STARR: Yeah. I have potentially
 22 another amendment, but, before I do, I'd like to ask
 23 Staff. I know that we've had a lot of testimony from
 24 members of the community about supporting something
 25 called -- oh -- what some -- yeah, Piiholo South, which

1 project.
 2 CHAIR HEDANI: Commissioner Mardfin.
 3 COMMISSIONER MARDFIN: I'm gonna ask for some
 4 information. I don't know if you can do it or not. Can
 5 you show the different tax key map numbers there?
 6 Because I think there was -- we were talking about 300
 7 acre at one point, then we were talking about 60 acres.
 8 And I want to -- if I could know what the -- where the
 9 tax map key was, I might can understand what is going on
 10 here a little better.
 11 CHAIR HEDANI: Commissioner -- Mr. Summers.
 12 MR. SUMMERS: Yeah, we can do that for you.
 13 We're working on it.
 14 CHAIR HEDANI: Any further discussion?
 15 Commissioner Hiranaga.
 16 COMMISSIONER HIRANAGA: What is -- what is the
 17 intent of that property in the BCT at the bottom of
 18 Baldwin Avenue as you're leaving Makawao Town?
 19 COMMISSIONER STARR: You mean Haiku 6?
 20 COMMISSIONER HIRANAGA: No. There's just a
 21 little blank field there. North. North.
 22 COMMISSIONER STARR: Downhill.
 23 COMMISSIONER HIRANAGA: Go north.
 24 COMMISSIONER STARR: Toward Alaska.
 25 COMMISSIONER SHIBUYA: To the left.

1 CHAIR HEDANI: Mr. Summers.
 2 MR. SUMMERS: Thank you, Mr. Chairman.
 3 Mark, this is the 2006 parcel land, is that
 4 correct? So this would reflect subdivision or the lot
 5 as it existed at this time. There may have been a
 6 subdivision since the development of this parcel there,
 7 so we would need to clarify that for you.
 8 COMMISSIONER HIRANAGA: It's not up there.
 9 That's not the piece I'm talking about.
 10 COMMISSIONER SHIBUYA: It's to the left.
 11 COMMISSIONER HIRANAGA: No, it's at the bottom
 12 of Makawao Town on Baldwin Avenue.
 13 COMMISSIONER MARDFIN: He's talking about a
 14 different --
 15 COMMISSIONER STARR: Can we deal with one?
 16 MR. HUNT: Staff is responding to the prior
 17 question. Once we're satisfied with that, then we can
 18 answer your question.
 19 COMMISSIONER HIRANAGA: Okay. I thought --
 20 CHAIR HEDANI: Okay. Let's answer the
 21 question on Piiholo South first.
 22 Commissioner Starr.
 23 COMMISSIONER STARR: Yeah, would a TVR type of
 24 solution be suitable there?
 25 MR. SUMMERS: That may be suitable. We would

1 come back to in a future meeting when we have more
 2 information, and we can go on and talk about the rest of
 3 it. Because these are -- that's part of the purpose of
 4 saying these are provisional. So we can come back and
 5 clean things up and, yet, we can make progress.
 6 CHAIR HEDANI: Okay. For whatever it's worth,
 7 my understanding is that if -- if the transfer of
 8 development rights were applied to the project, it would
 9 essentially cancel out the senior housing project as a
 10 viable project. You can correct me if I'm wrong, but I
 11 believe that's the case.
 12 Commissioner Mardfin.
 13 COMMISSIONER MARDFIN: Chairman, does that
 14 mean they can only do the senior housing if they get to
 15 develop the rest of it?
 16 CHAIR HEDANI: No. It means that they can
 17 develop the senior housing as long as you don't strip
 18 the balance of the property of any rights, yeah.
 19 COMMISSIONER MARDFIN: They must be using it
 20 for something else?
 21 CHAIR HEDANI: If it's left in agricultural,
 22 it would be acceptable, is my understanding.
 23 Commissioner Hiranaga.
 24 COMMISSIONER HIRANAGA: Yeah. I would suggest
 25 -- I would suggest that we defer this item and let Staff

1 look at it. I think the -- the intent would be achieved
 2 more specifically with language that describes the
 3 overall project. And for all the projects that would be
 4 included in the plan, we're -- we will have that kind of
 5 language to delineate the number of units to type of
 6 project that's been represented and the like. Transfer
 7 of development rights is a very useful tool. We are
 8 looking at it comprehensively. It could perhaps work in
 9 this area, but we need to study that in a lot more
 10 detail.
 11 CHAIR HEDANI: Commissioner Starr.
 12 COMMISSIONER STARR: Yeah. With -- looking at
 13 it as a transfer of development rights, my intent was
 14 that that area would be developable for senior housing
 15 assisted living and -- but it would strip future
 16 developmental rights from the rest of the parcel so that
 17 would either stay in ag or, you know, open space. And
 18 it would not -- it would mean that, you know, a few
 19 years from now, there would not be kind of creeping
 20 development up there.
 21 CHAIR HEDANI: Commissioner Mardfin.
 22 COMMISSIONER MARDFIN: Given what the Staff
 23 said, that they need some time to look into it and
 24 decide where to -- I would suggest we go on. Since
 25 these are provisional, anyway, this is something we can

1 meet and come up with something versus speculating.
 2 CHAIR HEDANI: Okay. Any further amendments?
 3 Commissioner Shibuya.
 4 COMMISSIONER SHIBUYA: I just have a comment.
 5 And I would like to retain the more level areas of
 6 agriculture lands, especially prime agricultural lands,
 7 and will consider more steep agricultural lands for
 8 other uses. But at this point, it's the most level area
 9 that you're gonna be using. And I realize it is for
 10 seniors, but there are other uses that we can use these
 11 for.
 12 Thank you.
 13 CHAIR HEDANI: Commissioner Hiranaga.
 14 COMMISSIONER HIRANAGA: Can I move on?
 15 CHAIR HEDANI: Any further discussion on any
 16 items on U1 through U4?
 17 COMMISSIONER HIRANAGA: Yeah, I do. I just --
 18 are we done with Piiholo?
 19 CHAIR HEDANI: Yeah, please. Appreciate it.
 20 COMMISSIONER HIRANAGA: So my question is what
 21 is that vacant lot at the bottom of Makawao Town at
 22 Baldwin Avenue, Haliimaile extension, expansion MLP 348?
 23 Right there. Right there.
 24 CHAIR HEDANI: Anybody? Commissioner Starr.
 25 COMMISSIONER STARR: Yeah. Motion to remove

1 that -- that expansion area from Makawao 11.
 2 COMMISSIONER SHIBUYA: Second.
 3 COMMISSIONER HIRANAGA: Could I have my
 4 question answered first, which is what is it, before we
 5 delete it?
 6 CHAIR HEDANI: Mr. Summers.
 7 MR. SUMMERS: Thank you, Mr. Chairman.
 8 During the GPAC process, there was a general
 9 desire to provide for some expansion to Makawao Town.
 10 So the committee analyzed all the different options and
 11 felt that that particular area would be the most
 12 appropriate spot for some logical expansion of the town.
 13 CHAIR HEDANI: Commissioner Hiranaga.
 14 COMMISSIONER HIRANAGA: May I ask who the
 15 owner of that property is?
 16 MR. SUMMERS: That's Maui Land & Pineapple.
 17 COMMISSIONER HIRANAGA: Have they indicated
 18 any interest in developing that?
 19 MR. SUMMERS: I'm not aware of any
 20 specifically.
 21 COMMISSIONER HIRANAGA: But that's part of the
 22 unit count --
 23 MR. SUMMERS: That's right.
 24 COMMISSIONER HIRANAGA: -- for supply?
 25 CHAIR HEDANI: Mr. Starr, why don't you

1 nicely cancels out the Kuau Bayview extension or it
 2 would also be used to cancel out the Piiholo South.
 3 CHAIR HEDANI: Commissioner Mardfin.
 4 COMMISSIONER MARDFIN: I'm somewhat curious
 5 about the argument going back and forth on this.
 6 Commissioner Hiranaga suggests that it's in there and
 7 it's counted as units, but the developer may have no
 8 interest in developing it, so the units are in there
 9 fictitiously. And, yet, if we take it out, then we --
 10 it's maybe more honest, but then we do have to make up
 11 the count somewhere else. We're taking a fictitious
 12 count, and, by deleting it, having to get a real count
 13 somewhere else. And that seems to be the way we
 14 probably ought to be doing things.
 15 CHAIR HEDANI: John, you have any comment?
 16 My personal perspective is you just try to
 17 identify areas where you would be okay with future
 18 growth occurring and you're setting boundaries around
 19 those areas and it doesn't necessarily mean it will
 20 happen.
 21 Commissioner Mardfin.
 22 COMMISSIONER MARDFIN: That's probably true,
 23 but on the methodology we're using, I think they're
 24 counting that as getting developed and counting toward
 25 the counts on the spreadsheet. And that's probably not

1 restate your motion?
 2 COMMISSIONER STARR: My motion is to remove
 3 that Haliimaile expansion area from the Makawao 1
 4 Country Town.
 5 CHAIR HEDANI: Moved by Commissioner Starr,
 6 seconded by Commissioner Shibuya. Discussion?
 7 Commissioner Hiranaga.
 8 COMMISSIONER HIRANAGA: My concern is when we
 9 start removing units from the GPAC and director's unit
 10 count, we're gonna have to find replacements. So let's
 11 keep that in mind as we start chopping off pieces.
 12 CHAIR HEDANI: Commissioner Shibuya.
 13 COMMISSIONER SHIBUYA: This particular area
 14 does have public safety issues because of water runs
 15 down from the urban areas and it runs through that
 16 field. And it's not level. It's gulchy. And it does
 17 have that water runoff as well as erosion. So that is a
 18 concern that some of us on the GPAC did have. And I'm
 19 just gonna express that at this point. And I -- I
 20 believe that it is unsuitable because of the danger.
 21 Regardless of what the Makawao community may want to
 22 have, this one I know is dangerous.
 23 Thank you.
 24 CHAIR HEDANI: Commissioner Starr.
 25 COMMISSIONER STARR: I feel that this very

1 the way we would.
 2 CHAIR HEDANI: Mr. Summers.
 3 MR. SUMMERS: Thank you, Mr. Chairman.
 4 What the Commission should be looking at is
 5 areas where it makes sense logically for growth to
 6 occur, the infrastructure, topography, absence of
 7 environmental constraints. To just focus on what
 8 developers are proposing, I think, would compromise the
 9 process. It's certainly a consideration, but I don't
 10 think that just developing the plan solely on the
 11 proposals of the development community would be in the
 12 best interest of the community.
 13 CHAIR HEDANI: Any further discussion?
 14 Commissioner U'u.
 15 VICE-CHAIR U'U: Just for clarification. Is
 16 this property right up against the road at the Veterans
 17 Cemetery? Where is this property?
 18 COMMISSIONER STARR: Across.
 19 CHAIR HEDANI: Mr. Summers?
 20 MR. SUMMERS: Thank you, Mr. Chairman.
 21 That's across the street from the Veterans
 22 Cemetery.
 23 CHAIR HEDANI: Any further discussion?
 24 Commissioner Hiranaga.
 25 COMMISSIONER HIRANAGA: Yeah. I used to live

1 on (inaudible) Street about 20 years ago. And that
 2 subdivision does have a drainage easement into MLP land,
 3 but that can be remedied by diverting the drainage
 4 further downhill from the project. So if the GPAC --
 5 and I guess looking at this map that I have, that's also
 6 part of the Director's recommendation to include that?
 7 MR. SUMMERS: That's correct.
 8 COMMISSIONER HIRANAGA: Yeah. So I would be
 9 opposing the motion to delete that particular section.
 10 CHAIR HEDANI: Commissioner U'u.
 11 VICE-CHAIR U'U: I, too, will be opposing
 12 that. I worked there picking pine. I don't think it
 13 was that slopy or hilly that would pose a threat to
 14 homeowners, if done right, if given the opportunity to
 15 be done right. But I don't see it as a big hurdle or
 16 big challenge.
 17 CHAIR HEDANI: Further discussion?
 18 Commissioner Shibuya.
 19 COMMISSIONER SHIBUYA: Because it's not that
 20 hilly, and because they feel that it should be
 21 developed, I have -- the other side of it, that is prime
 22 ag land that used to be productive and can be productive
 23 and we should be restored back for productive uses. So
 24 I -- I say take it out.
 25 Thank you.

1 MR. SUMMERS: That's correct.
 2 CHAIR HEDANI: Any further questions,
 3 comments, additions, deletions? Commissioner Hiranaga.
 4 COMMISSIONER HIRANAGA: The area you're
 5 proposing around Seabury Hall, can you just give me some
 6 background information as to why you're including that?
 7 CHAIR HEDANI: Mr. Summers.
 8 MR. SUMMERS: Thank you, Mr. Chairman.
 9 Again, the -- during the GPAC review process,
 10 the Committee was looking for areas for its logical
 11 expansion to Makawao Town. We've also had several
 12 requests from Seabury Hall to -- to expand the campus.
 13 So this area was identified as an area for some
 14 additional expansion that would accommodate some
 15 residential growth as well as that expansion at Seabury
 16 Hall.
 17 CHAIR HEDANI: Additional comments?
 18 Commissioner Starr.
 19 COMMISSIONER STARR: Out in Ulupalakua, the
 20 Keokea Rural Service Center, what is that?
 21 COMMISSIONER MARDFIN: What map, please?
 22 CHAIR HEDANI: And the question?
 23 COMMISSIONER STARR: Yeah. Is there a -- any
 24 kind of commercial stuff there now or is there an
 25 intention for there to be some?

1 CHAIR HEDANI: Further discussion?
 2 (Silence.)
 3 CHAIR HEDANI: Ready for the question? All
 4 those in favor of the motion to delete, signify by
 5 raising your hand. Three. All those opposed, same
 6 sign.
 7 VICE-CHAIR U'U: I raise two hands.
 8 CHAIR HEDANI: Motion is lost.
 9 Further discussion? Any other amendments to
 10 U1, 2, 3 or 4? Commissioner Hiranaga.
 11 COMMISSIONER HIRANAGA: I just wanted
 12 background information on this -- something Pukalani
 13 Makai.
 14 CHAIR HEDANI: Your question is?
 15 COMMISSIONER HIRANAGA: Further information.
 16 I guess there's a -- is there a subdivision plan that's
 17 been submitted by a developer or current status?
 18 MR. SUMMERS: That's correct.
 19 CHAIR HEDANI: What's the current status,
 20 John?
 21 MR. SUMMERS: I believe, Director Hunt knows
 22 the current status better than I do, but I believe it
 23 just cleared State Land Use Commission.
 24 COMMISSIONER HIRANAGA: So it's been
 25 redesignated Ag to Urban?

1 MR. SUMMERS: Yes, there is.
 2 Mark, can you put up the Community Plan
 3 designation?
 4 We have some existing on-the-ground
 5 Commercial, and we believe it's entitled.
 6 CHAIR HEDANI: We're on Map U4?
 7 COMMISSIONER STARR: Oh, is that Grandma's and
 8 all that? Oh, okay. Okay, case closed.
 9 CHAIR HEDANI: Any further discussion?
 10 Commissioner Hiranaga.
 11 COMMISSIONER HIRANAGA: I'm having some
 12 concern about Kula 1 being placed in the Rural Growth
 13 Boundary. Again, I believe there's ag activity
 14 occurring there. And I'm concerned about if eventually
 15 the plan gets adopted, it eventually gets zoned Rural,
 16 there will be real property tax implications and ag
 17 water rate implications. So I think we need to go to
 18 smaller brush.
 19 One of my thoughts about rural growth
 20 boundaries is maybe we should limit those to lots less
 21 than two acres. You know, they're non-conforming ag
 22 lots because they're under two acres. Those are the
 23 ones maybe we should be looking at designating Rural
 24 Growth and leaving the two-acre and two-acre-plus lots
 25 as is. Because I think we are trying to promote ag.

1 There are people that are trying to do ag on two-acre
2 lots. And if you throw this at 'em, it might hinder
3 their attempt to do ag.

4 So I would like the Department to think about
5 placing that type of a size limit for which lots get
6 re-designated to Rural Growth.

7 CHAIR HEDANI: Mr. summers.

8 MR. SUMMERS: Thank you, Mr. Chairman.

9 The Department shares the concerns. We had
10 extensive discussion in-house about how to address this
11 Rural-Ag situation. And again, we did identify three
12 areas, the Department did, for Rural Residential
13 expansion. The criteria used were that it would be a
14 large area where we see significant subdivision of
15 agricultural land, lots between two and four acres. And
16 areas that were abutting Country Town or existing Urban
17 area.

18 The Kula Glen project did not meet those
19 criteria. So the Director did not include it within the
20 growth boundaries that we submitted to GPAC. So this
21 Kula Glen area was -- was rural expansion, the Advisory
22 Committee proposed, that did not meet our original
23 criteria.

24 The main reason why we limited Rural
25 Residential expansion was where were the impacts

1 COMMISSIONER HIRANAGA: Okay. Since you did
2 bring up Kula Glen, I think the boundaries encompass
3 more than just Kula Glen, so you may want to take a look
4 at that.

5 MR. SUMMERS: We share that concern.

6 CHAIR HEDANI: Commissioner Shibuya.

7 COMMISSIONER SHIBUYA: Can you show where the
8 Lower Kimo Drive runs? Maybe you can highlight that.
9 Because at the lower portion of Kula 1, there is an
10 existing long time ago farm, and it's still in
11 production today. And if you're gonna put this in
12 Rural, I'm gonna object to it. You need to remove that
13 farm from this. No. It's by the (inaudible). And I
14 believe the third generation is running it now. He had
15 daikon last year, and the year before he had corn. And
16 this year, I don't know what he has. It's right here.
17 Right here. You see it now.

18 COMMISSIONER HIRANAGA: Mr. Chair?

19 CHAIR HEDANI: Commissioner Hiranaga.

20 COMMISSIONER HIRANAGA: Can I ask Staff to
21 tell us what the zoning is for that parcel? If it's
22 Community Plan Rural, it's probably Land Use Ag, or is
23 it zoned Rural?

24 CHAIR HEDANI: Mr. Summers.

25 MR. NAPIER: Thank you, Commissioners. It's

1 potentially to the farming community.

2 The flip side of that is that in the Ag, as
3 the Commission knows, there are farm planning
4 requirements and other requirements that do create some
5 problems for families trying to build and live on the
6 property. So it's kind of a -- it's a very complicated
7 issue. And we are trying to strike a reasonable balance
8 in terms of how we address it.

9 There are thousands of non-conforming lots in
10 the Ag District, lots that are smaller than two acres.
11 The problem is they're interspersed throughout the
12 district. So it's hard to mechanically draw a little
13 Rural Growth Boundary around each of those lots. It's
14 just a function of the history, of how it was set up in
15 the sixties.

16 COMMISSIONER HIRANAGA: I was addressing Kula
17 1, not Kula Glen.

18 MR. SUMMERS: I believe that is Community Plan
19 Rural.

20 Mark, can you throw on the Community Plan
21 designation?

22 So you can see here the boundaries are
23 intended to reflect the existing Community Plan
24 designation. We do have a small pocket of residential
25 embedded in there.

1 Rural.

2 COMMISSIONER HIRANAGA: Zoning? My concern
3 with taking a piece of property like that out of the
4 Rural designation is, you know, we've heard stories of
5 other people who want to subdivide a lot and give them
6 to the next generation. And so you may wanna check with
7 Mr. (Inaudible) before you do that.

8 CHAIR HEDANI: Do him a favor. Commissioner
9 Starr?

10 COMMISSIONER STARR: Kula Hospital, should
11 that be a Rural Service Center? It's in Keokea.

12 CHAIR HEDANI: Mr. Summers?

13 MR. SUMMERS: Mark, can you zoom in on that?
14 That -- I would suggest that this Service Center
15 boundary wrap up to take in the hospital.

16 COMMISSIONER STARR: So moved.

17 VICE-CHAIR U`U: Second.

18 CHAIR HEDANI: Seconded by Commissioner U`u,
19 moved by Commissioner Starr. Discussion?

20 (Silence.)

21 CHAIR HEDANI: All those in favor, signify by
22 saying "aye."

23 (A chorus of ayes.)

24 CHAIR HEDANI: Opposed, "nay."

25 (Silence.)

1 CHAIR HEDANI: Carried. Thank you.
 2 Commissioner Hiranaga.
 3 COMMISSIONER HIRANAGA: Regarding Kula 200 and
 4 Kula Glen, is the Department recommending the Rural
 5 Growth Boundary for these two-acre lots?
 6 CHAIR HEDANI: Mr. Summers.
 7 MR. SUMMERS: Thank you, Mr. Chairman.
 8 That was in the recommendation that the
 9 Department provided you with in April. It was something
 10 that -- that the GPAC felt should be included. And we
 11 wanted to respect their input. But it did not meet the
 12 criteria to use to designate the other rural areas, Kula
 13 200, Wailuku Country Estates and Rural lots -- or the Ag
 14 lots that are adjacent to Makawao, with the one
 15 exception, that was not contiguous with an existing
 16 Urban Growth Boundary or Country Town.
 17 COMMISSIONER HIRANAGA: So it wasn't your
 18 idea, but GPAC wanted it, you said you would go along
 19 with it?
 20 MR. SUMMERS: That's correct.
 21 COMMISSIONER HIRANAGA: Should I make a motion
 22 to take them out of the Rural Growth Boundaries? I
 23 mean, taking into account that if they're eventually
 24 zoned Rural, they're gonna lose their ag water rates?
 25 There's people attempting to do ag there. Doug MacCleur

1 can identify those two areas, the plots or lots that are
 2 less than two acres in size? Will we be able to do
 3 that, highlight those parcels that are less than two?
 4 In other words, they now become --
 5 COMMISSIONER HIRANAGA: Kula 200 is
 6 two-acre-plus.
 7 COMMISSIONER SHIBUYA: Okay.
 8 COMMISSIONER HIRANAGA: That's a subdivision.
 9 COMMISSIONER SHIBUYA: Can you check?
 10 MR. SUMMERS: Yeah.
 11 CHAIR HEDANI: Discussion? Additional
 12 discussion?
 13 COMMISSIONER HIRANAGA: Yeah.
 14 CHAIR HEDANI: Commissioner Hiranaga.
 15 COMMISSIONER HIRANAGA: I'm pretty sure,
 16 unless they're preexisting lots, that subdivision, I
 17 believe, done in the seventies, had to comply with the
 18 County two-acre minimum. And Kula Glen is the same
 19 thing, unless there's a preexisting lots, they were part
 20 of the Kula Glen subdivision two-acre minimum lot sizes.
 21 CHAIR HEDANI: Commissioner U`u.
 22 VICE-CHAIR U`U: The reasoning for my second
 23 is to give the Council an option to adopt ours or adopt
 24 the GPAC's. And at that time we can possibly have
 25 testimony from the residents of Kula 200.

1 does ag in Kula 200, you know. They need to understand
 2 that they're gonna get something -- they don't have to
 3 do a farm plan anymore, but they're not gonna get their
 4 ag water rates, either.
 5 MR. SUMMERS: That's correct.
 6 COMMISSIONER HIRANAGA: And so -- and the real
 7 property taxes will go up because they won't get their
 8 ag discount for the ag use. Let's dedicate their lands
 9 for 20 years, so just kind of --
 10 VICE-CHAIR U`U: Make a motion.
 11 COMMISSIONER HIRANAGA: For discussion, motion
 12 to remove Kula 200 and Kula Glen from the Rural Growth
 13 Boundaries.
 14 VICE-CHAIR U`U: Second.
 15 CHAIR HEDANI: How do you identify those? Is
 16 that under what, Kula 1 or is it something separate?
 17 COMMISSIONER HIRANAGA: It's called Kula 2.
 18 VICE-CHAIR U`U: Kula Glen.
 19 COMMISSIONER HIRANAGA: U2.
 20 VICE-CHAIR U`U: U2. And they're both in,
 21 both as Kula 200 and Kula Glen.
 22 CHAIR HEDANI: Okay. Moved by Commissioner
 23 Hiranaga, seconded by Commissioner U`u. Discussion?
 24 Commissioner Shibuya.
 25 COMMISSIONER SHIBUYA: I'd like to see if we

1 CHAIR HEDANI: I think the intent of the
 2 Commission is not necessarily to cause people to
 3 necessarily lose their ag water rates or their ag
 4 benefits.
 5 Mr. Summers, any further comments?
 6 MR. SUMMERS: Thank you Mr. Chairman.
 7 We'll do a little more research on the ag
 8 water rate issue. But we've always been told by the
 9 Real Property Tax Department that real property taxation
 10 is based on use. And so even in the Rural District, if
 11 an agriculture use is occurring, they can enjoy the
 12 benefits of that use. We'll confirm that, we'll do some
 13 research for you, for the next meeting, to confirm that.
 14 You know, this is a complicated issue, there
 15 are pros and cons. The farm plan requirements can be
 16 quite onerous in some of these areas. And so our
 17 Department does get a lot of comments about that. It
 18 creates trouble in terms of selling the property. The
 19 upside is that there are more protections for ag
 20 operators in the Ag District with the right to farm
 21 protections and the stronger incentives in terms of
 22 water and -- and probably property taxation will clarify
 23 that for you.
 24 CHAIR HEDANI: Okay. Any further discussion?
 25 (Silence.)

1 CHAIR HEDANI: Ready for the question? Motion
2 on the floor is to delete Kula Glen and Kula 200 from
3 the Rural Growth Boundaries. All those in favor, please
4 signify by raising your hands. One, two, three, four,
5 five, six. Opposed, same sign. One. Motion is
6 carried.

7 Any further amendments to U1 through U4? It's
8 after 8:00. Are we turning into pumpkins?

9 VICE-CHAIR U'U: Yes.

10 COMMISSIONER STARR: We're voting.

11 CHAIR HEDANI: Commissioner Mardfin.

12 COMMISSIONER MARDFIN: Given that we were
13 gonna get some more research on this, I can understand
14 the need for closure. Given that we need a lot of
15 research on at least a couple major issues, I would
16 suggest we defer. But I don't hold strongly to that
17 feeling.

18 CHAIR HEDANI: Commissioner Starr.

19 COMMISSIONER STARR: Yeah, I would prefer that
20 we -- we take our vote and then we come back on those
21 specific items. I do have some concerns about our being
22 able to get through all of this. So I would prefer if
23 we put it to rest and then just came back to the
24 specific items.

25 CHAIR HEDANI: Commissioner Mardfin.

1 COMMISSIONER HIRANAGA: Are there any areas
2 that are currently in the Community Plan that is being
3 excluded or proposed to be excluded from this plan?

4 MR. SUMMERS: Yes.

5 COMMISSIONER HIRANAGA: Would you like to tell
6 us which ones they are?

7 MR. SUMMERS: There are a couple of them.

8 Probably the most well known would be the Maalaea
9 project, which is not included. There are also a few
10 areas up here that are Rural, the von Tempsky piece and
11 the Kula Ridge affordable proposed project, were not
12 included.

13 CHAIR HEDANI: Commissioner Hiranaga.

14 COMMISSIONER HIRANAGA: Why are you removing
15 that designation from those properties?

16 MR. SUMMERS: Both the Department and Advisory
17 Committee felt that it was premature to provide Rural
18 designations in those areas. They had been in the
19 Community Plan for a long time, there's been no movement
20 with those projects, they are not zoned for rural use.
21 We felt it was an inappropriate expansion of rural
22 settlement makai of the road.

23 COMMISSIONER HIRANAGA: It's called Kula 2?

24 It's called Kula 2?

25 MR. SUMMERS: It's just makai of Kula 2.

1 COMMISSIONER MARDFIN: Are those all the items
2 that people have concerns with for these four maps?

3 CHAIR HEDANI: Keep in mind your approval for
4 this map is conditional at this point, which is kind of
5 a half-assed approval.

6 Commissioner Hiranaga.

7 COMMISSIONER HIRANAGA: I just want the Staff
8 to take a look to make sure that, again, we're not using
9 too broad a brush as we go with these rural
10 designations, and we don't impact ag lots or ag
11 operations. So if you can take a look at that.

12 And, also, if you can identify substandard ag
13 lots that might -- should be considered for Rural. It's
14 more of a housekeeping, but it makes a few people's
15 lives a lot --

16 MR. SUMMERS: Yes, we can do that.

17 CHAIR HEDANI: Commissioner U'u.

18 VICE-CHAIR U'U: I would like to see if we
19 could have existing farms in operation on the map
20 somehow. I know there's a farm on Lower Kee. I know
21 it's hard, but the big operations intact that
22 potentially will get affected. So, you know, people
23 like Commissioner Shibuya could notify their friends and
24 to asking or having a say on it before we vote on it.

25 CHAIR HEDANI: Commissioner Hiranaga.

1 COMMISSIONER SHIBUYA: Post office.

2 COMMISSIONER HIRANAGA: Is there another
3 property on the other side of the highway? Just that
4 property? There's that property -- two properties?

5 MR. SUMMERS: That's correct.

6 CHAIR HEDANI: Commissioner Shibuya.

7 COMMISSIONER SHIBUYA: The property just
8 adjoining the red block, which is, I believe, the post
9 office, that is in the Community Plan for Light
10 Industrial. That has never been removed. So if it's
11 removed, it's because the Department removed it, not the
12 GPAC, not the Community Plan. So it is in the Community
13 Plan for Light Industrial to repair trucks, tractors,
14 farm equipment, allow for supplies for farmers, that
15 kind of stuff.

16 CHAIR HEDANI: Commissioner Hiranaga.

17 COMMISSIONER HIRANAGA: You know, one of my
18 concerns about removing the von Tempsky piece is, you
19 know, the father passed away not too long ago. They
20 have been going through their estate distribution. So
21 I'm wondering, did you contact the von Tempsky family to
22 say, "Can we remove this designation from your lot?" I
23 mean, they've owned this piece for, what, over 100
24 years.

25 UNIDENTIFIED SPEAKER: It's been sold. They

1 don't own it anymore.
 2 CHAIR HEDANI: Anybody? Mr. Summers?
 3 MR. SUMMERS: Thank you, Mr. Chairman.
 4 It was added to the Upcountry Community Plan
 5 in the last update. I do recall the von Tempskys being
 6 at some of the GPAC meetings when this was discussed.
 7 We did not contact them specifically.
 8 CHAIR HEDANI: Let me ask the Commission a
 9 question at this point. We have two people that have
 10 asked for -- that came in late after we had dinner, that
 11 wanted to -- an opportunity to provide testimony.
 12 Although we closed the public hearing, do you want to
 13 hear any, or do you want to vote on this issue before we
 14 do?
 15 Commissioner U'u.
 16 VICE-CHAIR U'U: I would like to hear the
 17 vote, but, also, I believe at the last meeting we
 18 deferred action on Hana. And I heard some of the
 19 commissioners state that they want wrap this up, being
 20 Upcountry, to expedite the process. But I do believe
 21 that with the added time needed for some of the
 22 commissioners to get -- do their homework and the added
 23 information by the Planning Staff, it actually expedited
 24 the process in Hana. So I would like to get the added
 25 information prior to voting on the whole issue. But I'm

1 question? Commissioner Starr.
 2 COMMISSIONER STARR: Oh, are we gonna vote on
 3 this? I'm happy to.
 4 CHAIR HEDANI: It's up to you. The motion is
 5 on the floor.
 6 VICE-CHAIR U'U: I like to motion to defer
 7 this meeting to the next meeting.
 8 COMMISSIONER STARR: There's a motion on the
 9 floor.
 10 VICE-CHAIR U'U: There's a motion on the
 11 floor?
 12 COMMISSIONER MARDFIN: Motion to defer is on
 13 the floor.
 14 CHAIR HEDANI: Planning Staff, do you have any
 15 input at this point?
 16 MR. KING: Thank you. Mark King, Staff.
 17 Thank you, Chairperson.
 18 The only piece we have left of significance is
 19 Pukalani Triangle that's -- that was the stakeholder
 20 issue. We -- we did Makawao, we went around Makawao, we
 21 cleaned up some housekeeping things. We did Kula. That
 22 was great. Pukalani is left, and we could do all of the
 23 U, U1, 2, 3 and 4 and be done.
 24 CHAIR HEDANI: I guess that was encouragement
 25 to go ahead with the vote. Do you want to vote on the

1 up to hearing for public testimony at this time. And
 2 just to add, that we are running a little late. And I
 3 -- I do have questions and I do need answers from the
 4 Staff to make my voting more comfortable, should I say.
 5 CHAIR HEDANI: Commissioner Shibuya.
 6 COMMISSIONER SHIBUYA: If you will put the
 7 overlay for the transportation corridor, you will find
 8 that this is where the terminal -- one of the terminals
 9 is located.
 10 Thank you.
 11 CHAIR HEDANI: Do you want to open it up to
 12 those two people that wanted to testify?
 13 VICE-CHAIR U'U: Yeah.
 14 CHAIR HEDANI: Commissioner Starr.
 15 COMMISSIONER STARR: I think we should, but
 16 I'd like to really severely limit them to two minutes
 17 because it's late.
 18 CHAIR HEDANI: Okay. There were two
 19 individuals that asked to testify before the Commission
 20 that we haven't heard from yet. Are you still here?
 21 MS. COSTA: Claire had to leave.
 22 CHAIR HEDANI: Are they gone?
 23 MS. COSTA: They have left.
 24 CHAIR HEDANI: They're not here? Okay. Thank
 25 you. Oklahoma. What's your pleasure? Ready for the

1 question for U1, 2, 3 and 4 at this point, or do you
 2 want to defer? Ready FOR THE question?
 3 COMMISSIONER DOMINGO: What's the question?
 4 CHAIR HEDANI: Question is to approve U1, 2, 3
 5 and 4 as recommended as amended.
 6 COMMISSIONER STARR: Provisionally.
 7 CHAIR HEDANI: Provisionally. Okay. This is
 8 a half approval, then. Commissioner Starr.
 9 COMMISSIONER STARR: Yeah. As the maker of
 10 the motion, I just want be clear, there were questions
 11 asked and we'll come back to that and review those
 12 specific areas.
 13 CHAIR HEDANI: If you have specific questions,
 14 I suggest you keep a list, make sure the Department has
 15 your questions for answers. And then we have a cleanup
 16 meeting date or whatever, right, so we can come back to
 17 all of those pending issues.
 18 Ready for the question? All those in favor of
 19 U1, 2, 3 and 4 as amended, signify by saying "aye."
 20 COMMISSIONERS: Aye.
 21 CHAIR HEDANI: Opposed, "nay."
 22 COMMISSIONERS: Nay.
 23 CHAIR HEDANI: All those in favor, please
 24 raise your hands. One, two, three. Opposed, same sign.
 25 One, two, three, four. Motion is lost.

1 Let's call it a day. We can take it up again
 2 at the next meeting.
 3 Commissioner Starr.
 4 COMMISSIONER STARR: Yeah. I have a real
 5 concern about the way we're moving through this
 6 thoughtfully. And we're doing a good job, I feel, but
 7 I'm a little bit concerned about time. And we're about
 8 to take two weeks off. And I, for one, would like to
 9 not take two weeks off, but to set up a meeting next
 10 week, even if it's a half day meeting or something,
 11 because I hate to see us get behind. We are working
 12 toward a hard deadline.
 13 CHAIR HEDANI: Commissioner Shibuya.
 14 COMMISSIONER SHIBUYA: We have an option to
 15 either recess this and have an additional meeting or
 16 carry this to the next scheduled meeting.
 17 CHAIR HEDANI: Director.
 18 MR. HUNT: If you recess it, it has to -- the
 19 next meeting has to be within six days. So keep that in
 20 mind. You do have a regular scheduled meeting on
 21 September 8th. And based on the Chair's suggestion, we
 22 added an agenda item at the end of that, that is
 23 verbatim for agenda Item D on your agenda. The thought
 24 being that the agenda on September 8th is somewhat
 25 light. And there may be an opportunity for you to get

1 listening to public testimony. I don't know how we can
 2 get around that.
 3 I thought we would have been done with
 4 Upcountry today, possibly start Kihei, but I was wrong.
 5 Because deliberate -- in fact, we deliberated one hour
 6 on this plan.
 7 CHAIR HEDANI: Commissioner U`u.
 8 VICE-CHAIR U`U: To add to that, if we open it
 9 up to public testimony on the day of our Planning
 10 Commission meeting, say we out of there at 3:00, you got
 11 two hours of public testimony, that might take up the
 12 entire time, and you're back to where we was today
 13 possibly.
 14 CHAIR HEDANI: Okay. Any other items for
 15 discussion? Commissioner Hiranaga.
 16 COMMISSIONER HIRANAGA: I get these disks
 17 placed on my desk here. I'm wondering what -- what --
 18 CHAIR HEDANI: What is it?
 19 COMMISSIONER HIRANAGA: Is there an
 20 explanation, or are we supposed to figure it out?
 21 Because I opened up the other two disks and there's all
 22 these files. It would be nice if there was an
 23 explanation, if there's changes or --
 24 CHAIR HEDANI: Mr. Summers.
 25 MR. SUMMERS: Thank you, Mr. Chairman.

1 some work done on the Maui Island Plan.
 2 CHAIR HEDANI: Commissioner Starr.
 3 COMMISSIONER STARR: Yeah. I -- I was
 4 thinking about that, because of the one kind of meaty
 5 item from that agenda has been deferred. Since that is
 6 six days from now, we can recess this, is that in our
 7 benefit in terms of getting work done? I know I have
 8 trouble not having any kind of testimony, but I'm
 9 wondering if it does us any good to recess.
 10 CHAIR HEDANI: As a regular meeting, that will
 11 be open to public testimony, also.
 12 COMMISSIONER STARR: Okay. So no sense to
 13 recess, then.
 14 MR. HUNT: It's already listed on the agenda
 15 for the 8th. I mean, technically, you could recess and
 16 have a separate meeting after your regular meeting. It
 17 gets real murky. I would suggest we just kind of keep
 18 with the agenda.
 19 CHAIR HEDANI: Commissioner Hiranaga.
 20 COMMISSIONER HIRANAGA: Yeah. I have a
 21 concern about trying to limit public testimony. Because
 22 there's several individuals who stated that they just
 23 found out about the meeting, rushed over here, was
 24 important to them. And, unfortunately, today, we spent
 25 one hour deliberating and six hours or five hours

1 Those are essentially digital versions of
 2 these hard copy maps that you have been looking at
 3 today.
 4 COMMISSIONER HIRANAGA: The other two disks we
 5 received at the previous meeting was labeled B and C.
 6 Was there any change in land areas based upon the
 7 population or unit count?
 8 MR. SUMMERS: No. There were two differences.
 9 One is the map, and the other is -- you'll recall on the
 10 previous maps we have the proposed projects and a bunch
 11 of other information. So they were more an analysis map
 12 rather than a decision-making map. So that's --
 13 COMMISSIONER HIRANAGA: (Inaudible.)
 14 MR. SUMMERS: That's correct.
 15 CHAIR HEDANI: Commissioner Mardfin.
 16 COMMISSIONER MARDFIN: Can we buy enough time
 17 by either having half-hour lunches or 45-minute lunches
 18 instead of hour lunches?
 19 CHAIR HEDANI: Whatever is your pleasure.
 20 COMMISSIONER MARDFIN: Maybe go later than
 21 5:00 on the next meeting.
 22 CHAIR HEDANI: Commissioners, what's your
 23 pleasure? Commissioner U`u.
 24 VICE-CHAIR U`U: No. How is that answer? No.
 25 I can't make it a commitment not knowing my schedule

1 ahead of time. And I don't have 'em in front of me. I
 2 hate to commit to something I have no idea what I got
 3 scheduled for.
 4 CHAIR HEDANI: Commissioner Starr.
 5 COMMISSIONER STARR: Yeah, I would prefer not.
 6 I feel, first of all, an eight-hour day for an unpaid
 7 Commission is plenty. I also think that it puts a
 8 really undue burden on Staff to have to work after 5:00.
 9 I don't think they really get compensated for it. And I
 10 know a lot of them have to pick up kids.
 11 As far as lunch, I -- I work -- you know, I do
 12 my one hour of work on those days at lunch time. I
 13 would prefer -- I think we're working very hard and we
 14 should just keep going.
 15 CHAIR HEDANI: Okay. No further action on U1
 16 through 4, or any of the items under D. Planning
 17 Director, do you want to talk about the schedule?
 18 MR. HUNT: Again, your schedule is -- your
 19 next meeting is now scheduled for September 8th. It's
 20 the tail end of your regularly scheduled meeting. The
 21 next meeting after that, I believe, is September 14th --
 22 let me get my calendar out and make sure. September
 23 14th. We have agendized that you're intending to recess
 24 it to the 15th, and you may limit public testimony.
 25 This, again, was suggested by the Commission as a means

1 Commissioner Shibuya.
 2 COMMISSIONER SHIBUYA: I just have concern
 3 because we have not even completed the maps and then we
 4 have implementation and monitoring. These are two large
 5 sections that the GPAC did not get a chance to do. And
 6 I would really like to do that because this is where the
 7 rubber meets the road, how we get our infrastructure
 8 projects on the road and in the timeline.
 9 Thank you.
 10 CHAIR HEDANI: Another suggestion for
 11 consideration is to restrict public testimony to two
 12 minutes instead of three. That's a possibility. Think
 13 about that. We don't have to make a decision that day.
 14 Okay, with that, then, we are adjourned. And
 15 our next meeting actually will be at the tail end of our
 16 regular meeting on September 8th for the -- for the Maui
 17 Island Plan.
 18 COMMISSIONER MARDFIN: Are we adjourned or are
 19 we deferring?
 20 CHAIR HEDANI: We're adjourned.
 21 (Meeting adjourned at 8:26 p.m.)
 22
 23
 24
 25

1 to get more work done. Then your last two meetings are
 2 on September 28th, and, again, that could be recessed to
 3 the 29th, and limit public testimony. You may limit
 4 public testimony on the 29th in order to get work done.
 5 So you've got four meetings and perhaps some time on the
 6 September 1th meeting.
 7 If there's concern about getting another
 8 meeting in, we should hear about that soon so that we
 9 can do logistics in noticing, et cetera, and have Staff
 10 available.
 11 So at this point that's -- that's our
 12 schedule.
 13 CHAIR HEDANI: Mr. Summers.
 14 MR. SUMMERS: Thank you, Mr. Chairman.
 15 Would the Commission like us to identify a
 16 couple of contingency meeting dates, extra meeting
 17 dates?
 18 CHAIR HEDANI: Gentlemen?
 19 COMMISSIONER STARR: Yes.
 20 COMMISSIONER SHIBUYA: Yes.
 21 MR. SUMMERS: We'll start getting comments
 22 through email or at the meeting. We'll have to have a
 23 decision by the meeting on the 8th.
 24 CHAIR HEDANI: If you could identify some
 25 dates, just get back to us on what works.

1 CERTIFICATE
 2
 3
 4 I, TONYA MCDADE, Certified Court Reporter of
 5 the State of Hawaii, #447, Registered Professional
 6 Reporter, Certified Realtime Reporter, Certified
 7 Broadcast Captioner, do hereby certify that the
 8 proceedings contained herein were taken by me in machine
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 10 of computer-aided transcription; and that the foregoing
 11 represents, to the best of my ability, a true and
 12 accurate transcript of the proceedings had in the
 13 foregoing matter.
 14 I further certify that I am not an attorney
 15 for any of the parties hereto, nor in any way concerned
 16 with the cause.
 17 DATED this 1st day of October, 2009.
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