

MAUI PLANNING COMMISSION

COUNTY OF MAUI

SEPTEMBER 14, 2009

MAUI ISLAND PLAN

Held at the Planning Department Conference Room,  
First Floor, Kalana Pakui Building, 250 South High  
Street, Maui, Hawaii, commencing at 9:07 a.m., on  
September 14, 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 Lori Sablas, Commissioner  
 9 Warren Shibuya, Commissioner  
 10 STAFF PRESENT:  
 11 Jeffrey Hunt, Planning Director  
 12 John Summers, Long Range Division Administrator  
 13 David Michaelson, Planner, Long Range Division  
 14 Dan McNulty-Huffman, Department of Planning  
 15 Mike Napier, Department of Planning  
 16 James Giroux, Deputy Corporation Counsel  
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 25

1 process is akin to making sausage. And I think this has  
 2 been a -- been a good experience in that mode. I would  
 3 like to thank everybody for hanging with us through this  
 4 process. It's a long and arduous process. And we're  
 5 very happy to have you all.  
 6 I would like to note that this meeting is  
 7 intended to be recessed to tomorrow, at 9:00 a.m., for  
 8 those of you that have to leave. And with respect to  
 9 Agenda Item C, we would like -- we don't have a  
 10 presentation this morning on that topic. We intend to  
 11 do that at the next regular scheduled meeting on the  
 12 28th of September.  
 13 CHAIR HEDANI: Thank you very much,  
 14 Mr. Summers.  
 15 At this point we'd like to open it up for  
 16 public testimony. Public testimony is limited to three  
 17 minutes. I have a total of 23 people that have signed  
 18 up for testimony. At three minutes each, plus  
 19 questions, about three minutes, that would equal 2.3  
 20 hours of testimony. And we have a second sheet that's  
 21 just being started. So I'll call the first individual  
 22 to testify, and the person to be followed -- who follows  
 23 him, so that you can get yourself ready to testify.  
 24 Joy is gonna be timing your testimony. You're  
 25 restricted to three minutes. There will be a two-minute

1 September 14, 2009  
 2 TRANSCRIPT OF PROCEEDINGS  
 3 \*\*\*\*\*  
 4 CHAIR HEDANI: Planning Commission meeting of  
 5 Monday, September 14th will come to order. First item  
 6 on our agenda is the approval of the minutes of the July  
 7 21st and August 4th, 2009 meetings.  
 8 VICE-CHAIR U'U: Motion to approve.  
 9 CHAIR HEDANI: Motion to approve by  
 10 Commissioner U'u.  
 11 COMMISSIONER SHIBUYA: Second.  
 12 CHAIR HEDANI: Seconded by Commissioner  
 13 Shibuya. All those in favor, signify by saying "aye."  
 14 (A chorus of ayes.)  
 15 CHAIR HEDANI: Opposed, "nay."  
 16 Carried. Thank you.  
 17 Next on the agenda is Staff presentation on  
 18 the Draft Maui Island Plan. Director Hunt will be  
 19 joining us at 10:00, so we've promoted Mr. Summers to  
 20 Director of the Department of Planning today.  
 21 Mr. Summers.  
 22 MR. SUMMERS: Thank you, Mr. Chairman.  
 23 Members of the Commission and the public, I'd  
 24 just like to note that this is meeting number 14 of a  
 25 planned 17. They say that the public policy making

1 warning and a minute to finish up. And we encourage you  
 2 to be brief, if possible.  
 3 The first person to testify is Mr. Mike  
 4 Morris, followed by Grant Chun.  
 5 Mr. Morris.  
 6 MR. MORRIS: Thank you for letting me testify.  
 7 I do have a PowerPoint that's gonna come up here in a  
 8 minute. That's not it. While he's setting that up, I'm  
 9 Mike Morris, I -- I'm here on two -- serving two  
 10 purposes. My non-paying job is I'm the Chairman of the  
 11 NPAC, which is Nutrition and Physical Activity  
 12 Coalition, here in Maui. My paying job is I'm the  
 13 President and CEO of the Maui Family YMCA. And I'm here  
 14 because I want to talk about your great opportunity and  
 15 your great responsibility in the community and what it  
 16 means to us as a -- as an organization that's based on  
 17 health and wellness in the community.  
 18 The YMCA -- and you may be wondering why I'm  
 19 here talking about planning. Well, the built  
 20 environment around us has a great deal of what happens  
 21 to us as individuals and people.  
 22 And if you'll click to the next slide, I wanna  
 23 run through a couple of these.  
 24 The biggest concern in the country right now,  
 25 according to the Center for Disease Control, is obesity,

1 and what it's doing to our country. And I wanna show  
2 you these slides. This is 1985. And you can see that  
3 somewhere around 10 to 14 percent of some states had  
4 folks who were overweight.

5 Click to the next one. Five years later.  
6 Five years later. Now you can see almost every state in  
7 the Union, just about, is somewhere between 10 and 14  
8 percent overweight.

9 Let's click five more years. Now we got every  
10 state and now it's growing. You can see the numbers  
11 that -- the colors got darker. Now we're up to 19  
12 percent, about half the states.

13 Click again. In 2000, five years later, we've  
14 added yet another color that's 20 percent. Almost half  
15 the states, or 20 percent of our -- of our country is  
16 obese.

17 Move forward. Three more years, we've added  
18 another color. We have four states that are now 25  
19 percent of the population as overweight.

20 Click again. One more year. 25 percent, you  
21 can see a lot of our states now -- and every state in  
22 the Union is at least 15 percent.

23 One more. I think we have one more, we added  
24 one more color, black now, where we have as much as 30  
25 percent of our country.

1 MS. PAREDES: One minute.

2 MR. MORRIS: That's an epidemic, folks.  
3 That's an epidemic.

4 You can click to the next slide. That's where  
5 we're headed.

6 And it's important that we understand that how  
7 we build our environment -- click one more -- has a  
8 great impact on the physical health of our community.  
9 And if we're not building sidewalks, we're not building  
10 bike paths and not building communities that are  
11 self-sustaining and -- and self-contained, where people  
12 can walk to work, where people can -- you know, our kids  
13 don't walk to school anymore. It's incredible. And --  
14 and we're setting a bad example by the way we're  
15 building our environments. We're not allowing those --  
16 that to happen.

17 My son grew up in Kihei. And we lived about a  
18 quarter mile from the school he went, the elementary  
19 school. And he couldn't walk to school. He --

20 CHAIR HEDANI: Mr. Morris --

21 MR. MORRIS: He didn't have sidewalks. He  
22 didn't have things where he could -- he could do that.

23 Last slide. So what does it really mean? Why  
24 -- why --

25 CHAIR HEDANI: Mr. Morris?

1 MR. MORRIS: Yes.

2 CHAIR HEDANI: Three minutes are up.

3 MR. MORRIS: Oh, I'm sorry. Okay.

4 CHAIR HEDANI: Thank you very much. The next  
5 person to testify is Mr. Grant Chun, to be followed by  
6 Craig Nishikawa -- Clayton Nishikawa. Sorry.

7 MR. CHUN: Good morning, Chairman Hedani and  
8 Members. My name is Grant Chun. And I'm here on behalf  
9 of A&B Properties.

10 For your convenience, my testimony of this  
11 morning has been circulated to you and should be before  
12 you.

13 Last money -- Monday, I came before you to  
14 provide our input concerning A&B's acreage at  
15 Haliimaile. For your convenience, a copy of that  
16 testimony on this topic is attached to the materials  
17 that you have been provided with. I thought I'd return  
18 today, briefly, to provide you with the exhibit that we  
19 have prepared since last week, which shows the  
20 Haliimaile area.

21 As you can see from the map attached to the  
22 testimony, the existing Haliimaile Village is situated  
23 along Haliimaile Road. It's the 11-by-17 sheet that's  
24 attached, yeah. Just mauka of the reservoir is the  
25 Haliimaile ball field, which is a gathering place and a

1 recreational spot for the neighborhood. Shown  
2 superimposed onto the 63-acre area, on the Haleakala  
3 side of the reservoir, is our working plan for this --  
4 for this expansion of the Haliimaile neighborhood. This  
5 area is already situated in the State Urban District and  
6 already in the Community Plan as well as being already  
7 zoned. As you can see, our plan calls for a park to  
8 traverse the entire mauka boundary of this site along  
9 Haliimaile Road.

10 Next to the 63-acre area is the 80-acre area  
11 that I had proposed for your consideration last week.  
12 Again, we feel that, to whatever degree you should deem  
13 some additional acreage for future growth in the  
14 Upcountry area worthy of your consideration, this  
15 80-acre area would be a most suitable site. Again, I  
16 present this option for your consideration because we  
17 feel that given the location of our lands in the area,  
18 we are uniquely situated to address any need for  
19 additional units which your Commission may deem  
20 necessary.

21 Thank you very much for all the work you're  
22 doing on behalf of our community.

23 CHAIR HEDANI: Thank you, Mr. Chun.

24 One question. The 80 acres, how many of those  
25 units are deemed to be affordable by the County's

1 definition?

2 MR. CHUN: Well, the -- the 80 acres is simply  
3 a proposal for expansion in the Urban Growth Boundaries,  
4 Mr. Hedani. However, through the zoning process, the  
5 County policy that's in place would be, you know,  
6 imposed on the area. And right currently, the standard  
7 is 40 percent or 50 percent, depending upon average  
8 median sale of the home.

9 CHAIR HEDANI: Thank you.

10 Question from Commissioner Hiranaga.

11 COMMISSIONER HIRANAGA: Just to clarify,  
12 Grant. So you're planning to install a water well and,  
13 also, to build a sewage treatment plant for this?

14 MR. CHUN: Yes. We're gonna do it anyway,  
15 Mr. Hiranaga, correct.

16 COMMISSIONER HIRANAGA: Okay. Thank you.

17 MR. CHUN: Thank you.

18 CHAIR HEDANI: Thank you very much.

19 MR. CHUN: Thank you.

20 CHAIR HEDANI: Mr. Clayton Nishikawa, to be  
21 followed by Jesse Spencer.

22 MR. NISHIKAWA: Good morning, Chairman Hedani,  
23 Planning Commission Members. My name is Clayton  
24 Nishikawa. And I'm representing the Kula Ridge  
25 residential workforce housing subdivision.

1 At the Planning Commission meeting held on  
2 Tuesday, September 8th, a motion was made to include  
3 Kula Ridge into the Rural Growth Boundaries of Kula.  
4 Prior to the vote, Planning Director Jeff Hunt  
5 mistakenly stated to the Members that the Kula Community  
6 Association was not in support of the project.

7 Ms. Gina Flammer, the president of the Kula  
8 Community Association, who was in attendance at the  
9 meeting, confirmed that the Kula Community Association  
10 had taken a neutral position in regards to Kula Ridge.  
11 They did express concerns regarding the project which we  
12 have addressed and are continuing to address.

13 Given the misrepresentation provided by the  
14 Planning Director, the Commission -- to the Commission  
15 Members prior to the voting, I'm respectfully requesting  
16 reconsideration by the Planning Commission Members to  
17 include Kula Ridge into the Rural Growth Boundaries of  
18 Kula.

19 Thank you for your consideration.

20 CHAIR HEDANI: Thank you, Mr. Nishikawa.

21 Question from Commissioner Hiranaga.

22 COMMISSIONER HIRANAGA: I have this document  
23 on my desk, says Kula Community Association. Here in  
24 bold, it says, "We support the Department and GPAC's  
25 maps that do not include Kula Ridge." So there seems to

1 be some inconsistency.

2 MR. NISHIKAWA: Yeah, there -- there's --  
3 there is some inconsistencies. Apparently, there are a  
4 few members in the Kula Community Association that have  
5 drafted the agreement, but it's not a unanimous decision  
6 by all of the board members.

7 COMMISSIONER HIRANAGA: So are they empowered  
8 to distribute this paper? I mean, it's not signed by  
9 you.

10 MR. NISHIKAWA: Yeah. I'm not sure how that  
11 works.

12 COMMISSIONER HIRANAGA: Thank you.

13 CHAIR HEDANI: Commissioner Shibuya.

14 COMMISSIONER SHIBUYA: Mr. Nishikawa, are you  
15 aware or is there some kind of sensitive sacred lands in  
16 that area?

17 MR. NISHIKAWA: Not that we're aware of.  
18 We've done archaeological studies. And the studies have  
19 suggested that there's a petroglyph site in the gulch  
20 that we're intending to preserve. That's not on the  
21 property, though.

22 COMMISSIONER SHIBUYA: Okay. Thank you.

23 CHAIR HEDANI: Commissioner Hiranaga.

24 COMMISSIONER HIRANAGA: One of the concerns is  
25 that this is Ag lands. Can you maybe clarify exactly

1 what type of Ag lands these are?

2 MR. NISHIKAWA: Yes. The -- the soil of the  
3 project is not considered prime nor is it considered  
4 important ag land. It's considered "other," which is  
5 not really suitable for farming. There is a portion of  
6 the property that has been farmed in the past. And our  
7 intention is to keep those in large lots and to continue  
8 to promote farming uses on those four ag lots.

9 COMMISSIONER HIRANAGA: Okay. Thank you.

10 CHAIR HEDANI: Thank you very much.

11 Next person to testify is Jesse Spencer, to be  
12 followed by Douglas Lupton.

13 MR. SPENCER: Yeah. I'm Jesse Spencer. And  
14 most of you heard me before, so you might be hearing the  
15 same thing. And I will possibly use my son for my ears  
16 if there's a question you might ask and because I have a  
17 hard time hearing. He's a retired attorney; I'm still  
18 working.

19 So now then, again, the project is the same  
20 project I talked to this group about before. It's  
21 1,000, plus or minus, affordable homes. The name of it  
22 is Ohana Kai Village, because it will be developed as a  
23 complete village. And we've addressed all the  
24 infrastructure comments. And we feel like that we have  
25 adequate responses to those.

1 This project is ready to go. It's not a  
 2 bubble out there on some of these charts that I've seen,  
 3 and -- oh -- on something that maybe is imaginary in the  
 4 future. And so this project will employ 200-plus  
 5 workers for seven years. The total build-out is over  
 6 \$400 million. And the -- this is gonna be done without  
 7 any County or State funds.

8 The one house -- the taxes on one of these  
 9 houses will be double what the tax is on the 257 acres  
 10 as cow pasture. So it's gonna be a good tax incentive  
 11 for the County when you stop and think 1,000 times maybe  
 12 1,000.

13 So, any rate, the -- we're ready to go. This  
 14 isn't something that is imaginary, like I say again.

15 And so it is in the existing Project District.  
 16 Now, the Planning Department have met with the idea of  
 17 taking it out of this --

18 MS. PAREDES: One minute.

19 MR. SPENCER: -- Project District. And so --  
 20 but the history of that -- that it was put in 1998, the  
 21 Mayor, Lingle at that time, vetoed it, the Council  
 22 overrode her veto. So the project is now in the Urban  
 23 District.

24 So, again, any questions, I'll be glad to  
 25 answer 'em the best I can.

1 CHAIR HEDANI: Thank you very much,  
 2 Mr. Spencer.

3 One question. You're capable of handling the  
 4 -- the water development as well as the sewage treatment  
 5 of the project? And to what stage would the sewage  
 6 treatment be treated?

7 MR. SPENCER: Right now, we're dealing between  
 8 the 2-1 -- R-1 and R-2, and depending on where we have  
 9 to dispose of the water will make the difference. Now,  
 10 if we need the R-1, we will put the system in that will  
 11 take it to R-1.

12 But, again, like this latest -- the Mayor made  
 13 her comments that we were gonna do away with injection  
 14 wells. I don't -- you can't do it. I mean, the way the  
 15 systems are set up now, you're almost gonna have to have  
 16 one, at least for emergency. And so we have land that  
 17 we can take even the R-2 on.

18 And since the project will be a seven-year  
 19 project, we will take the effluent, we will keep the  
 20 maximum amount of acreage in pasture as long as we can.  
 21 Because we will start at one end. Prevailing winds blow  
 22 toward the Ocean Center, and so we will start, you know,  
 23 with -- the homes are protected. We're not blowing dust  
 24 into homes that we build them. But we -- we've  
 25 addressed everything as far as infrastructure.

1 CHAIR HEDANI: Water development?

2 MR. SPENCER: Water development. We have  
 3 three wells. And we just -- the previous tests show  
 4 that they produce 600-some-odd gallons each -- you know,  
 5 per day. And we just ran a test -- another future test.  
 6 This was done by the prior developer, which is the  
 7 Atherton Group. And just a week ago, we ran that and we  
 8 ran pretty close to 700,000 gallons with one of the  
 9 wells.

10 CHAIR HEDANI: Thank you.

11 Next person to testify is Mr. Douglas Lupton,  
 12 to be followed by Ed Thompson.

13 MR. LUPTON: Good morning, Chair Hedani,  
 14 Members of the Commission. My name is Douglas Lupton,  
 15 I'm a citizen of the State of Hawaii. I reside on Oahu.  
 16 I own a business on Maui, on Front Street. It's a  
 17 timeshare resale business. We make the secondary market  
 18 in timeshare. I'm also a timeshare owner.

19 I'm here, I guess, simply to -- to express my  
 20 amazement at the anti-timeshare sentiment that I pick up  
 21 so much lately. It's puzzling. Timeshare being, to me,  
 22 just about the most -- the most successful segment of  
 23 the tourism economy. People buy vacation residences.  
 24 They're fractional ownerships, but so what. They buy  
 25 them so they can come here, bring their families and

1 spend a lot of time. They come back without having to  
 2 be advertised for. And, yet, we seem to not want them  
 3 to be here. I don't understand that.

4 Recent tax increases on Maui have made my  
 5 business a lot more active, not necessarily in a  
 6 positive way. When the ownership of timeshare on an  
 7 annual basis exceeds the rental cost of a comparable  
 8 unit, it -- it no longer becomes viable. And at that  
 9 time the price has to go down. If the price goes down,  
 10 what we're doing is taking away the value of real estate  
 11 that people have invested in, in the state. It's truly  
 12 a taking. It's a destruction of property values.

13 Timeshare units aren't going back into  
 14 affordable housing. They're owned by many, many people.  
 15 Unwinding a timeshare project is impossible. What I  
 16 really worry about are the many older projects in the  
 17 state of Hawaii most of us don't know about. And if the  
 18 cost -- and they have many older owners, people who  
 19 bought them in the late seventies or early nineties  
 20 could be in their late sixties, seventies. These people  
 21 are just gonna kind of fade away.

22 If that association, many times, in a mixed  
 23 use condominium, where many of the condominiums are  
 24 wholly-owned and resided in by the residents, the  
 25 timeshare association goes bad or insolvent, it could

1 take down the entire condo association. These things, I  
 2 don't think, have been thought of or discussed or talked  
 3 by anybody, but this is not unreasonable.  
 4 MS. PAREDES: One minute.  
 5 MR. LUPTON: Within the last three weeks, I  
 6 had a major management entity call me. Their statement  
 7 was that normally a year they have 25 to 35 intervals  
 8 come up for foreclosure. They're anticipating right now  
 9 between 300 and 600 by the end of this year based on the  
 10 monthly delinquencies they're experiencing right now.  
 11 That's a disaster. And it's -- as costs are going up on  
 12 these islands for the ownership of this real estate,  
 13 we're running people out of their ownership. But,  
 14 remember, that it is real estate, they do have rights.  
 15 And we seem to be just forgetting that.  
 16 Thank you for the right to speak with you.  
 17 CHAIR HEDANI: Thank you very much, Mr.  
 18 Lupton. Next person to testify is Mr. Ed Thompson, to  
 19 be followed by John Duffy -- I'm sorry -- John Duey.  
 20 You gotta print more clear, John.  
 21 MR. DUEY: I know.  
 22 MR. THOMPSON: Good morning, Chair Hedani and  
 23 Members of the Planning Commission. My name is Ed  
 24 Thompson. Again, representing the American Resort  
 25 Development Association, the local chapter of the

1 National Timeshare Trade Association.  
 2 I just wanted to repeat our concerns again.  
 3 ARDA Hawaii is concerned with policy statements in the  
 4 Draft MIP proposing timeshare development and ownership.  
 5 In particular, Page 37, where it says, "Limit the  
 6 development of timeshares and discourage the conversion  
 7 of island hotel units to timeshare use." And Page 125,  
 8 "Discourage timeshares and fractional ownerships."  
 9 We open the Planning Commission will take into  
 10 account the opinions of many people in the community who  
 11 were not invited to give their input. For example, no  
 12 one from the visitor industry was invited to be part of  
 13 the GPAC when it was tasked with making recommendations  
 14 to the Maui Island Plan. The Planning Commission should  
 15 consider all sides when it comes to important issues  
 16 affecting growth, historic and cultural preservation,  
 17 land use and the industries that make our island  
 18 lifestyle viable and vibrant. Please focus on providing  
 19 a balanced roadmap for our Maui's people.  
 20 And in answer to, again, Mr. Shibuya's  
 21 question, from, I guess, two or three hearings ago, I  
 22 got some more statistics for you on employees at -- at  
 23 different timeshares. So Ritz-Carlton Club and  
 24 Residences at Kapalua Bay, they have 92 full-time  
 25 employees with no part-time employees. At the Marriott

1 Ocean -- Maui Ocean Club, with 459 rooms, they have 459  
 2 full-time employees, 27 of which are casual, meaning  
 3 that they work 30 hours or less. Okay?  
 4 That's -- that's my testimony. I'm available  
 5 for questions if you have any questions.  
 6 CHAIR HEDANI: Question from Commissioner U'u.  
 7 VICE-CHAIR U`U: Yeah, just a comment. I  
 8 think -- I do believe we voted to monitor the timeshare  
 9 ownership. If I not mistaken, that was one of the -- we  
 10 voted on it and it passed. However, the Director's  
 11 comment, I -- I think was to remain the same --  
 12 MR. THOMPSON: That's correct.  
 13 VICE-CHAIR U`U: -- as what we as a Commission  
 14 decided on.  
 15 MR. THOMPSON: And -- and thank you for that  
 16 -- that change -- your recommendation to make that  
 17 change.  
 18 VICE-CHAIR U`U: Thank you.  
 19 CHAIR HEDANI: Okay. Thank you very much.  
 20 Also, for your information, the Commission has  
 21 pretty much passed or reviewed all of the policy  
 22 statements already. We generally discourage chewing our  
 23 cud twice on the policies. So I would say keep your  
 24 powder dry. The next -- the next area to tackle that  
 25 would be at the County Council.

1 MR. THOMPSON: Okay.  
 2 CHAIR HEDANI: Thank you.  
 3 MR. THOMPSON: I would like to let people know  
 4 what our position is. Thank you.  
 5 CHAIR HEDANI: Mr. John Duey, to be followed  
 6 by Ryan Churchill.  
 7 MR. DUEY: Good morning, Chair Hedani. Duey,  
 8 John Duey, 40-year resident of Iao Valley. And good  
 9 morning, Commissioners, and Staff and the public.  
 10 I attended a Maui Native Hawaiian Chamber of  
 11 Commerce meeting in Wailea, I think it was last week.  
 12 And one of the panels was about planning. And  
 13 Mr. Hunt -- or Director, stated some projected figures.  
 14 I'm here to talk about water, as some of you  
 15 may know. The projected figures of growth in 2030 in  
 16 Central Maui is 4,851 units. The average use of water  
 17 in Central Maui is 616 gallons per day. That comes out  
 18 to 2.9 million gallons. South Maui projected growth is  
 19 1,900 units, at average of 2,000 gallons is three  
 20 thousand -- 3,800,000, that's 6.7 million.  
 21 Mr. Dick Mayer, who was on the GPAC, I believe  
 22 the Vice-Chair -- and there's three or four GPAC members  
 23 here today. I do want say about GPAC, I appreciate  
 24 those 25 people putting in three years of service to the  
 25 community, but without water, what are you gonna do?

1 Anyway, Mr. Mayer projected -- not projected, but said  
2 the entitlements already existing for Central Maui is  
3 8,600 units. This is through 2030. At the 616 gallons  
4 per day is five million gallons plus. South Maui is  
5 6,600 units, comes out to 13 million gallons. So our  
6 total, by 2030, at 25.2, 25,285,816 million [sic]  
7 gallons per day.

8 In the panel we had on water, Mr. Jeff Eng,  
9 who's the Water Director, stated that we are now pumping  
10 at a average use of about 25 million gallons a day  
11 today.

12 My question to you is, where we gonna get the  
13 other 25 million gallons of water? It's -- it's -- I  
14 don't know. I'm looking at -- you can go to the -- go  
15 to the DWS website, you can get the pumping figures.  
16 You can go to USGS website and get the rainfall figures.

17 MS. PAREDES: One minute.

18 MR. DUEY: Oh, my goodness. Anyway, USGS done  
19 a four-and-a-half-year study about the groundwater  
20 availability in Wailuku aquifer. They have concluded  
21 that the -- the Waihee Aquifer is gonna be reduced from  
22 eight million to three and-a-half million gallon. Iao  
23 would reduce from 20 to 19.14 million gallon, which has  
24 already been applied for. And Waikapu goes up from two  
25 to four and-a-half million gallons. So the usage used

1 over 600 people from the community participate in design  
2 workshops, debate, and educational presentations. And  
3 we can continue with outreach on our website,  
4 informational newsletters and monthly sponsored  
5 first-time homebuyer classes.

6 We have our approved EIS. Approved State Land  
7 Use Designation is Urban. The Planning Department has  
8 recommended approval to the Council. The Commission has  
9 recommended approval to the Maui County Council. And  
10 the County Council Land Use Committee has had three  
11 public hearings so far in this matter.

12 Pulelehua is perfectly situated equal distance  
13 between Kaanapali and Kapalua to provide affordable  
14 housing for island workers. The area is surrounded by  
15 urban development and close to existing infrastructure.

16 We've been discussing the appropriate  
17 locations for planned urban expansion during the Maui  
18 Island Plan. And Pulelehua clearly meets the goals.  
19 Pulelehua's plan is a whole community, a place to live,  
20 work and play. And the point is to create a community  
21 that is more than just another neighborhood; to provide  
22 a place to grow up, a place to retire, a place to come  
23 home to.

24 Residential opportunities are intended to  
25 provide for the full socioeconomic spectrum at

1 to be -- used to be 30 million gallon for the Wailuku  
2 Aquifer, Central Aquifer, which is Waihee, Iao and  
3 Waikapu now at 27.14 million gallon. So my question to  
4 you folks is where in the world you gonna get 25 million  
5 gallons in the next 30 years -- 21 years?

6 I hear there's a powder on the market. You  
7 drop it in the well and expand the water double, but I  
8 haven't seen it come out yet. So -- I -- I -- all this  
9 talk about development and building here and there is --  
10 I -- I don't know. Without water, what -- what are you  
11 gonna do?

12 CHAIR HEDANI: Thank you very much, John.

13 Next person to testify is Mr. Ryan Churchill,  
14 to be followed by Darri Heller.

15 MR. CHURCHILL: Good morning, Chair and  
16 Members of the Planning Commission. My name is Ryan  
17 Churchill with Maui Land & Pineapple Company, here to  
18 testify on Pulelehua.

19 The Pulelehua community has been in the  
20 planning process and in the minds of the Maui residents  
21 now for over five years. As planned today, the  
22 Pulelehua community is comprised of about 310 acres with  
23 single and multifamily residential dwellings, elementary  
24 school, parks, neighborhood-serving retail and  
25 commercial services, and civic buildings. We've had

1 Pulelehua. The school site will provide for over 600  
2 children from this new community as well as the  
3 surrounding area.

4 I know it's been discussed potentially to  
5 reduce the size of Pulelehua in an effort to balance  
6 demand and supply across the island or move development  
7 closer to Lahaina. This type of change may impact our  
8 ability to provide a complete community with the quality  
9 and amenities required to foster successful planned  
10 development. If the area of the project is limited, we  
11 stand to lose the critical mass needed to afford the  
12 amenity structure or the overall intent of the vision.

13 MS. PAREDES: One minutes.

14 MR. CHURCHILL: Pulelehua is well positioned  
15 to be included in its entirety in the Urban Growth  
16 Boundary. It's already designated Urban. It's been  
17 master planned by the community. It's perfectly located  
18 near the job market. It's adjacent to supporting  
19 infrastructure. There's a school that is already under  
20 design by DOE. And the project is nearly entitled.

21 Pulelehua is ready to bring affordable homes  
22 to the working families of Maui. It's a community that  
23 meets the criteria of the Maui Island Plan by not  
24 creating sprawl, by creating a well-planned compact  
25 neighborhood near existing infrastructure, and creating

1 opportunities for education, and reducing travel time  
2 for -- to local jobs.

3 We request that you include the entire  
4 property as planned in the Maui Island Plan Urban Growth  
5 Boundary. Thank you.

6 CHAIR HEDANI: Thank you very much,  
7 Mr. Churchill.

8 Question from Commissioner Shibuya.

9 COMMISSIONER SHIBUYA: Mr. Churchill, being a  
10 member of the -- I guess, a director of the Maui Land &  
11 Pine, land is actually the first priority, and pineapple  
12 is the second, is that true?

13 MR. CHURCHILL: No, I don't think that's true.  
14 I think the -- when you look at the history and legacy  
15 of the company, you know, we've been operating as a  
16 pineapple business for over 100 years, and doing  
17 everything we can to keep that vision alive with the  
18 company. I think that the pineapple business has had  
19 considerable losses over the last 10 years, and  
20 continues to have considerable losses. And we're doing  
21 everything we can to keep that part of the company going  
22 and keep pineapple here on Maui. And that's very  
23 important to us.

24 COMMISSIONER SHIBUYA: But at the same time,  
25 you're moving ahead at accelerated rate in developing

1 And, you know, I think there's a -- a local team in  
2 control now in trying to bring back more of the  
3 community interest there. But we're still a very large  
4 employer on the island, still involved in agriculture,  
5 both in West Maui and Upcountry, and, you know, have  
6 diversified in the land and resort business.

7 CHAIR HEDANI: Question from Commissioner  
8 Hiranaga.

9 COMMISSIONER HIRANAGA: Ryan, do you have any  
10 specific comments regarding the Department's revised  
11 proposal to reduce the acreage of your project? I guess  
12 there are concerns about proximity to the airport. Do  
13 you have any specific comments about the airport being  
14 so close to the project?

15 MR. CHURCHILL: Yeah. I think, you know, as  
16 part of our plans for the project, we've always had a  
17 buffer zone around the airport, and have worked with  
18 DOT, FAA to meet all the standards, and have continued  
19 that buffer zone. And within there, we've had some of  
20 the commercial services. So as you transition from  
21 housing, getting closer to the airport, there -- you  
22 know, you get to more commercial type uses. And one  
23 that -- I think the important thing to remember, it's a  
24 very limited use airport. No night flights, no  
25 overnight parking an aircraft, no rent-a-car agencies at

1 lands in Haliimaile. Is it true that you people have  
2 intentions of not farming those lands in Haliimaile?

3 MR. CHURCHILL: No. I think the intent is to  
4 come up with a balance. And we look at our Haliimaile  
5 lands, the plans we have there is that 20-30 year type  
6 planning area. You know, by the time you get through  
7 the process and get there all the Change in Zoning,  
8 we're looking at 10 years before you even get started  
9 there. So it's really planning an entire community.

10 And -- and it's part of that community that we've  
11 created a -- we're willing to dedicate in perpetuity all  
12 the ag land surrounding our 350-acre project there. So  
13 ag's an important part of the company and it's important  
14 both Upcountry and in our West Maui lands.

15 COMMISSIONER SHIBUYA: I have an affinity for  
16 Land & Pine. Mr. Cameron was very much a leader who had  
17 the community's interest at heart. And when I left  
18 here, he was in charge. And when I came back, after 32  
19 years, I see a new direction. And it's less community  
20 interest by the company. And I would hope that -- in  
21 the future, that more consideration for the people and  
22 the community of Maui would be emphasized there.

23 MR. CHURCHILL: I appreciate your comments.  
24 And the company has gone through a lot of turbulence in  
25 the -- in the past five years with different changes.

1 the airport, no helicopters, no jets. You know, there's  
2 something like an average of 13 flights a day going in  
3 and out of there. I think six of those are FedEx,  
4 bringing their deliveries in. So it's a very limited  
5 use airport and I don't think will have much impact in  
6 the community.

7 CHAIR HEDANI: Commissioner Hiranaga.

8 COMMISSIONER HIRANAGA: On your proposed  
9 project design, can you estimate how close the nearest  
10 residential unit might be to the airport, approximately?

11 MR. CHURCHILL: Hold on. I don't have the  
12 exact figures with me here, but it's -- you know, you're  
13 probably looking -- from the -- from the runway strip,  
14 you know, it's probably a good 700 to 1,000 feet from  
15 the airport.

16 COMMISSIONER HIRANAGA: Okay. Thank you.

17 CHAIR HEDANI: Thank you very much,  
18 Mr. Churchill.

19 Next person to testify is Mr. Darri Heller, to  
20 be followed by Lesley Ann Bruce.

21 MS. HELLER: It's Ms. Darri Heller.

22 CHAIR HEDANI: I apologize.

23 MS. HELLER: That's okay.

24 I've lived here for 25 years. And I'm here as  
25 an advocate to the senior community -- for the senior



1 community, which is growing by leaps and bounds in Maui.  
 2 With the tsunami of baby boomers coming, and it's  
 3 projected that 68 percent of us are gonna be 65 years  
 4 old in about -- over a period of 25 years. So I belong  
 5 to a -- belong to something called Aging with Aloha  
 6 Coalition. And we're funded by the County of Maui with  
 7 grants to look at how to -- how to meet the needs of the  
 8 growing senior community in Maui.

9 We have found that one -- two things that  
 10 really support the community is to live in community, to  
 11 live -- for the seniors is to live in community and to  
 12 age in place, which means that you don't have to go  
 13 bouncing around every time something goes wrong with  
 14 you. You can stay in your own home, or in homes that  
 15 are provided to you, that support you and give you -- or  
 16 if you have special needs, can support those needs.

17 I think there's one place in Maui that I know  
 18 of, which is Hale Mahaolu, which you have to have less  
 19 than \$30,000 to live in. And I think there are years  
 20 waiting list to get in there.

21 So what is gonna happen to the rest of us?  
 22 There's nothing that I know of that has been planned to  
 23 -- to meet that need. I have -- there is a -- one plan  
 24 called Piiholo South, which is in Makawao -- near  
 25 Makawao. And I think they're gonna have about 200 units

1 that are going to be built for the senior community.  
 2 It's retirement home --

3 MS. PAREDES: One minute.

4 MS. HELLER: -- that will take care of both of  
 5 those needs that we came up with, and Aging with Aloha,  
 6 which is living in community, having people around you  
 7 that can support you as well as having ways to meet  
 8 special needs for people who are aging. So you can stay  
 9 there, aging in place.

10 I really implore you to -- to look at this  
 11 seriously and add this plan to the General -- the  
 12 General Plan.

13 Thank you so much.

14 CHAIR HEDANI: Thank you very much, Darri.

15 Next person to testify is Lesley Ann Bruce, to  
 16 be followed by Bryan Fung.

17 MS. BRUCE: Good morning, Mr. Chair and the  
 18 Commissioners. My name is Lesley Ann Bruce.

19 In your consideration of maps today, please  
 20 consider the regional transportation network. The  
 21 transportation corridors proposed by the General Plan  
 22 Advisory Committee include bikeways, pedestrian  
 23 walkways, hikers' trails, equestrian paths, and magnetic  
 24 levitation trains powered by wind and sun.

25 Thank you.

1 CHAIR HEDANI: Thank you very much, Lesley  
 2 Ann.

3 Bryan Fung -- Commissioner Mardfin.

4 COMMISSIONER MARDFIN: Lesley, can I ask you a  
 5 quick question? You asked us to consider those things,  
 6 but we're dealing with Urban and Rural Growth  
 7 Boundaries. What are you suggesting, that we --

8 MS. BRUCE: I am suggesting that some of these  
 9 boundaries conflict. And you need to consider where the  
 10 corridors would fit on top of these other things.

11 COMMISSIONER MARDFIN: Thank you.

12 CHAIR HEDANI: Thank you very much. Okay. I  
 13 may be screwing up this pronunciation. Bryan Fung or  
 14 Funa. I pronounce how you spells. Howard Hanzawa, to  
 15 be followed by Irene Bowie.

16 MR. HANZAWA: Good morning, Commissioners,  
 17 Staff. I'm here today to speak about the recent  
 18 proposal to cut off portions of various projects in Maui  
 19 County. I believe that it will affect the viability of  
 20 some of the master planned projects. For example, for  
 21 projects in Kaanapali, Kaanapali 2020 and Wainee, some  
 22 of the important features which the community have  
 23 expressed strong interest in to be incorporated in these  
 24 projects will be cut off. Such as recently a cemetery,  
 25 a transit station, tennis facility, parks, and so forth.

1 Also, the viability of pedestrian walkways and bike  
 2 paths will not -- will be affected if a portion of the  
 3 project is cut off. So I -- I ask that you think about  
 4 that because it really would have a big impact on these  
 5 projects.

6 Also, from the engineering standpoint, you  
 7 cannot have a loop of road if half of the project is cut  
 8 off. Some of the water systems require looping within  
 9 the project area. And, of course, that will be  
 10 affected, also.

11 So please think about that in your future  
 12 deliberations. Thank you very much.

13 CHAIR HEDANI: Question from Commissioner  
 14 Starr.

15 COMMISSIONER STARR: Yeah. Mr. Hanzawa, how  
 16 long has Kaanapali 2020 been going through public  
 17 process? And -- and how much public input have you  
 18 gotten on it?

19 MR. HANZAWA: It started in -- this is 2009.  
 20 It started 10 years ago, in -- in 1999. We have monthly  
 21 meetings with many interested members of the public.  
 22 We've been concentrating most recently on Kaanapali  
 23 2020, in which a small portion of it has been entitled  
 24 to have a West Maui hospital. That has led to further  
 25 discussions about other needs in the -- the medical

1 industry, which the project plan has incorporated. So,  
2 you know, just putting an arbitrary line through a  
3 project such as that kind of master-planned community  
4 will have a big impact upon such a project.

5 CHAIR HEDANI: Howard, I have one question.

6 MR. HANZAWA: Yes.

7 CHAIR HEDANI: Recently, you know, I've read  
8 in the news about discussions going on over injection  
9 wells --

10 MR. HANZAWA: Yes.

11 CHAIR HEDANI: -- tied to the sewage treatment  
12 plants. From my perspective, anything that could solve  
13 the problem of injection wells relative to the Lahaina  
14 Wastewater Treatment Plant will involve surrounding  
15 lands.

16 MR. HANZAWA: That's correct.

17 CHAIR HEDANI: Most of those lands would  
18 involve Kaanapali Land Corp is my -- is my opinion.

19 MR. HANZAWA: That's right.

20 CHAIR HEDANI: Do you foresee a solution --  
21 say if they were to require the abandonment of injection  
22 wells, do you foresee a solution for that for future --  
23 in terms of future development and how you would handle  
24 waste treatment?

25 MR. HANZAWA: Yes. In fact, we've had about a

1 half dozen meetings, which started about a year  
2 and-a-half ago, in -- and invited many of the adjoining  
3 landowners, including the condos and hotels, you know,  
4 to these meetings. And -- and the County of Maui, also,  
5 was there at the meetings. Many of the landowners,  
6 including ourselves, would really welcome the further  
7 cleanup of the water that's going into the injection  
8 wells now so that that water could be used for  
9 irrigation purposes. Unfortunately, after about four  
10 meetings, the County said that they could not further  
11 attend these meetings because they did not have the  
12 funds available to put in UV channels and the  
13 infrastructure to clean up the water that's being  
14 injected now.

15 I have provided testimony to the EPA that if a  
16 solution could be found to stop injection and to clean  
17 up those waters, there are many property owners,  
18 including ourselves, that could use that irrigation  
19 water. We -- we could use that irrigation water for  
20 parks, open areas, within the developments.

21 CHAIR HEDANI: Thank you.

22 Director Hunt.

23 MR. HUNT: Howard, thanks for your comments.

24 The Staff's been struggling with this very  
25 issue, whether we can slice a project and -- and how it

1 affects the viability of those projects. One of the  
2 arguments that Staff has wrestled with is perhaps we  
3 could phase these projects. So we're not saying "no" in  
4 the long run; it's just that we're saying "no" right  
5 now. And roads can -- roads can be allowed outside of  
6 an Urban Growth Boundary. And perhaps the next  
7 go-around, 10 years from now or whatever, then we could  
8 add the critical mass that would provide for schools and  
9 the commercial cores that some of these mixed use  
10 projects are calling for. Can you -- do you want  
11 comments on that or elaborate? This is a pretty  
12 critical issue.

13 MR. HANZAWA: Yeah. I believe that you're  
14 right, Director Hunt, that -- my -- my suggestion is to  
15 have the community be involved in choices in what areas  
16 and what facilities will be incorporated in these  
17 phases, if we are gonna be talking about phases. And we  
18 -- you know, it's gonna come down to economics, too.  
19 Because, frankly, there are facilities that need to be  
20 subsidized by other portions of the project areas. So  
21 -- such as the walking paths, bike paths, parks, things  
22 that need to be subsidized. And if we just arbitrarily  
23 cut off portions of this projects, it may -- it will  
24 affect the feasibility, actually, and the viability of  
25 the overall -- overall project. So I would say let's

1 keep the community involved in future decisions on these  
2 projects.

3 CHAIR HEDANI: Thank you very much.

4 MR. HANZAWA: Thank you.

5 CHAIR HEDANI: Next person to testify is  
6 Mr. Irene Bowie.

7 COMMISSIONER MARDFIN: Chairman?

8 CHAIR HEDANI: I'm sorry. Question from  
9 Commissioner Mardfin. Howard, sorry.

10 MR. HANZAWA: Yes.

11 COMMISSIONER MARDFIN: I'm a little troubled  
12 by some of the things you just said. You said the  
13 County of Maui didn't -- didn't want to go further with  
14 the water because they didn't have the money to do it.  
15 And it sounds like the landowners aren't willing to step  
16 up and help in that. You said that you're talking about  
17 pathways and stuff where you wanted subsidiary from the  
18 County. It sounds like they're not stepping up to that.  
19 I'm just wondering how much the landowners will do to  
20 make a project go in terms -- or does it only go if you  
21 get a subsidiary from the taxpayers of this County?

22 MR. HANZAWA: No. I did not say anything  
23 about subsidies. There are landowners, including  
24 ourselves, that would be willing to contribute to the  
25 cleanup of the waters and to the use of those waters.

1 The problem, if there is a problem, is that many -- many  
2 projects -- or some of the projects have different  
3 timeframes, such as the projects across the street from  
4 the wastewater treatment plant, Hono Kai and the Westin,  
5 could use those waters almost immediately. And they're  
6 willing to sub -- or pay for a portion of the  
7 infrastructure, almost immediately, too. There are some  
8 -- some of the hotels that could use the water now, the  
9 existing hotels, and they could pay a portion. Other  
10 projects, you know, which have a longer term timeframe  
11 need to generate some income before they contribute.  
12 But those projects could contribute, you know, on the  
13 expansion of the distribution system at that time. So  
14 it's a matter of timing.

15 COMMISSIONER MARDFIN: Thank you.

16 CHAIR HEDANI: Thank you very much.

17 Irene Bowie, to be followed by Mike  
18 Duberstein.

19 MS. BOWIE: Aloha, Chair and Commissioners.  
20 My name is Irene Bowie. I'm with Maui Tomorrow  
21 Foundation.

22 One of the 10 principles of smart growth is to  
23 strengthen and direct development towards existing  
24 communities by taking advantage of infill and  
25 redevelopment opportunities. This principle makes sense

1 and fosters distinctive attractive communities with a  
2 strong sense of place. It is included in GPAC's Guiding  
3 Land Use Principles which came from countless public  
4 outreach events, community workshops and public  
5 testimony.

6 Last spring's Interfaith Housing Summit also  
7 asks for development to be contained within the Urban  
8 Growth Boundaries.

9 Peter Calthorpe, in The Next American  
10 Metropolis, states, "New towns should only be planned if  
11 a region's growth is too large to be directed into  
12 infill and adjacent new growth areas." Our island is  
13 clearly not there yet. We have many opportunities for  
14 the development of affordable housing in infill areas  
15 throughout Central, South and West Maui.

16 Studies show that housing and sprawling  
17 neighborhoods is an added burden to low-income families.  
18 People at the poverty level pay nearly 40 cents of every  
19 dollar they earn for transportation. Sprawl also leads  
20 to more pollution and health problems, and, as  
21 Mr. Morris mentioned earlier, is a contributing factor  
22 in the country's rising rates of obesity.

23 Smart growth puts the needs of existing  
24 communities first by guiding development to already  
25 built-up areas, money for investment and public services

1 can go to the communities where people live today.

2 Opening up green space to new development has  
3 the opposite effect, leading to higher taxes for all as  
4 communities bear the costs of new schools, roads, sewer  
5 lines and water supplies to outlying areas.

6 Our Long Range Planning department has clearly  
7 shown this Commission how infill and revitalization are  
8 being used successfully throughout the country. It is  
9 now your charge to promote sustainable economic  
10 development for Maui. The effective and efficient use  
11 of land, money and resources must be reflected in Maui  
12 County's housing policies.

13 MS. PAREDES: One minute.

14 MS. BOWIE: Rather than allowing  
15 developer-initiated piecemeal development, our leaders  
16 must take charge of the planning process and hold to the  
17 Maui Island Plan's Urban Growth Boundaries in deciding  
18 where new growth takes place.

19 It is a fallacy to create adherence to the  
20 Urban Growth Boundaries with the loss of construction  
21 jobs. By concentrating on infill and revitalization, we  
22 can keep our union members working while also providing  
23 the affordable housing that our community so desperately  
24 needs.

25 Maui Tomorrow Foundation asks you once more to

1 vote in favor of the Planning Director's recommended  
2 Urban Growth Boundaries and the enforceable language  
3 needed for our 2030 Plan to move our community forward  
4 towards a sustainable and socially equitable future.

5 Thank you.

6 CHAIR HEDANI: Thank you very much.  
7 Question from Commissioner Mardfin.

8 COMMISSIONER MARDFIN: You -- you just said  
9 you wanna support the Director's recommendation. Is  
10 that all the recommendations?

11 MS. BOWIE: Yes.

12 COMMISSIONER MARDFIN: Including South Kihei?

13 MS. BOWIE: Yes, we do. We support those  
14 Urban Growth Boundaries for the whole island.

15 COMMISSIONER MARDFIN: Thank you.

16 CHAIR HEDANI: Thank you very much.  
17 Mike Duberstein, to be followed by Mark  
18 Hodges.

19 MR. DUBERSTEIN: Aloha kakou. I'm Michael J.  
20 Duberstein, 34 Iliwai Loop, in Kihei.

21 For 25 years, before I retired in 2005, I  
22 served as lead economist and director of research for a  
23 national union. I have followed the progress of this  
24 plan since participating in the Focus Maui exercises.  
25 And I've appreciated the opportunity to testify before

1 GPAC and the Commission on a number of occasions.  
 2 Nobody in Maui County is not concerned about  
 3 the current plight of our workforce, especially those  
 4 unions brothers and sisters now on the bench in  
 5 unprecedented numbers. Every one of us should do all we  
 6 can to promote policies and conditions leading to the  
 7 restoration of jobs with fair wages and good benefits.  
 8 However, in doing so, you should not abandon guidelines  
 9 and decisions evolved over many years leading up to this  
 10 next crucial step in developing long-term contingencies  
 11 for the upcoming 20 years.  
 12 Now, remember, less than a year ago, the  
 13 Council Chambers were jammed with workers expecting that  
 14 decisions pertaining to prominent South Maui  
 15 developments would lead to a flood of new jobs.  
 16 Developers promised pie in the eye [sic], and they  
 17 received extremely favorable decisions. Yet, to  
 18 everyone's sorrow, those jobs remain invisible. And  
 19 based on continuing financial scarcity, capital  
 20 necessary to create those jobs isn't on the horizon.  
 21 That fact, nonetheless, hasn't stopped the  
 22 developers from appearing before you on a continuous  
 23 basis requesting you to relax or severely modify a very  
 24 special aspect of this plan, the UGBs.  
 25 MS. PAREDES: One minute.

1 MR. DUBERSTEIN: Don't overextend the UGB.  
 2 Making such changes will not produce even one more job,  
 3 but they will endanger the backbone of the plan.  
 4 And there's a clear, obvious alternative to  
 5 the rape of the plan. And that choice is a very simple  
 6 one, one which won't create unnecessary strains on  
 7 Maui's already overstressed infrastructure. And it's a  
 8 one-word answer: Infill.  
 9 Indeed, using analysis prepared by GPAC's  
 10 Vice-Chair, Dick Mayer, there is no rational factor for  
 11 making even one small change in the UGBs because, even  
 12 with the current financial scarcity, normal trends would  
 13 more than meet the plan's long-term objectives.  
 14 Thank you.  
 15 CHAIR HEDANI: Thank you very much,  
 16 Mr. Duberstein.  
 17 Question from Commissioner Shibuya.  
 18 COMMISSIONER SHIBUYA: Mr. Duberstein, how  
 19 would you encourage or get accelerated developments  
 20 actually being constructed? There are several that have  
 21 already been approved, but not developed.  
 22 MR. DUBERSTEIN: You mean of the South Maui  
 23 developments?  
 24 COMMISSIONER SHIBUYA: Anywhere.  
 25 MR. DUBERSTEIN: Anywhere? Infill. I mean,

1 you're planning development. Planning Staff has  
 2 conducted an exhaustive survey of infill possibilities  
 3 for the entire County. And there -- and there --  
 4 Commissioner, just one thing, there is no difference in  
 5 a job on an infill site than there is on some site way  
 6 down the road.  
 7 COMMISSIONER SHIBUYA: I applaud your  
 8 enthusiasm. However, you're not answering my question.  
 9 How do you encourage developments to actually be  
 10 implemented? How do you accelerate whatever has been  
 11 approved? Because many of these projects have been  
 12 approved.  
 13 MR. DUBERSTEIN: However, they also need to  
 14 continue the special permit plans to get -- to get  
 15 requests approved through the normal process. Are you  
 16 saying that because they have gotten certain okays that  
 17 they should be given the go-ahead to start without the  
 18 next steps even in planning approved?  
 19 CHAIR HEDANI: Thank you very much,  
 20 Mr. Duberstein.  
 21 Next person to testify is Marc Hodges, to be  
 22 followed by Randy Ragon.  
 23 MR. HODGES: Good morning, Commissioners.  
 24 I'll be very brief.  
 25 I wanna offer an alternative vision to that

1 presented by Maui Tomorrow. Some may be familiar with  
 2 my background, marine biologist and wildlife biologist  
 3 for many years. I was the marine resource manager for  
 4 DLNR for four. I'm familiar with environmental issues  
 5 here on Maui. Born and raised here in Hawaii, been on  
 6 Maui since 1971.  
 7 I think we should be cognizant of the  
 8 financial situation on the mainland and around the  
 9 world. We're looking at massive tax increases from the  
 10 Federal Government, we're looking at big increases in  
 11 health care costs, and we're looking at a decline in  
 12 economy worldwide. All of that is going to mean there  
 13 is a smaller pool of visitors available for our island.  
 14 We need to be responsive to that. We need to be  
 15 lowering the barriers to economic development. We need  
 16 to make it easier to provide jobs. And I applaud you  
 17 for taking that position.  
 18 I support the Olowalu Town project and  
 19 Pulelehua, also, because I don't agree with the infill  
 20 model. Humans are not to be packed into tight urban  
 21 areas with all green space left open as a museum. It is  
 22 appropriate to have small, self-contained communities in  
 23 places like Olowalu and Pulelehua. It's very  
 24 appropriate.  
 25 So I just wanna touch on a couple other points

1 very quickly.  
 2 There's a lot of people out of work right now.  
 3 And, you know, we've been through a heyday for several  
 4 decades here in Maui of being able to slow things down  
 5 and cherry-pick the best projects. Some of these  
 6 projects won't have capital. We need to keep the  
 7 options open and get as many projects as we can that are  
 8 appropriate and have been well planned on the table and  
 9 available in the plan so we don't foreclose future  
 10 options should some developers fall out of the picture  
 11 and not have capital to move forward.

12 And that's part of the answer to Mr. Shibuya's  
 13 question. Put the options on the table, don't remove  
 14 the option at this point. We have to consider people's  
 15 jobs first.

16 And I don't mean that lightly. I've always  
 17 had a long history of being concerned about the  
 18 environment and standing up for it.

19 MS. PAREDES: One minute.

20 MR. HODGES: Especially these communities that  
 21 are providing their own infrastructure. So what this  
 22 Commission can do to reduce government regulation and  
 23 help to reduce taxes and reduce restrictions to economic  
 24 development I would certainly encourage you to do so.

25 Very quickly about the Olowalu Town project.

1 I know that some people have brought up the reef  
 2 concern. I think that's a red herring in the way it's  
 3 being presented. Impact to the reef can be mitigated.  
 4 And I hope you'll leave that project on the table so we  
 5 can get to a detailed discussion how best to mitigate  
 6 that.

7 Thank you.

8 CHAIR HEDANI: Thank you very much,  
 9 Mr. Hodges.

10 Next person to testify is Randy Ragon, to be  
 11 followed by Hermine Harman.

12 MR. RAGON: My name is Randy Ragan. I am a  
 13 resident of Olowalu and the current President of Olowalu  
 14 Mauka Homeowners Association.

15 Throughout this process our community has  
 16 testified against the inclusion of Olowalu in the 2030  
 17 plan based on our experience over several years with the  
 18 development group, which also includes Frampton and  
 19 Ward. Our health, safety and welfare, as well as our  
 20 environment, have been put at risk because the developer  
 21 has not complied with the SMA Permit conditions and the  
 22 government has not enforced against them.

23 I want to draw your attention to a national  
 24 story which I gave you in the handouts, on the second  
 25 page, that just recently broke where the Federal

1 Government fined Pfizer, Inc., the world's largest  
 2 drugmaker and repeating corporate cheat, a  
 3 record-breaking \$2.3 billion for -- for illegal drug  
 4 promotions that plied doctors with free golf, massages  
 5 and resort junkets.

6 Officials said that the industry has paid out  
 7 over \$11 billion in settlements over the past decade,  
 8 noting that the industry had a mentality that said  
 9 settlements are the costs of doing business and -- I  
 10 quote -- "we can cheat," despite overwhelming evidence  
 11 that their actions were putting the public's health and  
 12 safety at substantial risk. I bring this up because  
 13 this is exactly the same mentality that Peter Martin,  
 14 Martin's group, and Frampton and Ward have taken with  
 15 Olowalu. The GPAC Voting Committee was full of their  
 16 cronies that were promised personal gain in exchange for  
 17 their vote.

18 Over the years, Martin's group have paid fines  
 19 for digging coral out of the ocean, paid fines for  
 20 digging without permits, and paid fines for holding  
 21 events for profit on their beachfront property without  
 22 permits. Over 10 years have passed, and there are still  
 23 no highway improvement, no greenbelts, substandard roads  
 24 and fire roads, water problems, overgrown burial sites,  
 25 and eroding cultural sites, et cetera, et cetera, et

1 cetera. We've had four fires resulting in the loss of a  
 2 local family's home, and several accidents and two  
 3 deaths on the highway in front of our subdivision.

4 If we cannot get the government to enforce the  
 5 permit conditions, our homeowners and the general public  
 6 will have to pay millions to complete the subdivision --

7 MS. PAREDES: One minute.

8 MR. RAGON: -- as well as face daily liability  
 9 issues.

10 As this community prepares to vote on Olowalu,  
 11 I encourage to follow the example set by our Federal  
 12 Government. You, basically, have a template in front of  
 13 you. Start by saying no to any further irresponsible  
 14 development. Follow up by imposing maximum fines  
 15 against the development group, which, by law, could be  
 16 in the millions. And put this money back into the  
 17 County's shortfall. Rein in the abuses by monitoring  
 18 the developer and the government departments, and create  
 19 jobs by forcing a bond in completion of their projects.

20 Take this opportunity today, in such a  
 21 historical environmentally sensitive place as Olowalu,  
 22 to finally show the citizens of Maui that the old days  
 23 of government corruption and nepotism are gone and that  
 24 we are really heading into a new era as we plan for the  
 25 future of Maui.

1 Do we really want one more year of exposure on  
2 this subject in front of the County Council, and, also,  
3 in front of public eye?

4 I just wanna make one other comment. The last  
5 gentleman that testified about jobs. I think lives are  
6 more important than jobs. And we're losing lives in  
7 Olowalu because of what's happened there.

8 CHAIR HEDANI: Thank you very much, Mr. Ragon.

9 COMMISSIONER HIRANAGA: Question.

10 CHAIR HEDANI: Question from Commissioner  
11 Hiranaga.

12 COMMISSIONER HIRANAGA: Mr. Ragon, you've come  
13 before us several times with very passionate testimony.  
14 I'm just curious, how long have you been a landowner in  
15 Olowalu?

16 MR. RAGON: I was the first one up there at --  
17 since the beginning of the subdivision, which I believe  
18 is about five or six years.

19 COMMISSIONER HIRANAGA: Okay. And I guess  
20 this is more of a question for the Director. Are you  
21 familiar with the alleged SMA Permit Condition  
22 violations that he's addressing?

23 MR. HUNT: Not intimately, but I'm aware of  
24 his allegations, yes.

25 COMMISSIONER HIRANAGA: So the Department is

1 investigating.

2 MR. HUNT: Yes. That's a good way to put it.

3 COMMISSIONER HIRANAGA: All right. Thank you.  
4 Thank you.

5 MR. RAGON: Thank you.

6 CHAIR HEDANI: Hermine Harman, to be followed  
7 by Elle Cochran.

8 MS. HARMAN: Good morning. My name is Hermine  
9 Harman. And I'm a retired medical social worker who  
10 specialized in hospice. I'm also a member of the hui  
11 that owns Piiholo South as well as the former chair of  
12 the home and community-based services committee of the  
13 Maui County Health Initiative Task Force, which is a lot  
14 of words to get out.

15 Our cumulative report, representing many  
16 hundreds of hours of research and testimony, resulted in  
17 various recommendations to the County and the State  
18 Legislature. And was delivered in January 2008. Our  
19 third recommendation from the entire task force is to  
20 add home and community-based services to enable kupuna  
21 and people with disabilities to remain in their homes or  
22 home-like settings which result in cost savings and  
23 happier lives. More home care programs must be funded  
24 and residential care facilities built as an alternative  
25 to traditional nursing homes.

1 In our Home and Community-Based Services  
2 Committee, our second priority, aging in place, which  
3 was addressed by a former speaker, at home or in  
4 home-like settings is a national consumer-driven trend.  
5 Alternative care services prolong independence in the  
6 community, decreased institutionalization and lower  
7 health care costs. There's a tremendous unmet need for  
8 these long-term care services on Maui. Numerous service  
9 programs are underfunded with long wait lists.

10 Given the State of Hawaii statistic that there  
11 will be 78 percent growth of the over 65 age population  
12 over the next 20 years, there's a glaring lack of senior  
13 communities, facilities and assisted living centers for  
14 all these kupuna. I have been working in this area for  
15 many years and had serious conversations with Zach  
16 Franks about how we might utilize a parcel of our land  
17 to address this growing tsunami of aging problem in  
18 Maui.

19 I personally know a couple, Natalie and John  
20 Tyler, and another elder, who are moving to the mainland  
21 after more than 25 years residency here because there's  
22 no place for them to age gracefully and safely in  
23 community. Hale Mahaolu has waiting lists of hundreds  
24 of people for all their facilities around the island.

25 Piiholo South wants to utilize 60 acres --

1 MS. PAREDES: One minute.

2 MS. HARMAN: -- offering 190 to 200 units, 100  
3 percent of it devoted to senior house. The sense of  
4 ohana is what people are looking for and what this  
5 project would provide.

6 Although my home is on one level, my friends  
7 are not in proximity, I have no one who could assist me  
8 if I had a problem, or my husband. I have no interest  
9 in moving back to the mainland. I've been a homeowner  
10 here for over 15 years and wanna remain here.

11 Most people do not have homes that could be  
12 adaptable for aging in place, nor the ohana to live in  
13 proximity. It is time for Maui County to approve  
14 projects like this one and begin to establish them  
15 island-wide so that we do not force our seniors to move  
16 to the mainland or Oahu, which has more intentional  
17 communities.

18 Thank you for allowing me to testify.

19 CHAIR HEDANI: Thank you very much, Hermine.

20 Next person to testify is Elle Cochran, to be  
21 followed by Rene Umberger.

22 MS. COCHRAN: Aloha. Good morning,  
23 Commissioners and Staff. My name's Elle Cochran on  
24 behalf of Maui Unite.

25 I wanna take you back to the classroom when we

1 used to grade -- be graded, you know, with the A, B, C,  
2 D, F system. And go to the South Maui projects and give  
3 you what we've come up with the grading there.

4 So for North Kihei Residential, we gave 'em a  
5 C minus; North Kihei Mixed Use, C minus; Kihei Mauka, C  
6 minus; and Kihei Infill, the highest grade at a C plus.  
7 And I'll break down the explanations of -- of what this  
8 means.

9 North Kihei Residential: The proposal is to  
10 build approximately 600 units on 100 acres. Development  
11 of this site would convert good farmland to urban uses.  
12 And a notation, this site is within the recommended UGB.

13 Next one, North Kihei Mixed Use: The proposal  
14 is to build approximately 1,700 units on 260 acres.  
15 Development of this site would convert good farmland to  
16 urban uses, also. This site is not within the  
17 recommended UGB.

18 Kihei Mauka: The proposal is to build  
19 approximately 1,500 units on 651 acres. Development of  
20 this site would, again, convert good farmland to urban  
21 uses. Part of this site is within the UGB.

22 The Kihei Infill: The Planning Department's  
23 presentation to the Planning Commission regarding infill  
24 indicated that approximately 1,208 units could be built  
25 on 67 acres. None of these development areas would

1 reefs, coral reefs, in all of your decisions. Healthy  
2 coral reefs are imperative to the socioeconomic  
3 well-being of Hawaii's residents.

4 This first slide is showing you some of the  
5 benefits that are provided, including economic,  
6 educational, social, recreational, cultural and  
7 spiritual, physical, it provides protection in food,  
8 biological, ecological. And that it's there for future  
9 generations.

10 Next slide, please.

11 According to a 2005 policy report in the  
12 Journal of Science -- I've provided a copy of that  
13 report to all of you today -- that report our U.S. reefs  
14 on the slippery slope to slime. 11 coral reef experts  
15 reported that Hawaii's reefs are 59 percent on their way  
16 to ecological extinction. They are more degraded than  
17 reefs in the Florida Keys, Cayman Islands, Bermuda,  
18 Belize, North Red Sea, South Red Sea, Torres Strait,  
19 Inner Great Barrier Reef, Northwest Hawaiian Islands,  
20 and the Outer Great Barrier Reef.

21 Next slide, please.

22 Further, the report says that the history of  
23 degradation reveals that several steps need to be taken.  
24 Scientists -- and I've added policymakers -- should stop  
25 arguing about the relative importance of different

1 impact good farmland. All these areas are within the  
2 recommended Urban Growth Boundaries. All four of the  
3 development alternates in this analysis have four  
4 factors in common. Each project is expected to barely  
5 comply with the County's affordable housing requirement.  
6 Each would add students to existing schools --

7 MS. PAREDES: One minute.

8 MS. COCHRAN: -- that lack additional  
9 capacity. Each would add traffic to the roads that lack  
10 additional capacity. And each would tap into a  
11 questionable water supply system.

12 And that's our grading criteria for South Maui  
13 projects. Mahalo.

14 CHAIR HEDANI: Thank you very much, Elle.

15 Next person to testify is Rene Umberger, to be  
16 followed by Karlynn Fukuda.

17 MS. UMBERGER: Hi, I have a brief PowerPoint  
18 presentation that I've brought.

19 I don't know if you could bring that up.

20 While he's getting that ready, I'll just start.

21 Good morning, Chair Hedani and Commissioners  
22 and Staff. My name's Rene Umberger. I'm here  
23 representing the Maui Nui Marine Resource Council.

24 Great. Thank you.

25 I'm here today asking you to remember the

1 causes of coral reef decline; overfishing, pollution,  
2 disease and climate change. Instead, we must  
3 simultaneously reduce all threats to have any hope of  
4 reversing the decline.

5 Next slide, please.

6 This next slide is part of a graph that's on  
7 Page 2 of this report. It's a roadmap for reversing the  
8 trajectory of decline. So there is hope. This is not a  
9 hopeless situation.

10 MS. PAREDES: One minute.

11 MS. UMBERGER: What we're looking at here is  
12 that they have -- this group has recommended stringent  
13 controls over land-based pollution and, believe it or  
14 not, a moratorium on coastal development in proximity to  
15 coral reefs, a complete moratorium.

16 Next slide, please.

17 As you know, the Coastal Zone Management Area  
18 in Hawaii encompasses the entire state. Because there's  
19 no point of land more than 30 miles from the ocean, a  
20 definite land-to-sea connection exists throughout the  
21 state. What occurs on lands, even on the mountains,  
22 will impact and influence the quality of coastal waters  
23 and marine resources.

24 Please consider your critical role in deciding  
25 the fate of Maui's coral reefs, especially at Olowalu.

1 Thank you.

2 CHAIR HEDANI: Thank you very much, Rene.

3 Question from Commissioner Mardfin.

4 COMMISSIONER MARDFIN: Excuse me. Quick one.

5 You -- I think it was the previous page, you said

6 something there, moratorium on coastal development in

7 proximity to coral reefs. What areas would that be on

8 Maui, in your opinion?

9 MS. UMBERGER: Well, I'm not a scientist.

10 COMMISSIONER MARDFIN: Would Olowalu be one of

11 those?

12 MS. UMBERGER: Absolutely.

13 COMMISSIONER MARDFIN: Thank you.

14 MS. UMBERGER: Thank you.

15 CHAIR HEDANI: Karlynn Fukuda, to be followed

16 by Harlan Hughes.

17 MS. FUKUDA: Good morning, Chair Hedani and

18 Commissioners. My name is Karlynn Fukuda of Munekiyo &

19 Hiraga, Inc. And I'm here today on behalf of Haleakala

20 Ranch and Kaonoulu Ranch.

21 We understand that the Commission had

22 preliminary discussions on the draft South Maui maps at

23 your September 8th meeting. The ranches would like to

24 express their support of the Planning Department's draft

25 map for the North Kihei area. The proposed Urban Growth

1 capacity will be reviewed in planning roads, water,

2 sewer and utility connections. The North Kihei Master

3 Plan summary booklet that was distributed to the

4 Commission in May of this year has further information

5 for your reference, as well as the presentation provided

6 during the stakeholders meeting in July.

7 We thank you for your time and consideration.

8 I'd also like to just add that --

9 MS. PAREDES: One minute.

10 MS. FUKUDA: -- in respect -- we would like to

11 respectfully dispute the previous testifier's claim that

12 the lands that we are proposing are prime agricultural

13 lands. In fact, that is, basically, scrub brush in

14 North Kihei where the Kihei Mauka Master Plan is

15 proposed.

16 So thank you very much.

17 CHAIR HEDANI: Thank you very much, Karlynn.

18 Next person is to have is Harlan Hughes, to be

19 followed by Patty Nishiyama.

20 MR. HUGHES: Good morning, Members of the

21 Planning Commission. My name is Harlan Hughes.

22 I have; lived on Maui since 1967, and have

23 owned a home at 406 Lower Kimo Drive in Kula since 1977.

24 My daughter, Ginger, was born on Maui in 1971. My

25 grandson, Max, was born on Maui in 1994. My twin grand

1 Boundaries for the Kihei Mauka area would allow the --

2 excuse me -- would allow the ranches the ability to meet

3 the goals, policies, objectives and actions in the Draft

4 Maui Island Plan.

5 The ranches have met with the Planning

6 Department Staff and are supportive of the Department's

7 version. One addition that the ranches would like to

8 request consideration of is the addition of the

9 Community Plan Single-Family Residential lands in the

10 Ohukai area. This area underwent review during the last

11 Community Plan Update and was designated as an area for

12 future residential use.

13 We would also like to point out that the GPAC

14 map for the North Kihei area is not consistent with many

15 of the policies included in the Draft Maui Island Plan.

16 The ranches and PBR Hawaii evaluated the Kihei

17 Mauka project with the proposed criteria in the Maui

18 Island Plan. And it would meet those long-term planning

19 policies. The Kihei Mauka project would be an excellent

20 opportunity to provide smart growth planning for Maui.

21 As an added benefit, with both landowners working

22 together, there is an opportunity to also ensure that

23 major infrastructure is planned concurrently.

24 Connectivity and adequate capacity that will

25 be reviewed -- excuse me. Connectivity and adequate

1 daughters, Caroline and Laura-Lei were born in 2000.

2 My mother, Lottie Hughes, moved to Maui in

3 1976 at the age of 64, and was the first

4 Secretary-Treasurer for the Kula Community Association

5 and did their books until she was 85, and gotten their

6 501(c)(3). I have also been a member of the Kula

7 Community Association board in the past.

8 It has come to my attention that the Planning

9 Department has somehow been led to or allowed to believe

10 that the Kula Community Association is against the

11 proposal -- proposed Kula Ridge workforce housing

12 project. Therefore, based on that information, the

13 Planning Commission determined that the Kula Ridge

14 property should not be included in the Kula Urban Growth

15 Boundary. In fact, the Association's board has never

16 taken a formal position on Kula Ridge. While certain

17 board members seemingly are against everything except

18 zero growth and others firmly support workforce housing

19 in Kula, the board is unable to each consensus on this

20 item.

21 When responding to a survey sent out to

22 roughly 1,000 residents in Kula, there was about a 15

23 percent response. Therefore, one may conclude that

24 there is no broad resistance in the Kula community

25 against the Kula Ridge project regardless of what some



1 individuals would have us believe. The fact that over  
2 400 Maui residents have shown interest in purchasing  
3 houses in Kula Ridge tells a much bigger story than the  
4 one being expressed by its detractors.

5 My wife, Judy, and I don't personally need a  
6 home on the project like Kula Ridge, nor does our  
7 daughter, Ginger. She lives in the main house in the  
8 main house on our property with her husband Ben and her  
9 children. And we live in the ohana.

10 However, it is obvious to us that our property  
11 isn't adequate for our grandchildren and their families'  
12 future living requirements. There are more Maui  
13 families in this situation than not.

14 Kula Ridge is --

15 MS. PAREDES: One minute.

16 MR. HUGHES: Kula Ridge is just the sort of  
17 housing project Maui's people need as evidenced by more  
18 interest in Maui buyers signing up for the Kula Ridge  
19 than there are houses in the project. Therefore, one  
20 could deduct that excluding the Kula Ridge property from  
21 the Urban Boundary Growth would not -- would be contrary  
22 to the good of our community. The concerns expressed by  
23 the Kula Community Association regarding Kula Ridge have  
24 been addressed, not ignored, by its developer Clayton  
25 Nishikawa.

1 MR. HUGHES: This is true. I was there.

2 COMMISSIONER HIRANAGA: So these other  
3 correspondence is the opinion of the board, although no  
4 one signed it. I don't see the president's signature on  
5 these letters. I'm just curious how many board members  
6 there were.

7 MR. HUGHES: Oh, as Dick said, there are 20,  
8 you never have 20 at a meeting. And there are certain  
9 individuals that are very outspoken, that are against  
10 everything from comes up. And there are other people  
11 who want workforce housing for people on Maui.

12 This isn't something for newbies to come in  
13 and invest in. I would like my grandson and my grand  
14 kids to be able to live in Kula and not have to go to  
15 California or somewhere else. And this is -- it fits  
16 into the community. The community's already right next  
17 to it. I've seen this thing. I've looked at it. I'm  
18 not for every project that ever comes up, by a long  
19 shot. But this one, I think, is a good one. I've  
20 really looked at it. It's in my community, it's close  
21 to the school, close to the store.

22 COMMISSIONER HIRANAGA: Okay. Thank you.

23 MR. HUGHES: So just to kill it because it's  
24 there I think is a mistake.

25 CHAIR HEDANI: Thank you very much.

1 I believe that the reasonable thing for the  
2 Planning Commission to do is to include the Kula Ridge  
3 property in Urban Growth Boundary rather than kill this  
4 and any other housing project on this property outright,  
5 and judge the Kula Ridge project by its merits as it  
6 takes shape, rather than on a vague notion what some  
7 people think Kula community wishes are at this time.

8 Thank you. Sorry I had to read so fast.

9 CHAIR HEDANI: Thank you very much,  
10 Mr. Hughes.

11 Question from Commissioner Hiranaga.

12 COMMISSIONER HIRANAGA: Mr. Hughes,  
13 approximate -- or what is the number of board of  
14 directors? How many board of directors are there on --  
15 in the association.

16 MR. HUGHES: Is it 15? Twenty.

17 COMMISSIONER HIRANAGA: Twenty board of  
18 directors, yeah. I've gotten correspondence on my  
19 table. And some expressed the opinion of the board,  
20 which I guess they're opposed to GPAC or Planning  
21 Department's recommendations -- or they agree with  
22 GPAC's and the Planning Department's recommendation to  
23 exclude Kula Ridge, but then when you look closely at  
24 the letter, there's one from the association that says  
25 they were unable to make a decision.

1 We have two more people to testify on the  
2 first page, then we're going to go ahead and take a  
3 break. Patty Nishiyama, to be followed by Daniel  
4 Kanahele.

5 MS. NISHIYAMA: Aloha. (Inaudible) to all.  
6 My name is Patricia Nishiyama. Auntie Patty Nishiyama,  
7 born and raised in Lahaina.

8 When Amfac gave birth to Kaanapali, the  
9 Hawaiians and the system supported the project because  
10 it meant jobs for our future generation. And it has.  
11 They planted taro and Native Hawaiian plants and called  
12 it a Hawaiian hotel. Hawaiians in the system supported  
13 the Sheraton Maui and moved all of our kupuna iwi to  
14 rest in peace next to the gas tank. Our Hawaiians in  
15 the system supported a new renovation for the Sheraton  
16 Maui, new look and shaped Puu Kekaa, now it looks like a  
17 hill.

18 Today, our kupuna from Olowalu wants a plan  
19 for the future generation. They want a plan for our  
20 people to come home so they can prosper in a small town  
21 business. Not a Kaahumanu Shopping Center; it's a small  
22 town business. This small town -- this future is for  
23 the future generation. Kupuna worked very hard for this  
24 plan.

25 I would like to thank Bill Frampton for

1 helping the (inaudible) family to go back on their aina  
 2 after their house burned down. Every meeting I attend,  
 3 there's this group talking about Peter Martin not  
 4 following up in his promises. The kupuna and Bill is  
 5 not at fault. They should complain to the one who built  
 6 -- who gave him that -- the developer who helped him get  
 7 up there. And that's the rich. People, okay.  
 8 Olowalu Town is a project for affordable  
 9 housing. The kupuna wants our local --  
 10 MS. PAREDES: One minute secretary.  
 11 MS. NISHIYAMA: -- Hawaiian community to  
 12 benefit. So please support the project for future jobs  
 13 and help our kupuna to bring back their ohana and  
 14 friends. Mahalo.  
 15 CHAIR HEDANI: Thank you, Patty.  
 16 MS. NISHIYAMA: Mahalo.  
 17 CHAIR HEDANI: Next person to testify is  
 18 Daniel Kanahele.  
 19 MR. KANAHELE: Aloha kakou, Commissioners and  
 20 Staff. I'm Daniel Kanahele here. I'm speaking on  
 21 behalf of myself. And I live in South Maui in the  
 22 ahupua`a, Aha Moku of Honolua. I appreciate all the  
 23 mana`o that has been shared so far by those who have  
 24 come before me. I'm here in support of the GPAC's  
 25 directed Urban Growth Boundary recommendations for South

1 Maui, particularly for Makena.  
 2 I would like to read into the -- re-read into  
 3 the record a quote from the 1970 civic plan, the first  
 4 general plan, and, for Maui, the mother of all the  
 5 general plans that have followed. The beginning quote  
 6 "Adjoining Wailea's Makena, once a thriving Hawaiian  
 7 community, now largely vacant, the plan would place  
 8 strict development controls in Makena with special  
 9 emphasis on the conservation of Makena's historical  
 10 sites. The planners believe Makena can become one of  
 11 the most valued assets of the entire planning area if  
 12 emphasis on its development is placed on conservation  
 13 and the prevention of unwanted development so that when  
 14 maximum urbanization is reached in the rest of the  
 15 planning area, Makena will remain, as now, a quiet place  
 16 of natural beauty and historic interest."  
 17 Now, your -- your planning predecessors  
 18 understood that we not only need places to live and  
 19 work, but we need places where you could get away, to  
 20 rejuvenate our body, mind and spirit. Places where we  
 21 could reconnect to nature, places where you could  
 22 reconnect to Hawaiian culture and history. And so they  
 23 envisioned as -- Makena as being one of these special  
 24 places.  
 25 MS. PAREDES: One minutes.

1 MR. KANAHELE: They understood the true nature  
 2 of Makena. It was like a round peg. But,  
 3 unfortunately, today, we see some who are taking a big  
 4 mallet and trying to pound a round peg into a square  
 5 hole. It just doesn't fit.  
 6 I would hope that you Planning Commissioners,  
 7 as an advisory commission, would follow the lead of the  
 8 GPAC, which is also an advisory body, and that they are  
 9 forwarding a message. And I hope you will forward the  
 10 message.  
 11 They didn't necessarily concern themselves  
 12 with entitlements. Maybe the Planning Department has to  
 13 worry about entitlements. Maybe you don't necessarily  
 14 have to worry about entitlements. But the message is  
 15 just simply that we will become a much poorer people if  
 16 we lose our special, sensitive and sacred places like  
 17 Makena. And that we will become, to conclude, a much  
 18 richer people if we preserve our sacred places for the  
 19 current and future generations.  
 20 Mahalo.  
 21 CHAIR HEDANI: Thank you very much, Daniel.  
 22 Question from Commissioner Shibuya.  
 23 COMMISSIONER SHIBUYA: Daniel, can you tell us  
 24 about the Aha Moku or the moku that you're talking  
 25 about, it goes all the way to the summit, right, that

1 ahupua`a? From Makena all the way up the landing area,  
 2 to Ulupalakua, is that the site you're talking about?  
 3 MR. KANAHELE: Well, when I said my ahupua`a,  
 4 my that's where I live, which is the Maui Meadows area.  
 5 And, of course, it's one of the ahupua`as in the larger  
 6 moku or district that we know as Honuaula. So Makena,  
 7 that's a term used for -- a modern term. Makena is  
 8 many, many different ahupua`as. But it is mostly, or if  
 9 not completely, in the moku, the district, of the Honoa  
 10 Ula. So when we speak of Honoa Ula, that includes all  
 11 of Makena, Palaua, you know, Waiehu, Kaehu. These are  
 12 all part of that moku.  
 13 COMMISSIONER SHIBUYA: Thank you.  
 14 MR. KANAHELE: Thank you. You're welcome.  
 15 CHAIR HEDANI: Thank you very much.  
 16 We're going to go ahead and take a 10-minute  
 17 recess at this point. When we return, the first two  
 18 speakers are gonna be Glenn Adolpho and Angie Hofmann.  
 19 (Recess, 10:34 a.m. to 10:47 a.m.)  
 20 CHAIR HEDANI: Planning Commission will please  
 21 come to order.  
 22 Next person that we have to testify is Glenn  
 23 Adolpho, to be followed by Angie Hofmann.  
 24 MR. ADOLPHO: Aloha, Chairperson Hedani,  
 25 Planning Department, Jeff Hunt and Commissioners. My

1 name is Glenn Adolpho. And I'm from the Waikapu Gardens  
2 Association. We represent the Waikapu community.

3 And before I go any further what I'd like to  
4 do is just ask those from our Waikapu community if they  
5 would please stand, or for those of you who can't, the  
6 kupunas, if you would raise your hand, to be recognized.

7 Not all of them will be testifying today.  
8 They've sent the sacrificial lambs like myself to come  
9 and meet you. But we wanted to come before you and let  
10 you know, as a community of Waikapu, we are coming  
11 together. Waikapu has been growing. There are  
12 different subdivisions developing in the community of  
13 Waikapu. I'm one of 'em. We're the new kids on the  
14 block, Waikapu Gardens, or also known as Spencer Homes.  
15 And we represent 411 homes in the Waikapu District.

16 We've been very fortunate to have the other  
17 groups in Waikapu come together to form our association,  
18 the Waikapu Community Association. While we are still  
19 developing and going through the growing pains, we are  
20 coming together as a community.

21 There are many challenges facing us. We've  
22 met twice with our community of Waikapu to gather  
23 consensus of what they would like to see as far as  
24 future growth.

25 And I'd just like to read you some comments

1 COMMISSIONER STARR: Yeah. There are a number  
2 of fairly dense urban projects in proximity to Waikapu.  
3 Has your group made any comments on -- either  
4 specifically or in general regarding those urban --  
5 urbanization areas in proximity to your area?

6 MR. ADOLPHO: Thank you, Mr. Starr, for the  
7 question. Yes. We have not yet. Because we're still  
8 new, there's a lot of information going out there. And  
9 we've been basically walking, knocking on doors, calling  
10 people up, posting flyers on the mailbox to get our  
11 community out. And we have some old people there as  
12 well as new people. So it's still going through -- and  
13 these are some of the issues we'll be facing, even in a  
14 meeting tonight, as we meet with Mike Atherton to view  
15 his proposal. So there's still a lot of weighing out  
16 and finding the balance of we want.

17 I think, in the future, there is gonna be some  
18 kind of growth, but as a community, we need to determine  
19 what the balance is, how much and what kind of growth  
20 we'd like to see.

21 CHAIR HEDANI: Next person to testify is Angie  
22 Hofmann, to be followed by Teri Sherrow, Sherrow.

23 MS. HOFMANN: Aloha, Commissioners. Good  
24 morning. I'm Angie Hofmann.

25 In general, I support infill versus sprawl. I

1 from our members from Waikapu in a survey that we -- we  
2 sent out in the first meeting. As far as what they  
3 value as important to the future of Waikapu, those that  
4 -- some of the comments that received high marks were to  
5 preserve the existing natural resources, to preserve  
6 existing historical and cultural landmarks, and to  
7 preserve view corridors of mountain and the ocean. So  
8 those were some of the -- the opinions from our group  
9 from Waikapu.

10 One that received low marks was to attract  
11 additional tourism.

12 When it comes to what do people value the most  
13 about the Waikapu community, comments were made like the  
14 ohana feeling, where neighbors know each other, where  
15 they respect each other. The small, identifiable  
16 proximity and the feeling of aloha and family.

17 We, again, are organizing ourselves. And we  
18 have much to do. We're meeting with Mike Atherton  
19 tonight, who's a big developer who bought the Tropical  
20 Plantation, to review his proposals. But in the future,  
21 we would like to work more with the Commission and the  
22 County Council in the future of Waikapu.

23 Thank you.

24 CHAIR HEDANI: Thank you very much. Question  
25 for Commissioner Starr.

1 support the GPAC South Maui map Urban Growth Boundaries.

2 And I'm here to talk about my favorite one, by  
3 Puu Olai, Makena State Park.

4 In these tough economic times, we're seeing  
5 that the project approvals are not ensuring jobs and  
6 that giving higher density zoning are not ensuring jobs.  
7 Many projects are losing funding and promises of jobs  
8 are washed down the drain. Makena Resort is a prime  
9 example of this.

10 Last winter, there was this project before the  
11 Council asking for higher density zoning with the  
12 promise that, if zoning was granted, jobs would appear  
13 in six months. Today, nine months later, the project is  
14 in foreclosure and the jobs are not happening.

15 This is our chance to step back, look at the  
16 big picture. The Urban Growth Boundary that GPAC  
17 recommended down there in that area allows for growth,  
18 yet protects some very special land surrounding Makena  
19 State Park. They're looking ahead to the needs of the  
20 future in addressing them.

21 It has been voiced that this place is very  
22 special to Mauians. Last year, at a planning charrette  
23 in South Maui, all three working groups of attendees  
24 said the land surrounding the park should be protected.

25 I have the public design workshop layout here

1 for that charrette. All three groups focused on  
2 preserving the cultural sites of the area. It's a very  
3 well-known place of high density of cultural arc sites.  
4 Out of the three groups, when talking about boundary  
5 changes, two specifically said tightening boundary  
6 around Makena.

7 MS. PAREDES: One minute.

8 MS. HOFMANN: One didn't say anything. So out  
9 of all the UGBs talked about, Makena was sticking out  
10 there. So that was the charrette.

11 At the Planning Commission meeting in South  
12 Maui this year, 1,000 petition signatures were brought  
13 forward as well as 100-plus teenage signatures. And  
14 they were all supporting the Makena Urban Growth  
15 Boundary as well as the idea that growth should be kept  
16 north of Puu Olai. So now that the future of this area  
17 is hanging in the air, and no one knows who the new  
18 owners will be, this is your chance, as Commissioners,  
19 to use your power to set aside some special lands for  
20 the future. And I urge you to do so.

21 Thank you very much.

22 CHAIR HEDANI: Thank you very much, Angie.

23 Next person to testifier is Terry Sherrow, to  
24 be followed by Teruo Kamasaki.

25 MS. SHERROW: Good morning, Ladies and

1 housing, couples being able to stay together.

2 I belong and I represent a group of nearly 80  
3 Maui women calling ourselves The Angel Ohana. I'm one  
4 of its youngest members. We're a diverse group of  
5 individuals of current and retired educators, school  
6 principals, professionals, who have made conscious  
7 connection. We're active in our community, we  
8 volunteer, we support many causes, pay our taxes. And  
9 now we want our community to recognize our need. This  
10 month alone --

11 MS. PAREDES: One minute.

12 MS. SHERROW: -- as you've been told earlier,  
13 two of our members had to leave Maui for senior  
14 communities elsewhere because there was nothing for them  
15 here. With the most recent economic downturn, many  
16 seniors who have thought in the past that they could  
17 stay in their homes won't be able to do so.

18 This project, Piiholo South, will address the  
19 needs of the baby boomer on the island by the time it's  
20 built. It needs to get on the map now so that there  
21 will be a place for me. I'm gonna -- I'm a single  
22 person. I have no family except for this ohana. And I  
23 wanna age gracefully in place with my friends there.  
24 It's my fervent desire to be there in the future and I  
25 hope we'll start building it now. Let's take the

1 Gentlemen. My name is Terry Sherrow. I've lived in  
2 Maui for 20 years. And I'm a property owner, the broker  
3 and owner of International Real Estate Services on Maui.  
4 I have been a director of the National Health Committee,  
5 and I've also directed a global ecology summit at the  
6 U.N. Earth Summit. I'm also a active Maui volunteer.

7 At the Upcountry Urban Growth Committee  
8 meeting on September 2nd, there was an enthusiastic  
9 support for senior community to be included in the  
10 General Plan. I'm here today to add my support and  
11 express my enthusiasm toward Piiholo South and ask you  
12 to put this on the General Plan. It is a planned  
13 progressive senior ecological community adjacent to  
14 downtown Makawao. It will provide transportation,  
15 active 60 acre open air environment, with gardens and  
16 hiking trails. And already has its own water source.

17 I spoke with Deborah Arindale from the Maui  
18 County Office on Aging, who told me, and I quote, "They  
19 recognize the need and are supportive of any viable  
20 housing for seniors. And they're feeling the urgency  
21 right now with waiting lists from two to seven years,  
22 and if they can get a broader range of housing, it would  
23 be wonderful."

24 Maui seniors need a choice and not a room. We  
25 have an urgent need for Maui's -- to have their senior

1 opportunity now, put Piiholo South onto the General  
2 Plan.

3 Thank you.

4 CHAIR HEDANI: Thank you very much, Terry.

5 Next person to testify is Teruo Kamasaki, to  
6 be followed by Katherine Smith.

7 MR. KAMASAKI: I'm Teruo Kamasaki. I live in  
8 Waikapu. And, today, I wanna talk about water and  
9 (inaudible). I have a piece of property in Waikapu,  
10 granted by the King during the time of the Great Mahele.  
11 Today, my -- my property have kuleana water rights. And  
12 five years ago, Wailuku -- Wailuku Water Company  
13 destroyed my kuleana water ditch, which is against the  
14 law, denying me the use of my kuleana water rights,  
15 which is against the law. And when they destroyed my  
16 ditch, didn't give the permit from the County for the  
17 grubbing permit and went so destroy my ditch. I had a  
18 PVC pipe in, they destroy my PVC pipe, which is private.

19 And all -- I'm very surprised that the legal  
20 counsel, their legal counsel, would advise them to go  
21 ahead and break the law because you are plantation  
22 manager and you are above the law.

23 So I stand before you to say any future  
24 development -- water use is owned by the State. And any  
25 future development must be satisfied the kuleana water

1 use because the water kuleana water use have the highest  
 2 priority, which is a grant from the King.  
 3 Thank you.  
 4 CHAIR HEDANI: Thank you very much,  
 5 Mr. Kamasaki.  
 6 Question from Commissioner Starr.  
 7 COMMISSIONER STARR: Yeah. Mr. Kamasaki,  
 8 yeah, I'm sorry to hear that -- hear what you had to  
 9 say. And, you know, I know that there is kind of --  
 10 MR. KAMASAKI: Yeah. Can you talk a little  
 11 louder?  
 12 COMMISSIONER STARR: Oh, okay. I know there's  
 13 suits going on with the Na Wai Eha under the Water  
 14 Commission. And I was curious to know whether you've  
 15 been talking with like Mr. John Duey who was just here.  
 16 MR. KAMASAKI: Yeah.  
 17 COMMISSIONER STARR: Or Earth Justice, or the  
 18 people involved with that, where they're dealing with  
 19 the water rights for the Wailuku Water Company right  
 20 now.  
 21 MR. KAMASAKI: Yeah. I have documents that I  
 22 have, what you call, the -- the attorney have submitted  
 23 to the -- to the Water Commission, State Water  
 24 Commission. And he's -- in that document, it says that  
 25 to -- to make sure that my land is a kuleana Mahele

1 really directly into the -- into the camera over here,  
 2 I'm sure that there's some attorneys that would love to  
 3 help you in your situation.  
 4 MR. KAMASAKI: My hearing aid.  
 5 CHAIR HEDANI: Thank you very much.  
 6 MR. KAMASAKI: Okay.  
 7 CHAIR HEDANI: Next person to testify is  
 8 Katherine Smith, who will be followed by Jocelyn  
 9 Perreira.  
 10 MS. SMITH: Thank you. I'm Katherine Smith.  
 11 I'm a historical novelist, and I'm a volunteer for Lihau  
 12 Olowalu Cultural Reserve.  
 13 Last week, Governor Linda Lingle inspired me  
 14 to stand up for what I am for. I am for Olowalu Town  
 15 being placed into the Maui County General Plan. And  
 16 here's why.  
 17 I believe that the traditional Hawaiian  
 18 vertical system of land and water resource management  
 19 will still work. Hawaiians embraced new technologies.  
 20 And I -- I believe that we can apply conservation  
 21 technologies, new technologies, to the ahupua`a and  
 22 successfully restore our lands today.  
 23 A majority of Olowalu residents, including  
 24 kupuna, who remember this area as a vibrant community,  
 25 are in favor of restoring Olowalu Town. Community

1 land. They say, oh, my -- my friend wanted some land,  
 2 the old Hawaiians didn't, I grew six taro patches, four  
 3 goats and so on down the line, just to prove that my  
 4 land have kuleana water rights when the grant -- when  
 5 the king -- during the Great Mahele. That's --  
 6 COMMISSIONER STARR: Yes. Thank you.  
 7 CHAIR HEDANI: Mr. Kamasaki. Mr. Kamasaki --  
 8 COMMISSIONER MARDFIN: Sir -- sir.  
 9 CHAIR HEDANI: Question from Commissioner  
 10 Mardfin.  
 11 COMMISSIONER MARDFIN: What organization was  
 12 it that destroyed your water?  
 13 MR. KAMASAKI: What that?  
 14 COMMISSIONER MARDFIN: What organization was  
 15 it that went in and destroyed the water system for you?  
 16 MR. KAMASAKI: The organization was Wailuku  
 17 Water Company. Which I have talked to them and they  
 18 refused, say we are not in the process of fixing kuleana  
 19 water system. And they came and destroy my ditch, and  
 20 they said they're not responsible.  
 21 COMMISSIONER MARDFIN: Thank you.  
 22 MR. KAMASAKI: Okay.  
 23 CHAIR HEDANI: Mr. Kamasaki --  
 24 MR. KAMASAKI: Yes.  
 25 CHAIR HEDANI: Mr. Kamasaki, if you say that

1 testimony convinced GPAC Members that Olowalu Town is a  
 2 worthy endeavor. And I am a -- a volunteer and I -- I  
 3 testified here on my own behalf as to the progress of  
 4 Olowalu's Cultural Reserve and restoring the upper  
 5 valley, planting native trees and shrubs.  
 6 We grow kalo. We stabilized and preserved the  
 7 archaeological petroglyph sites. And we are revising  
 8 Hawaiian practices based on Olowalu's historical  
 9 significance and its connection to Iao Valley.  
 10 On my own behalf, I have rebutted some of the  
 11 arguments against Olowalu Town plan. The watercourse  
 12 changes made by sugar planters and the highway damaged  
 13 the Olowalu in shore habitats.  
 14 And it's not exactly a pristine shore because  
 15 we do have green anemone, poisonous anemones there. And  
 16 I am glad that the Kihei and Huelo folks have focused  
 17 the UH marine biologists on Olowalu. And maybe they can  
 18 rid our shores of this curse.  
 19 MS. PAREDES: One minute.  
 20 MS. SMITH: I believe that you have done a lot  
 21 to help rectify some of the -- some of the trouble  
 22 caused by horizontal development cutting off the  
 23 mountains from the shore. I commend your efforts.  
 24 At the same time, don't pass up this chance to  
 25 support vertical development that restores the

1 watershed, conserves water and generates some of its own  
2 power. This one small town can be a blueprint for  
3 renovating previously developed valleys all over Maui  
4 and the state of Hawaii. Let us begin a new era with  
5 Olowalu Town.

6 Thank you.

7 CHAIR HEDANI: Thank you, Katherine. Next  
8 person to testify is Jocelyn Perreira, to be followed by  
9 Eric Taniguchi.

10 MS. PERREIRA: Good morning, Members of the  
11 Maui Planning Commission. My name is Jocelyn Perreira.  
12 I'm with the Tri-Isle Main Street Resource Center,  
13 representing our member towns, small towns in Maui  
14 County.

15 We have provided -- I've provided to you a map  
16 of some of the work that we've done in the past, and  
17 I'll refer to that, as well as the Vision Statement for  
18 the plan. Conformity and consistency and autonomy is  
19 important to meet the intent of Bill 84. As we can see,  
20 we see many different philosophies here. And so it's  
21 your responsibility to strike a responsible balance.

22 Smart planning is working with a comprehensive  
23 community-driven process over a long period of time that  
24 considers legislation, sound, proven planning principles  
25 that considers revitalization, land use patterns, versus

1 process after following this for more than three years.  
2 These are bubbles that you can either -- you can push,  
3 pull, you can make 'em larger, smaller, but they  
4 generally show you where people want to live. And they  
5 give many opportunities to continue with our existing  
6 Maui lifestyle.

7 Now, we realize that things are getting scarce  
8 on Maui. And some people would like to have people just  
9 move to one segment, one section of the community,  
10 versus sharing it wherever people have the right to want  
11 to live. We ask you to give options and consider our  
12 letter reference dated 9-2-09, that talked about three  
13 things. And I'll wrap it up. Demographic data is a  
14 guideline, not a mandate.

15 CHAIR HEDANI: Time's up, Jocelyn. Time's up.

16 MS. PERREIRA: Thank you. Thank you for the  
17 opportunity.

18 CHAIR HEDANI: Thank you.

19 Next person to testify is Eric Taniguchi, to  
20 be followed by Frank Irwin.

21 MR. TANIGUCHI: Good morning. My name is Eric  
22 Taniguchi. I'm an architect. I'm from Pukalani. And  
23 I'm the president of the American Institute of  
24 Architects, Maui chapter. I represent about 36 licensed  
25 architects practicing here on Maui and about 25

1 specific projects, as well as the informed voice of the  
2 community. To be a voice of a community is a heavy  
3 responsibility. It requires representation from all  
4 sectors. Respect for community elders, understanding  
5 complex issues, unselfishly sharing limited resources.  
6 The Community Plan process builds from your direction  
7 and, hopefully, that allows many options so that these  
8 communities can look at the specifics in Community  
9 Plans.

10 People want to live near -- in or near small  
11 established communities. They know and expect to  
12 commute. It is a life choice. Others seek an  
13 opportunity for self-sustainability within their own  
14 towns. And we should offer them the opportunity to do  
15 so.

16 The General -- excuse me. The General Plan,  
17 with both geographic and density measures, can be a  
18 severe tool. Property outside of the UGB is stirring  
19 fear for some property owners, difficult to understand  
20 non-conforming uses. Like, I can't do anything with my  
21 land, I don't wanna be put in a box.

22 MS. PAREDES: One minute.

23 MS. PERREIRA: People can understand maps.  
24 They illustrate where people want to live. The maps  
25 that I passed out to you is a result of comprehensive

1 associates. I wanna thank all of you for your hard work  
2 and dedication to this General Plan process. A lot of  
3 hard work has gone into the plan with many different  
4 sets of use. And that is good.

5 While we support most of what is in the  
6 General Plan, as it is written, there are some items we  
7 want you to consider. We know the Planning Department  
8 does not support any new towns outside of the existing  
9 urban cores here on Maui. Maui's unique because of very  
10 small towns, not large urban centers, even though large  
11 urban centers are also needed and serve an important  
12 purpose. Having new small towns which follow the  
13 guidelines set forth in the Wailuku Main Street  
14 recommendations will allow Maui to always be a unique  
15 and vibrant island with that small town feel.

16 For example, the Olowalu Town project by  
17 Frampton and Ward. This project sets precedence in the  
18 development of a new small town. There are others,  
19 also, like the project in which Clyde Morashige and his  
20 company are working in Haliimaile.

21 We want you to consider each new small town.  
22 The Maui Island Plan should be flexibility, this will  
23 allow for future community needs. Growth and expansion  
24 in appropriate areas is necessary for long-term future  
25 growth of our small town and our rural communities.

1 This is important given our current economic  
2 uncertainties and challenges.

3 The Maui Island Plan should provide a flexible  
4 framework for the more detailed land use planning during  
5 the Community Plan Update process to follow. Allow the  
6 various communities on the island a chance to determine  
7 their future.

8 We strongly support the recommendations made  
9 by the Wailuku Main Street Association to the GPAC and  
10 to this General Plan Update. The recommendations made  
11 by the Wailuku Main Street allows Maui to grow in its  
12 unique way and to continue to provide opportunities and  
13 benefits to all residents of Maui.

14 In closing, the American Institute of  
15 Architects, Maui Chapter thank you for your hard work  
16 and refinements to this plan. We know it will make Maui  
17 a unique environment and a vibrant place to live.

18 Thank you.

19 CHAIR HEDANI: Thank you very much, Eric.  
20 Next person to testify is Frank M. Irwin, to  
21 be followed by Adeline K. Rodrigues.

22 MR. IRWIN: Good morning. My name is Frank M.  
23 Irwin. Thank you for hearing testimony from concerned  
24 parties regarding the long-range --

25 MS. PAREDES: Please speak into the

1 microphone.

2 MR. IRWIN: The long-range plans for the  
3 Waikapu area. I'm a 25-year resident of the Waikapu  
4 community and general contractor. In spite of my  
5 personal business interests, I would like to encourage  
6 this body to limit development in the Waikapu area.

7 The existing -- the old General Plan called  
8 for maintaining agricultural lands separating Wailuku  
9 and Waikapu. I would like to see this intention honored  
10 in any new plans that are made. Now the developers have  
11 bought up the majority of the properties between Waikapu  
12 and Maalaea, I would also encourage you to define a  
13 development boundary on the south side of the village.

14 You folks have to consider many private  
15 interests and public needs in formulating your new  
16 plans. I would hope that you would be able to strike a  
17 balance between these factors. We all love Maui as it  
18 is, but we all know changes are inevitable. Please try  
19 and find a way to maintain our historic communities by  
20 limiting future development projects to a size and  
21 frequency that will allow Waikapu, for example, to exist  
22 in the future. Please keep the core village of Waikapu  
23 intact as a separate entity rather than letting it be  
24 absorbed in an urban sprawl.

25 Thank you.

1 CHAIR HEDANI: Thank you very much, Mr. Irwin.  
2 Next person to testify is Adeline K.

3 Rodrigues, to be followed by Hinano Rodrigues.  
4 MS. RODRIGUES: Aloha kakahiaka kakou. I'm  
5 Adeline --

6 CHAIR HEDANI: Microphone, please.  
7 MS. RODRIGUES: I'm Adeline Kamaileolihau

8 Kaahui-Rodrigues. I was born in Olowalu in 1929, in the  
9 old Olowalu school teacher's cottage, which still stands  
10 there, and, in fact, we still use as a residence. Lihau  
11 is the name of the mountain peak in back of Olowalu.

12 And my grandfather William Hoopii teacher and principal  
13 of Olowalu School, named my after that peak. If the  
14 power to be chooses, I will be 80 on December 21 of this  
15 year. While I'm the oldest Native Hawaiian kupuna of  
16 Olowalu who still lives in Olowalu, there is also  
17 Adelaide Sylva who lives in Lahaina, my Uncle John  
18 Kaaea, in Hale Makua, Kahului. And mahalo and respect  
19 to them, too.

20 As you already know, I am in favor of the new  
21 town in Olowalu. I know many of you wondering why I  
22 would take such a position. In my 80 years, no one has  
23 ever involved me or my family in decisions affecting  
24 Olowalu. The plantation dictated what was to occur  
25 there, and we had no say. And, yet, we were never

1 plantation people. But, yet, they felt that they had  
2 the right to tell us what to do. They stole the  
3 property in back of our church and planted sugarcane  
4 over the iwi of my tutus. Their cane fire burned our  
5 church roof in 1930, and they promised to rebuild it.  
6 To this day, they haven't. When Olowalu was sold, we  
7 approached the new owners and told them of the graves.  
8 They immediately stopped any activity in the area and  
9 are in the process of creating an easement in favor of  
10 the church.

11 My family and I attended most of the Olowalu  
12 talk story sessions in 2005. We took advantage of the  
13 opportunity to communicate how we felt. In the  
14 beginning, it was difficult because the planners could  
15 not understand our point of view. They continued to  
16 design the new Olowalu as they saw fit. After being  
17 almost done, on the fourth day, my son took the planner  
18 out to Olowalu. My son showed the planner the layout of  
19 the land, how the wind, sun and the ocean were all  
20 related.

21 MS. PAREDES: One minute.

22 MS. RODRIGUES: As a result, the original  
23 plans were scrapped and a new town was designed. While  
24 the design was mostly based on the ahupua'a layout of  
25 the area, more important, it took into consideration the

1 role that the mountains played in the environment.  
2 After all, the mountains do control the wind, the rain  
3 and the clouds.

4 Anyway, I could go on and on, but I'm asking  
5 you to leave us, the descendants of Olowalu, the  
6 opportunity to be involved in the plan of the new town.  
7 If you deny the developer the opportunity to at least  
8 plan for a town now, and not in 20 years, then you give  
9 me and my children the opportunity -- the opportunity to  
10 be part of the process. To wait 20 years for the next  
11 GPAC means that I will be gone, and so will be my  
12 children. Instead, the people planning Olowalu will  
13 probably be people who will speak of a sense of place, but  
14 not be of the place.

15 Thank you.

16 CHAIR HEDANI: Thank you very much, Adeline.  
17 Mr. Hinano Rodrigues.

18 MR. RODRIGUES: Aloha mai kakou. I am Hinano  
19 Rodrigues. I thank you for the opportunity to express  
20 my mana`o. I'm here on a personal appearance. While I  
21 am a member of the GPAC and while I do work for State  
22 Historic Preservation, I am not representing either. O  
23 mai kou mau kupuna? No hea mai `oe? Who are your  
24 ancestors? Where do you come from? These are the most  
25 important words uttered by our kupuna when you entered

1 I'm asking this body to provide the  
2 opportunity for development in Olowalu by including  
3 Olowalu on the map.

4 MS. PAREDES: One minute.

5 MR. RODRIGUES: I am not asking you to approve  
6 the details. That opportunity will present itself down  
7 the road as the development plans wind its way through  
8 the process. You will again be given the opportunity to  
9 discuss the pros and cons later on.

10 As you probably heard before, the people of  
11 Olowalu have never been given the opportunity to be a  
12 part of the decision-making process. As time goes on,  
13 that opportunity becomes less and less possible as the  
14 demographics of Maui has and is changing rapidly. In 20  
15 years, most of us won't be here. The people who will  
16 speak of a sense of place probably won't be of that  
17 place. You've heard testimony from the likes earlier  
18 this morning.

19 During ancient days, we were wards of ali`i.  
20 Then we became wards of the missionaries. Then we  
21 became wards of the sugar planters. Then we became  
22 wards of the big five. During territory days, we became  
23 wards of the Federal Government. Then statehood came,  
24 and we became wards of the State.

25 Our parents have educated us. We no longer

1 into another ahupua`a. The answer to these questions  
2 determined the value of your mana`o.

3 As such, I provide answers to those questions  
4 by saying that I am a direct descendant of Chief  
5 Kamakakehau of Ukumehame. His daughter Kauakahiakua  
6 married Kealoi and had a daughter Ha`eha`e. Ha`eha`e  
7 married Ka`a`ea who had a daughter Kemamo who married  
8 Junsaburo Fujishiro. They had a daughter Louise  
9 Leialoha who married John Hoolulu Kaahui. They had a  
10 daughter Kamaileolihau, who married Vincent Rodrigues,  
11 Jr. I am the result of that union. For the record, my  
12 grandparents were third cousins. That fact is important  
13 because it further solidifies my ties to Olowalu and  
14 Ukumehame.

15 It is through that genealogy that I express my  
16 mana`o on development in Olowalu.

17 One of the first educated Hawaiians was David  
18 Malo. David Malo predicted that there would be a big  
19 wave. That big wave will bring in big fish. And those  
20 fish will eat us small fish.

21 Fact or fiction? Almost everyone who opposes  
22 Olowalu are not of Olowalu; they are foreigners. Even  
23 the Planning Department is made up of all foreigners.  
24 And I mean no disrespect there. Just a statement of  
25 fact.

1 need to be wards. We can make our own decisions.  
2 Please put Olowalu back on the map.

3 CHAIR HEDANI: Thank you, Hinano. Question,  
4 Hinano.

5 MR. RODRIGUES: Yes.

6 CHAIR HEDANI: We've heard a lot of people  
7 testify about the fragile nature of the reef surrounding  
8 the Olowalu area. Is it your opinion that development  
9 can occur without harming the reef outside of Olowalu?

10 MR. RODRIGUES: I think development must occur  
11 in the form of mitigating any harm to the reefs. I know  
12 the reefs will be affected, but we need to mitigate.

13 The Hawaiians -- Western man has only, within  
14 the last 40 to 50 years, understand what environment  
15 means. But the Hawaiians knew before. And what  
16 environment truly means is the relationship between man  
17 and the environment. We cannot create a situation where  
18 man lives here and the environment stays there. We have  
19 got to learn to live together.

20 CHAIR HEDANI: Thank you.

21 Next person to testify is John Bendon, to be  
22 followed by Zach Franks.

23 MR. BENDON: Aloha. My name is John Bendon.  
24 Thank you for the opportunity to testify. I'm the  
25 Vice-Chair of the U.S. Green Building Council, Hawaii



1 Chapter, and a green building consultant here on Maui  
2 who grew up on Maui. And I'm here today to talk about  
3 the LEED rating system and commend its inclusion in some  
4 of the General Plan documents. The LEED rating system  
5 provides a very, very comprehensive way to analyze  
6 projects.

7 And I wanted to point out that there are a  
8 variety of -- of rating systems. And some of them  
9 appear to be identified in the document, the  
10 neighborhood development and new construction. And a  
11 lot of the concepts that we're hearing today of -- of  
12 infill versus urban sprawl, those things are -- are  
13 thought about and talked about through -- through LEED,  
14 but it doesn't always mean that you're gonna have a  
15 perfect project. I think that supporting LEED projects  
16 and incentivizing those projects, versus having them be  
17 mandated, is a -- is a very good way to go. Because  
18 LEED is also designing -- designed to be leading the  
19 forefront. It stands for -- leadership is the L. And  
20 so not having it be demanded, but really promoting  
21 projects.

22 The -- the infill concept is -- is great,  
23 infill works well, but it doesn't always mean that  
24 you're having environmental attributes. And looking at  
25 new areas of growth, new towns that -- that incorporate

1 permitted if transfer of development rights from our  
2 adjacent 240 acres of land were moved over to Piiholo  
3 South. That's a mechanism that's never been used in  
4 Maui County. It's a -- also something that Maui County  
5 doesn't really need our nine units of development rights  
6 on our 240 Agricultural acres next door. But what Maui  
7 County really does need is senior housing. It is a  
8 grave and desperate need here.

9 And sometimes problems are addressed too late  
10 in Maui County. Water is a major one. And strange that  
11 these kind of things, we have advanced warning on, and  
12 we do nothing about them.

13 It is very clearly stated in the Maui Island  
14 Plan that senior housing on our island needs to be  
15 addressed and needs to be accommodated. Yet, hardly  
16 anyone is even trying. With the exception of Clayton  
17 Nishikawa up at Kula Ridge, we are the only project on a  
18 much larger scale that is attempting to address senior  
19 housing Upcountry. And we think that we deserve very  
20 serious consideration for that reason alone.

21 Compared to most -- you may -- you may -- you  
22 may not know me well. I don't know any of you with --  
23 with the exception of one of you a little.

24 MS. PAREDES: One minute.

25 MR. FRANKS: Okay. And -- but we are serious.

1 these principles, places like Olowalu, that are using  
2 third-party certifications or basing some of the -- the  
3 planning on the systems is -- is a very good way to help  
4 to know that you're gonna mitigate some of the -- the  
5 issues.

6 So thank you.

7 CHAIR HEDANI: Thank you, John.

8 Next person to testify is Zach Franks, to be  
9 followed by Chris Braden.

10 MR. FRANKS: Good morning. Aloha, Commission  
11 Members. Thanks for having me here today. I'm  
12 beginning to feel like old dance partners. That's three  
13 times in a row. I hope you're beginning to like me and  
14 my project, or at least understand it.

15 I have a couple quick points to make. One of  
16 them's procedural.

17 There was a discussion last week that there  
18 had been a vote on Piiholo South at the September 2nd  
19 meeting. There was not a vote. It was deferred. And  
20 then it wasn't considered at the last meeting at all.

21 I also wanna say that Piiholo South invites a  
22 restriction to be imposed upon us. And that is that our  
23 land will be used for nothing but senior housing. All  
24 of you know the old phrase, throwing out the baby with  
25 the bath water. It was suggested that Piiholo South be

1 We've put in water, we've put in walking paths.  
2 Already, you know, we've become part of the Upcountry  
3 greenway. So I believe that it's time -- or I'm asking  
4 you to seriously consider us -- consider us and stand on  
5 the record of supporting senior housing in Maui County,  
6 and don't turn away from this -- really this gift that  
7 we're giving, this golden opportunity.

8 If you -- if you choose not to, you will be in  
9 the position of saying -- like the people who considered  
10 putting in water resources, you know, years ago, we had  
11 the opportunity to make a difference and we chose to  
12 pass and now we're in big trouble. If, on the other  
13 hand, you support us in moving forward, if you support  
14 the Maui Island Plan in accommodating, then you can say  
15 you've been part of the solution and you've helped a  
16 great part of the population.

17 CHAIR HEDANI: Your time is up, Mr. Franks.

18 MR. FRANKS: Thank you.

19 CHAIR HEDANI: Question from Commissioner  
20 Hiranaga.

21 COMMISSIONER HIRANAGA: I believe, at the last  
22 meeting, the question was asked if you have had contact  
23 with St. Joe's Church and School.

24 MR. FRANKS: We have had a little contact with  
25 them just on the question of whether we would be doing

1 common gardens. And they were -- they were interested  
2 in that. They kind of liked that idea. But we haven't  
3 had formal contact. We haven't had formal contact with  
4 them. We have -- we have -- what we have done is we've  
5 designed a buffer between us and them in the -- in the  
6 form of community gardens.

7 COMMISSIONER HIRANAGA: I guess my greatest --  
8 one of my greatest concerns is that you haven't had  
9 contact with St. Joe's and got an endorsement or some  
10 type of opinion from them -- because if your project is  
11 built, it will have impact to that area, you know,  
12 access, Piiholo Road, but -- I believe it's Kaupakalua  
13 Road. It is it Kokomo Road? I'm not sure. What's the  
14 intersection there?

15 MR. FRANKS: It's -- well, actually, it's --

16 COMMISSIONER HIRANAGA: Makawao Avenue?

17 MR. FRANKS: Makawao Avenue. Makawao Avenue.  
18 I don't think we'll have a lot of impact. You know,  
19 seniors are documented to drive much less than -- than  
20 others. And, furthermore, we're gonna require that if  
21 you're a senior, you not -- and -- and a resident, that  
22 you not have a full-time job outside of the -- outside  
23 of the property.

24 COMMISSIONER HIRANAGA: I guess, just as a  
25 statement, I would urge you to try and get a formal

1 opinion from the church and school, either for or  
2 against your project.

3 MR. FRANKS: I'm confident that we will. And  
4 I believe that we will actually be seen as serving a lot  
5 of their -- a lot of their parishioners' needs.

6 COMMISSIONER HIRANAGA: Thank you.

7 CHAIR HEDANI: Mr. Zachs -- Mr. Franks, can  
8 you make clear to us, crystal clear to us -- because I  
9 think some of us are laboring under the assumption that  
10 approving Piiholo South is the shoehorn that shoes in  
11 urbanization for the remaining 240 acres adjacent to it.  
12 What is your opinion on the future of that 240 acres?

13 MR. FRANKS: Oh, well, I'd be happy to sign  
14 another restriction, another restrictive covenant,  
15 saying that we would not be applying for anything but  
16 agricultural uses on those 240 acres. I mean, the very  
17 odd thing about this is that where we intend to recoup  
18 our investment, if we are able in this economic  
19 environment to recoup our investment, is on the 240  
20 acres, selling that land as agricultural. Our  
21 recoupment will not come through Piiholo South.

22 As a matter of fact, if development rights  
23 were transferred from the agricultural land and you were  
24 to say, in -- in exchange for that, we're giving you  
25 today the right to start building Piiholo South

1 tomorrow, I would -- I would turn you down because we  
2 would actually have to declare bankruptcy. The -- those  
3 lands, the 30 acres on average a piece, are where we  
4 hope to be able to recoup our investment.

5 CHAIR HEDANI: Thank you.

6 Next person to testify is Chris Braden, to be  
7 followed by Susan Moikeha.

8 MS. BRADEN: Hi. I'm Chris. And I just wanna  
9 thank you all for being part of this process. What a  
10 great country we live in.

11 I'm here on behalf of Waikapu Community  
12 Association. And I became associated with them by  
13 virtue of the fact that we own property there. But --  
14 and I know that I cannot complain if I am not part of  
15 the process, so here I am.

16 My big concern with finally getting involved  
17 was water. I heard somebody previously say we have our  
18 own water source. You know, unless you have a  
19 desalinization plant, you don't have your own water  
20 source on this island, because all of the water comes  
21 from the same source. Even if I -- I mean, I've heard  
22 people say, well, we're gonna put in a well. Well, that  
23 all comes from the same water source. And my concern is  
24 that we have not given away so many water rights that we  
25 cannot fulfill them, of -- to developers or any entity

1 who thinks that, you know, they're gonna quick get their  
2 stuff built without having an adequate water source. I  
3 mean, Upcountry's always on water restriction, you know,  
4 for several months of the year. And I am in particular  
5 very concerned about that.

6 So please take that into consideration when  
7 you give anybody permission to build.

8 Thanks.

9 CHAIR HEDANI: Thank you, Chris.

10 Next person to testify is Susan Moikeha, to be  
11 followed by Lucienne deNaie.

12 MS. MOIKEHA: Good morning, Chair and  
13 Commissioners. Thank you for the opportunity to speak  
14 before you at this time. My name, for the record, is  
15 Susan Moikeha. I was a previous GPAC member. And I  
16 just wanted to make a few comments after being here at  
17 your last meeting.

18 The ag and rural issue is a very complex  
19 issue. And I -- I have been in this planning process  
20 for a number of years as a volunteer, and through the  
21 entitlements, but it is very complex. And one of the  
22 things that I did not hear mentioned was to use rural as  
23 a planning tool rather than talking about districts or  
24 regulatory. And this is exactly what we did in the  
25 Kihei area from the GPAC. And Warren was correct when

1 he brought it up to you as part of a motion, to adopt  
2 the GPAC's decision on introducing rural across from  
3 Piilani Highway on the north end.

4 One of the reasons for that is something that  
5 I read in rural areas technical issue paper by Chris  
6 Hart, which you all have access to. And it talks about  
7 preserving rural character, protect natural systems,  
8 cultural resources, promote agriculture. And they  
9 indicated some of the things the County should do: One,  
10 rename existing Rural District to Large Lot Residential;  
11 number two, utilize rural lots as a town planning tool  
12 rather than as a district; utilize Country Town Business  
13 District; and create a Country Residential District; and  
14 require conservation subdivision design plans for  
15 subdivisions creating more than five lots. And I'll let  
16 your Department fill you in on that, if that interests  
17 you. But that's what we tried to do in Kihei, was to  
18 introduce Rural.

19 That settlement pattern grew around the  
20 economy of tourism and it grew very linear, that town  
21 did. And now we're on the other side of the island --  
22 excuse me -- the other side of the mountain.

23 And I can tell you right now the Upcountry  
24 linkage road, from Haliimaile to Kihei, comes right  
25 through there. And to introduce more urban, to make it

1 Thank you.

2 CHAIR HEDANI: Thank you very much, Susan.

3 Question from Commissioner Hiranaga.

4 COMMISSIONER HIRANAGA: Susan, during the GPAC  
5 process, Kihei Mauka was included in the Urban Growth  
6 Boundaries. I thought -- and it's designated as Country  
7 Town, but I thought the -- the intent was to create a  
8 rural town. Could you just clarify what was the intent  
9 of GPAC?

10 MS. MOIKEHA: My recollection was, in that  
11 discussion, even at the IRC to the GPAC, was to keep  
12 that area Rural. You know, these definitions of Country  
13 Town, Rural -- I mean, they continually have changed. I  
14 think the intent was to have lower density. If you're  
15 thinking of urban as -- in a concentric type term of  
16 planning, you have Urban, which is high density, and as  
17 you spread out, you get more introduction of a lesser  
18 density through Rural, and then you have your Ag, which  
19 also serves as a buffer between the Urban and the Ag.  
20 And I think that was the -- the concept that we were  
21 trying to get across. What term you give it, I'm not  
22 real clear now. It's very confusing. But I think the  
23 intent was to have Rural designation, create that buffer  
24 between Urban and Ag and give a different alternative of  
25 lifestyle.

1 more congestion, and take the risk of moving up the  
2 mountain with its development, will come into the same  
3 problems that Waikapu Wailuku has, Kahului --

4 MS. PAREDES: One minute.

5 MS. MOIKEHA: Excuse me? Wailuku as well as  
6 Kahului and Wailuku -- I'm sorry. Kahului and Wailuku  
7 have where they're growing together. I think these  
8 things are really important to consider when we're  
9 introducing further growth and not just doing the same  
10 thing that we're trying to do, which is total urban,  
11 urban, urban, urban. There has to be other alternatives  
12 to the kind of lifestyle that we wanna preserve.

13 The maps also showed you different parts of  
14 the island where we introduced rural. We did that at  
15 Olowalu. We did that at Makila. We did that at Waihee.  
16 It's an alternative lifestyle. So while we get away  
17 from all of this regulatory, it can be introduced as a  
18 lifestyle.

19 Often you've heard the Department say keep  
20 "country" country. Well, 47 percent of people surveyed  
21 in the housing document -- housing policy document,  
22 which I passed you out some of that information earlier,  
23 talked about 47 percent of the people wanting a rural  
24 lifestyle. And I think we owe that to them to give them  
25 that alternative.

1 COMMISSIONER HIRANAGA: Unless the Department  
2 wants to comment, according to the GPAC, GPAC Map S1,  
3 it's colored in yellow, which is Country Town, and not  
4 blue or light blue, which would be Rural. So it seems  
5 like your intent did not get --

6 MS. MOIKEHA: I -- I would say --

7 COMMISSIONER HIRANAGA: -- processed.

8 MS. MOIKEHA: That the way it ended up was  
9 what -- the direction I think we got from the Department  
10 as to what it would be appropriately called. Again, the  
11 intent is to have a lesser density alternative of  
12 living.

13 I think it's confusing, too, that you folks  
14 should be working from the GPAC maps when you're  
15 starting to make discussions and decisions and  
16 incorporate other people's opinions, whether it's the  
17 Department or individuals, into it. Because it keeps  
18 you focused on what we did. Not that we're right all  
19 the time, but it -- it gives a point of perspective  
20 that's consistent.

21 CHAIR HEDANI: Thank you very much, Susan.

22 MS. MOIKEHA: Thank you.

23 CHAIR HEDANI: Question from Commissioner  
24 Shibuya.

25 COMMISSIONER SHIBUYA: Susan, can you tell us,

1 you know, I -- I understand what you're talking about.  
 2 On the Country Town area, it was mixed use, was it not?  
 3 And that's why the Rural designation did include some  
 4 commercial, very small type commercial uses, as well as  
 5 just homes up there, as well as some ag production lots?  
 6 MS. MOIKEHA: Yeah. Yeah. That --  
 7 COMMISSIONER SHIBUYA: So the mixed part is --  
 8 that's why it's colored in such a different color. And  
 9 I was just trying to remind Commissioner Hiranaga and  
 10 other Members of the Board here. Susan, can you tell us  
 11 now, when you are in Kihei and you look mauka, you see a  
 12 greenbelt up above, and that's at the cloud level. That  
 13 level indicates to you what?  
 14 MS. MOIKEHA: I -- I would say that's either  
 15 Ag or Rural. I mean --  
 16 COMMISSIONER SHIBUYA: Okay.  
 17 MS. MOIKEHA: I mean, if it's been raining,  
 18 yeah, it's green. So let's -- I -- I think more  
 19 structure-wise what you see is more open space, more  
 20 rural or ag, whatever -- whatever is going on.  
 21 COMMISSIONER SHIBUYA: And isn't that the  
 22 beauty of part of Maui, that you look up there and you  
 23 see this variety from Kihei as well as the mountainside  
 24 that is green?  
 25 MS. MOIKEHA: Yeah. And I think that's what

1 we're trying to introduce to Kihei. We've -- we've  
 2 grown in a certain way. And now this plan gives us the  
 3 opportunity, which is true for this whole island, to  
 4 change how we've grown.  
 5 This has really become a numbers game. The  
 6 Department is moving numbers around. And that's why  
 7 they had to lessen their number count in South --  
 8 Lahaina side and bring it over to Kihei and introduce  
 9 Urban. But if we're looking at good planning tools,  
 10 which we have in our goals, objectives and policies,  
 11 then why aren't we giving rural lifestyle an opportunity  
 12 to grow in an area we maybe never thought we could do?  
 13 So that's what I would say.  
 14 COMMISSIONER SHIBUYA: Thank you. Thank you  
 15 very much.  
 16 CHAIR HEDANI: Thank you very much, Susan.  
 17 Next person to testify is Lucienne deNaie.  
 18 That's the last person that we have to testify that have  
 19 signed up so far unless we have another list. Go ahead,  
 20 Luci.  
 21 MS. deNAIE: Thank you, Chair Hedani.  
 22 And I -- I'd like to bring up a process issue  
 23 here. And this issue was brought up around the same  
 24 time during our GPAC discussions of the Maui Island Plan  
 25 Map. It was noted by our Chair, Tom Cannon, of the GPAC

1 that there were several members who had ties to large  
 2 landowners that were serving on GPAC. And they served  
 3 with distinction and gave us a lot of useful  
 4 information. But Mr. Cannon read the policies and  
 5 procedures that have to do with the appearance of  
 6 conflict of interest. And as a result, and to their  
 7 credit, Mr. Vicens and Mr. Suzuki both decided to recuse  
 8 themselves during final votes on some key growth  
 9 boundary issues which included the lands of their former  
 10 employers.  
 11 Now, I just think that the Planning Commission  
 12 is now at this juncture. And it's important for the  
 13 public who are watching the proceedings at home to feel  
 14 confident the Commissioners are not promoting land being  
 15 included and the ground -- and the growth boundaries  
 16 because of any Commissioner's ability to personally or  
 17 financially gain from such a decision in the future --  
 18 And I understand, you know, with all due  
 19 respect, the Commissioners make great sacrifices of time  
 20 to serve here. And those sacrifices, I think, are  
 21 appreciated by everybody. And, also, every Commissioner  
 22 has an important role to play in our community. We all,  
 23 you know, serve on nonprofits and, you know, have jobs  
 24 and so forth and so on. And then there are retirees as  
 25 well. But I think it's important to seek to follow the

1 example that was set during the GPAC deliberations and  
 2 avoid the appearance of any conflict of interest.  
 3 And to -- just to be fair to everybody, I just  
 4 did some examples. And this is not to point fingers at  
 5 anybody. But, for instance, if Commissioner Domingo --  
 6 and this is alphabetical order -- was considering  
 7 amending the Urban Growth -- Growth Boundaries and would  
 8 increase the amount of hotel properties who contracted  
 9 to employ members of her union, she might wanna consider  
 10 recusing herself. Because it could be a direct thing  
 11 like seeing like she's, you know, doing her job by doing  
 12 this vote.  
 13 If Commissioner Hedani was faced with a  
 14 decision to amend an area that would increase property  
 15 values of his employer, Kaanapali Operations  
 16 Association, he'd probably be very thoughtful about it  
 17 and consider if he had a conflict.  
 18 If Commissioner Hiranaga looked at the  
 19 decision on the maps --  
 20 MS. PAREDES: One minute.  
 21 MS. deNAIE: -- that could benefit his former  
 22 employee, A&B Properties, or would give the appearance  
 23 of benefiting his real estate business, you know, he  
 24 would want to be honest about it and be clear.  
 25 If Commissioner Mardfin was, you know, looking

1 at a growth boundary amendment that was gonna help him  
2 personally in his real estate holdings, wherever they  
3 may be, one house, you know, he'd want to consider that.

4 And so on and so forth with -- with all of  
5 you.

6 So I just urge you, do what we did. Look at  
7 the hard questions here and look in your heart's and see  
8 if, in truth, you or your employer or your future career  
9 is going to benefit from these decisions directly, very  
10 directly, or if it's gonna really have that appearance.  
11 Because this needs to be a process that is based on the  
12 highest (inaudible) of the community.

13 Thank you.

14 CHAIR HEDANI: Thank you very much, Lucienne.

15 Question from Commissioner Hiranaga.

16 COMMISSIONER HIRANAGA: Luci, thank you for  
17 bringing that up. I would like to clear the air. I did  
18 work for A&B Properties from 1987 to 1995, at which time  
19 they fired me. Gave me two weeks' notice and two  
20 months' severance pay. Okay. I do not own any A&B  
21 stock. My grandfather worked for Kahului Railroad in  
22 the 1920s and '30s. Okay, I'll acknowledge that.

23 But I appreciate you bringing that up. But to  
24 imply that I might have any fond memories or fond  
25 feelings for A&B at this time, I think you are wrong.

1 MS. deNAIE: Well, I stand corrected if -- if  
2 that's the impression you have. I -- I just feel that  
3 we all have connections to things and we need to --

4 CHAIR HEDANI: Commissioner Starr.

5 MS. deNAIE: -- weigh in our heart. Thank  
6 you.

7 COMMISSIONER STARR: Yeah. Ms. deNaie, was  
8 there any discussion regarding people who were involved,  
9 say, with Contractors Association or construction unions  
10 at GPAC at that time? Because you did have some on your  
11 panel.

12 MS. deNAIE: There was. And there were  
13 several people who did not feel that there was a  
14 conflict of interest and did not opt to -- well,  
15 actually, I -- I take that back. I think Mr. Cook did  
16 recuse himself on -- on one of the votes. And, you  
17 know, it's a little hard to pin down. He was involved  
18 with the Contractors Association. That's -- that's a  
19 broad involvement. But I believe he did recuse himself  
20 on -- on one of the votes, if -- if I'm not mistaken.

21 I tell you, it allowed us to do some  
22 soul-searching. And some people were very offended.  
23 And it took a lot of courage for our Chair to bring that  
24 up. But I think it's what the public expects, that at  
25 least -- and I'm glad Commissioner Hiranaga, you know,

1 aired his position here. I think it helps people  
2 understand.

3 So, you know, sorry to be the -- you know, the  
4 nasty messenger here, but it's an important process.

5 COMMISSIONER STARR: Thank you for bringing  
6 that up.

7 CHAIR HEDANI: Commissioner Shibuya.

8 COMMISSIONER SHIBUYA: Lucienne, I just wanted  
9 to let you know that Chairman Hedani, on couple issues  
10 with Kaanapali, did recuse himself.

11 MS. deNAIE: Yes. Yes.

12 COMMISSIONER SHIBUYA: So there's no -- no  
13 conflict of interest there. And the Members have been  
14 very aware of that. And they've practiced that.

15 On another issue, I know you're very active  
16 and interested in preserving some of the sacred lands,  
17 especially in the upper Upcountry area. I know these  
18 are very few, but can you tell us a little bit more  
19 about where some of these possible locations may be?

20 MS. deNAIE: Well, I -- I think we already  
21 know that there is a concentration of important cultural  
22 sites where the Hawaiian Home Lands are located. But,  
23 also, it's being revealed that places like the proposed  
24 Kula Ridge area appears to be a very important burial  
25 complex. And the Commission is going to be

1 investigating that. I'm looking forward to their  
2 meeting.

3 I just think that we kind of have disconnects  
4 with some of that information here when we're making  
5 decisions. And, yet, we have guiding principles that  
6 say we wanna avoid sensitive cultural sites. So I -- I  
7 think that it's important for folks to know about that.  
8 Obviously, the area around Kamehameha school, the  
9 petroglyphs, and -- and those gulches there are  
10 extremely important cultural areas, you know, they're --  
11 they're really concentrations of historic records that  
12 we don't wanna damage in any way. And -- and it's my  
13 understanding that some have been damaged by some of the  
14 development. So I'm sorry to say that.

15 COMMISSIONER SHIBUYA: Yeah.

16 CHAIR HEDANI: Commissioner Shibuya.

17 COMMISSIONER SHIBUYA: I just want to reassure  
18 you that I've also talked to the headmaster of  
19 Kamehameha Schools, and she is aware of where the  
20 petroglyphs are in that gulch bordering Kamehameha  
21 Schools. Also, the Kula Malu know subdivision is very  
22 much aware of two different sites there. And, actually  
23 taking community action and even cleaning up those areas  
24 and protecting those petroglyphs and homesites there,  
25 too. So --

1 MS. deNAIE: That's gratifying.  
 2 COMMISSIONER SHIBUYA: As long as people know  
 3 about them, we will take advantage and do what is right.  
 4 MS. deNAIE: That's why I keep kind of passing  
 5 out pieces of paper here. Thank you.  
 6 CHAIR HEDANI: Thank you very much.  
 7 Lucienne, just for your information, Kaanapali  
 8 Operations does not own any property other than  
 9 roadways.  
 10 MS. deNAIE: No, I understand that. But it's  
 11 --it's --  
 12 CHAIR HEDANI: The last I checked, it was a  
 13 bundle of expenses rather than a bundle of income.  
 14 MS. deNAIE: And -- and, you know, this is not  
 15 to say that anybody -- I mean, we all here, you know,  
 16 Mr. U'u has a representation, Ms. Domingo, Ms. Sablas.  
 17 It's just the appearance of would this benefit any of  
 18 your Members or any of your associates. And -- and you  
 19 have recused yourself for -- you know, even though you  
 20 don't have those fiduciary responsibilities, you know,  
 21 you've done the right thing. So this is just saying  
 22 that, in this process, this is what GPAC had to deal  
 23 with. And I'm bringing it up.  
 24 CHAIR HEDANI: Right. Commissioner U'u.  
 25 VICE-CHAIR U'U: Just to add a comment. We,

1 also, are members of the community, and we do honor that  
 2 perspective, not where we from or what we do, but we are  
 3 a huge part of the community. And I think we need to  
 4 set aside our differences and agree to disagree at  
 5 times. And I think you shouldn't be personally  
 6 attacking people. I really feel that. Because you need  
 7 to set one example. Because I know you went file for  
 8 after the fact permits, and I think you know the process  
 9 in itself. But thank you.  
 10 MS. deNAIE: Thank you, Commissioner U'u.  
 11 CHAIR HEDANI: Okay. We have four more people  
 12 that have signed up to testify. The first person is  
 13 Darla White, to be followed by Claire Apana.  
 14 MS. WHITE: Good morning, Commissioners.  
 15 I have a PowerPoint presentation which was  
 16 printed up and handed to each of you.  
 17 I am here before you today mostly to bring the  
 18 reefs to you. Because whenever you're considering doing  
 19 anything on land, changing the landscape, developing,  
 20 putting in new roads, you need to consider what's in the  
 21 sea. Everything here is connected. And so I just  
 22 wanted to bring you some of the division of --  
 23 Well, first of all, my name is Darla White, if  
 24 that wasn't clear. I am here on behalf of myself today,  
 25 although I work for the Division of Aquatic Resources

1 and have worked for the University of Hawaii quite a bit  
 2 in the past. I'm basically a research diver. And I get  
 3 to see this every day. I see the impacts on the reef.  
 4 And I just wanted to bring them here to you.  
 5 The process of -- of reef decline has been  
 6 coined slippery slope to slime. And -- go ahead, next  
 7 slide. And the last time I was here, I handed you  
 8 out --  
 9 CHAIR HEDANI: Darla, can you speak directly  
 10 into the microphone, please?  
 11 MS. WHITE: Yes. Sorry. The last time I was  
 12 here, I handed out a document that showed the trends in  
 13 coral cover at several sites around Maui. All of the  
 14 red bar graphs there indicate significant reef declines  
 15 here on Maui out of those given sites.  
 16 Next.  
 17 These two, I'm gonna show you some of the  
 18 data, the photographic data we have from Kahekili Beach  
 19 Park, which is Airport Beach, Kaanapali Beach and  
 20 Maalaea.  
 21 Go ahead.  
 22 And, also, an example of a healthy reef  
 23 system.  
 24 Next.  
 25 Molokini is our best example of a healthy reef

1 system. It's not connected to the land. So it really  
 2 doesn't get a lot of the shoreline impacts that our --  
 3 our nearshore reefs do.  
 4 Next.  
 5 Weather photos taken on the reef at the same  
 6 exact location.  
 7 MS. PAREDES: One minute.  
 8 MS. WHITE: Oh, okay. We're gonna to go  
 9 through this real fast. Dan, go ahead.  
 10 So this is what a reef is supposed to do.  
 11 Year after year, the corals are supposed to grow and --  
 12 and the reef actually competes and grows over itself.  
 13 This is what it should look like.  
 14 Go ahead, Dan. Next.  
 15 Kahekili is an example of a reef under stress.  
 16 We've seen about a 50 percent cover, coral cover decline  
 17 in the past decade.  
 18 Next. Hit it one more time.  
 19 So what you're seeing here is over the past --  
 20 I guess it actually goes back to 2000, where the reef  
 21 has some -- some structure to it, some height, some  
 22 complexity. With the algal impacts, we're starting to  
 23 see a flattening of the dimensionality. So you're  
 24 losing the complexity that the fishes actually need to  
 25 live there, all of the limus filling in the pukas. And

1 it's a less hospitable pits and (inaudible).  
 2 I'm sorry. Go ahead.  
 3 CHAIR HEDANI: Thank you very much, Darla.  
 4 MS. WHITE: Okay. The rest is in your hands.  
 5 So --  
 6 CHAIR HEDANI: Commissioner Starr.  
 7 COMMISSIONER STARR: Yeah. Could you talk a  
 8 little about acantha fora spicifer?  
 9 MS. WHITE: Yes, acanthophora spicifera is an  
 10 invasive seaweed or limu. It was brought here in the  
 11 1950s, I believe, for aquacultural purposes. By 1961,  
 12 it was on all of the islands. This particular one is  
 13 one that fish actually like to eat, so we're lucky it's  
 14 not one of the really ugly ones.  
 15 COMMISSIONER STARR: And --  
 16 CHAIR HEDANI: Commissioner Starr.  
 17 COMMISSIONER STARR: Yeah. And what is your  
 18 experience in the relationship between the decline and  
 19 development upslope?  
 20 MS. WHITE: There are a lot of different  
 21 stressors on any reef in any given area around the  
 22 island. The two big ones on land-based pollution and  
 23 overfishing. The Division of Aquatic Resources can work  
 24 beneath the high tide line, but we need you folks to  
 25 help above the high tide line.

1 followed by Cynthia Warner.  
 2 MS. APANA: I'm Claire Apana. I -- I would  
 3 like to testify now. I left the -- the Upcountry  
 4 meeting before I could testify.  
 5 And so, first of all, I would like to say that  
 6 the petitions that you received from the Kuau area to  
 7 leave the Kuau area off the Urban map will be delivered  
 8 to you soon and they will be updated.  
 9 And, secondly, I'd like to say that, as with  
 10 the woman who showed you about the reef, I just wonder  
 11 if in this process we are really looking at the overall  
 12 effect to our whole island. I observed that night when  
 13 you were talking about Piiholo South that -- that was  
 14 brought up. And the discussion was about water meters,  
 15 not enough water meters and the shortage of water  
 16 Upcountry. And then we're looking at a project that had  
 17 not been approved by the GPAC process -- and I know that  
 18 was an arduous and long process -- that was going to  
 19 lose 50 acres of forest. And I just wonder if, you  
 20 know, when we're -- when you're making the decisions if  
 21 anyone has brought up the whole thought of what happens  
 22 to the island as you -- as developments are put in?  
 23 Because I know from living here in Wailuku, when the  
 24 middle of the island, when the (inaudible) was  
 25 developed, I have more dust. It's -- it's hotter. The

1 CHAIR HEDANI: Commissioner Shibuya.  
 2 COMMISSIONER SHIBUYA: Darla, I was just  
 3 wondering. There's many variables in terms of why the  
 4 coral decays or dies out. Some of it is runoffs, of  
 5 course, that you mentioned. Are there other impacts  
 6 such as recreation besides overfishing? Recreation,  
 7 when you have commercial type outings, when you're  
 8 snorkeling, unintentionally, these people step on that  
 9 stuff. Are there ways to mitigate some of these things  
 10 besides eliminating all of this commercial activity?  
 11 Learning how to surf, when you go walking down in the  
 12 water, you smell the suntan lotion. So does that have  
 13 an interaction or impact to the coral, too?  
 14 MS. WHITE: It -- for the last question,  
 15 suntan lotion does have an impact. There have been  
 16 studies done.  
 17 And funny you mention it. There are processes  
 18 going on right now for the County to implement mandatory  
 19 education within its permit process. So everybody --  
 20 every operator of any commercial kind will have to have  
 21 all of the employees not only enrolled in a education  
 22 all-day class, but have to engage in ongoing education  
 23 as well. So that'll help mitigate.  
 24 CHAIR HEDANI: Thank you.  
 25 Next person to testify is Claire Apana, to be

1 wind is stronger. And we see Wailuku Heights drying up.  
 2 So in -- I think it's a great and wonderful  
 3 responsibility that you have to consider these things  
 4 for all of us on this island. And I hope that you are.  
 5 And I'd just like to say that in that particular Piiholo  
 6 South project, they were -- lot of it was seemed to be  
 7 powered by retirement homes. And that was also supposed  
 8 to happen right by my neighborhood and was approved.  
 9 And they're not going to build retirement homes, we're  
 10 going to have a shopping center.  
 11 MS. PAREDES: One minute.  
 12 MS. APANA: And so once it's changed, it's  
 13 changed. And we may be giving up things for a really  
 14 nice reason that may never happen. And that happened to  
 15 my neighborhood. Okay.  
 16 Thank you very much.  
 17 CHAIR HEDANI: Thank you very much, Claire.  
 18 Next person to testify is Cynthia Warner, to  
 19 be followed by Terry Leonard.  
 20 MS. WARNER: Good morning. Thank you,  
 21 Chairperson Hedani and Commission Members. I'm here to  
 22 speak on behalf of Piiholo South. And -- and, also, to  
 23 clarify just a couple of points that have come up in the  
 24 last hour.  
 25 I'm an Olinda resident. I've lived there for

1 20, 25 years. And so it's a -- it's over half of my  
2 life. And that has gone by so quick. And I see how  
3 fast time goes. And I -- I really feel like we need to  
4 be looking forward to both services for ourselves as we  
5 get older and the -- the elders in our community. I  
6 think that Piiholo South is committed to provide a great  
7 resource for aging in place and retirement housing.

8 And I invite you to think about all the people  
9 that you can help that -- that -- you know, I -- I -- I  
10 appreciate Lucienne's point. And I want to take that  
11 from the other side and think of all the people that you  
12 do know that are going into their sixties and seventies  
13 and eighties that could be served from this project.

14 I also wanna clarify a couple of things. One  
15 of the questions was about the other -- the rest of --  
16 the balance of the Piiholo South project. I wanna  
17 stress that this -- the parcel that we're asking for  
18 consideration for is 59 acres. It's separate from the  
19 rest of the project. And it's all different parcels.  
20 And the one that's 59 acres is -- is right next to  
21 Makawao. It's not forest. It was all old Maui Land &  
22 Pine land. It's now been fenced and we're doing our  
23 best to remediate the soil and bring it back to life,  
24 raising cattle, introducing different -- we're looking  
25 into different agricultural crops.

1 COMMISSIONER HIRANAGA: So I don't know how  
2 old you have to be to be an elderly that rarely drives.  
3 So that's my quandary, is you did not contact the church  
4 and school for position statement.

5 MS. WARNER: We have met with -- with the  
6 school, but not -- not in a formal request. And we  
7 would be happy to do that. Some of the parishioners  
8 that I have talked with are very, very supportive. But  
9 I couldn't quote them in terms of supporting the whole  
10 church. I think it would be a great -- it seems to me  
11 like it would be a win-win, where there will be  
12 increased parishioners and people that are really  
13 wanting to be able to get to worship and that could  
14 actually walk and not have to need rides, especially  
15 when they're getting older, and be able to independently  
16 go to the church and be active in the church community.

17 Am I -- my gut feeling sits gonna be very well  
18 supported. And I'm happy to -- even in this next week,  
19 if you wanna delay and have us to go and solidify that  
20 in a written statement, we can work on that.

21 CHAIR HEDANI: Thank you very much.

22 MS. WARNER: Thank you.

23 CHAIR HEDANI: Terry Leonard, to be followed  
24 by Dick Mayer.

25 MS. LEONARD: Hello. Yes, my name is Terry

1 We really believe that with the community  
2 gardens and the green spaces within the project that we  
3 will be adding to the agricultural supply Upcountry.

4 MS. PAREDES: One minute.

5 MS. WARNER: Thank you. And I guess there's  
6 no intention and nor is there any vehicle for further  
7 expansion for any of the other lots. And some of those  
8 lots are not even owned by the same group. It's  
9 different entities, different parcels. So we're only  
10 asking for consideration for the one that we own that is  
11 close to Makawao Town. Our goal would be to provide  
12 access into town and provide something that's very, very  
13 needed in the community.

14 And thank you for being here and thank you for  
15 your time.

16 CHAIR HEDANI: Thank you very much, Cynthia.  
17 Question from Commissioner Hiranaga.

18 COMMISSIONER HIRANAGA: Cynthia, again, as I  
19 had said to Mr. Franks, you know, I'm sort of on the  
20 fence with this project. And it would have really  
21 helped if you had gotten some type of a position  
22 statement from St. Joe's Church and School. Because you  
23 -- Mr. Franks said elderlies don't really drive, but my  
24 father is 82 and he drives every day. So --

25 MS. WARNER: Is that a good thing?

1 Leonard. Thank you for giving me this opportunity to  
2 speak. I am representing myself, but I am a member of  
3 South Maui Sustainability. And I chair the Reef  
4 Sustainability Committee as well as I'm a member of the  
5 Maui Nui Marine Resources Council.

6 And I just want to comment -- I wasn't  
7 planning to talk on this, but I wanted to comment on  
8 Darla's presentation, because you -- you were mentioning  
9 about the commercial activities, the impact on the reef.  
10 I would like to point out, in Darla's presentation, the  
11 beauty of Molokini. Molokini is a shining star in coral  
12 reef development. It is beautiful. It is healthy.  
13 It's thriving. It's growing. And it has hundreds of  
14 thousands of people visit there. They're all  
15 recreational users.

16 Along the coastline is where we're having the  
17 degradation of our reefs that are so severe. And you  
18 should be very, very concerned, very concerned about  
19 this. And some of the areas that are the most affected  
20 are around injections wells.

21 And the University of Hawaii has actually  
22 shown that N15, which is a type of nitrogen that algae  
23 uses, when it comes from -- only from sewage. And this  
24 is the type of algae that is blooming in these areas.

25 And these are big areas. We're not talking about small,



1 condensed areas.  
 2 So I would like you to consider two things.  
 3 One is that every building, whether it's a house or a  
 4 commercial building, everyone contributes to the load.  
 5 Not only do we use water -- does that building use  
 6 water, but it contributes to the load --

7 MS. PAREDES: One minute.

8 MS. LEONARD: -- of sewage and wastewater. So  
 9 the second thing -- and I want you to consider that for  
 10 everything that's built, please, every -- every single  
 11 unit. But, also, consider what are we doing with our  
 12 sewage and wastewater infrastructure right now and what  
 13 are our plans. Because it's falling apart. It's not  
 14 doing the job. It's hurting our environment  
 15 tremendously.

16 I suggest that we put some -- put some of our  
 17 resources toward improving the infrastructure and  
 18 reusing the 10 to 15 million gallons a day that the  
 19 County is injecting into injections wells, which is  
 20 ultimately going into the ocean, which is proven now by  
 21 the University of Hawaii and DLNR, and what can we do  
 22 with that water instead. It is a resource that's  
 23 misplaced.

24 And as -- again, every unit that we add is  
 25 adding to that load in the future every day. So please

1 of the numbers clear to you.

2 You have been given this chart, what I'm  
 3 holding up right now. And that chart, I think, may be  
 4 misrepresentative of the situation.

5 What I have here at the top -- and I'd like  
 6 you -- I'm just gonna try to explain the rows. And  
 7 you'll have time this weekend or next week to go through  
 8 it in much greater detail before you finally make your  
 9 final approval.

10 Row A has the existing housing stock on Maui  
 11 as given in the land use study. On the right, you'll  
 12 see there the reference. And those figures, 44,000 was  
 13 the existing stock, that includes residents and  
 14 nonresident housing. Then recently completed since  
 15 then, according to the Department, are roughly 2,200  
 16 more units. For an existing housing stock on Maui, I'll  
 17 read just the island totals, 46,000 units.

18 Now, what else has been allowed? Well, on the  
 19 -- the Department has a list of all the major projects  
 20 of over four units. And they're 18,000 units that have  
 21 been entitled and zoned and are ready to be developed  
 22 and Community Plan designated.

23 In addition to that, there are a number of  
 24 other parcels of land, according to the Land Use  
 25 Forecast, that you'll see there in Table 3.1. There are

1 consider these items --

2 CHAIR HEDANI: Thank you very much.

3 MS. LEONARD: -- as you make these  
 4 deliberations. Thank you.

5 CHAIR HEDANI: The next person that we have to  
 6 testify is Dick Mayer.

7 MR. MAYER: Thank you very much,  
 8 Commissioners.

9 I first just wanted to say that I'm available.  
 10 If you have any questions about the Kula position, the  
 11 paper that was put out in your thing this morning, I'll  
 12 be glad to answer it. The Kula Association Board did  
 13 vote unanimously to (inaudible) this policy. And we  
 14 also wanna remind you that it did come up -- this  
 15 project did come up before the full County Council and  
 16 it was turned down by the Council. So if there are any  
 17 questions.

18 That's not my main testimony.

19 Could you turn on the overhead, please?

20 I'm presenting you with a chart here that is  
 21 something that the GPAC should have had a long time ago.  
 22 We were given information as we went along sort of  
 23 piecemeal. And what I tried to do this weekend was to  
 24 take all of those numbers that we had gotten and put it  
 25 together on one chart that, hopefully, will make a lot

1 5,000-plus single-family vacant lots. The guy next door  
 2 to me as an empty lot, he hasn't built a house yet.  
 3 That wouldn't be included.

4 MS. PAREDES: One minute.

5 MR. MAYER: There's also the multifamily, the  
 6 potential units on rural, ag land under five acres and  
 7 those over five acres are indicated there. Giving  
 8 totals down there of potential supply, on the right-hand  
 9 side there, of 81,000 units.

10 The demand on the island, according to the  
 11 Socioeconomic Study, is for 84,000 units. That was  
 12 originally in 2004. The Department now has readjusted  
 13 that downward by 5.1 percent, to 80,000, roughly, units.  
 14 Leaving a surplus, not a deficit, but we actually have  
 15 more land available, 1,500 more lots are now available,  
 16 even before you do the Urban Growth Boundary extensions.

17 So be very careful in increasing the urban --  
 18 anywhere on the island. I'm not speaking about one  
 19 project here. The only area where there's a major  
 20 shortage, as you read across line M, is in Central Maui  
 21 where there's a shortage of 8,000 units. That's the  
 22 area where growth probably should be taking place to  
 23 meet the demands, according to all the technical studies  
 24 that you were given.

25 CHAIR HEDANI: Thank you very much, Dick.

1 Question from Commissioner Starr.  
 2 COMMISSIONER STARR: Yeah. Mr. Mayor, as far  
 3 as the Kula Ridge project goes, we had testimony before  
 4 saying that no position was taken. Can you please tell  
 5 me what the process was and what occurred?

6 MR. MAYER: It began several years ago when  
 7 the developer came to us. And I must compliment the  
 8 developer for making a very strong effort to communicate  
 9 with the community. That doesn't always happen.

10 COMMISSIONER STARR: You were on the board at  
 11 the time?

12 MR. MAYER: I was on the board. And I have  
 13 been on the board since the association was founded in  
 14 the mid 1980s.

15 And the association looked at it. We had  
 16 several meetings with them. We did an analysis. And we  
 17 came up with several concerns. And we also made some  
 18 recommendations with those concerns.

19 Major concerns -- I'm just summarizing here,  
 20 they're in the document that you have in front of you --  
 21 were water, because the -- it was uncertain where the  
 22 water would come from. There was discussion of putting  
 23 a well on an adjoining piece of property that the  
 24 developer has of possibly getting from Maui Land & Pine.  
 25 It still is not clear exactly where the water would come

1 from. But the other concern was traffic. The road that  
 2 this project would lead onto, Lower Kula Road, between  
 3 Morihara Store and the community center there, is very  
 4 narrow and it's also utilized by two schools, Haleakala  
 5 school, and potentially by this project, which the  
 6 children would have to walk along that narrow road,  
 7 which is quite dangerous, where there are no sidewalks.  
 8 Because within one mile of the school, they're not  
 9 allowed to take the school bus. And there were some  
 10 real concerns there.

11 There was also a question of -- of  
 12 urbanization generally in Kula. And that's why the --  
 13 the association voted to recommend the agreement with  
 14 the GPAC and the Director's recommendations as to where  
 15 the boundary line should be in that area.

16 CHAIR HEDANI: Thank you very much, Mr. Mayer.

17 Question from Commissioner Mardfin.

18 COMMISSIONER MARDFIN: Yeah. I'm very  
 19 interested in this table. Because it looks like it has  
 20 some -- I wanna ask some questions, a series of them,  
 21 maybe.

22 Is there any double counting in here? Are you  
 23 perhaps counting something in Row G that was also  
 24 counted in Row E or D or somewhere else?

25 MR. MAYER: I don't believe so. I believe

1 that, for example -- Row B, for example, recently  
 2 completed projects, recently completed, some of those  
 3 are perhaps from -- would have been from D, the entitled  
 4 projects, but they're not double counted because that  
 5 number has now been reduced. So those two numbers are  
 6 consistent and -- and probably are not duplicative. So  
 7 there's -- they -- they represent separate numbers.

8 COMMISSIONER MARDFIN: I have another  
 9 question. If I'm reading this correctly, particularly  
 10 if I'm reading Row M --

11 MR. MAYER: Uh-huh.

12 COMMISSIONER MARDFIN: I think you said this.  
 13 We don't have to include any Rural Growth Boundaries, we  
 14 don't have to include any Urban Growth Boundaries, and  
 15 we have a surplus in every area with the one exception  
 16 of Central Maui?

17 MR. MAYER: That's correct.

18 COMMISSIONER MARDFIN: So that's -- if we want  
 19 people there, that's where we would have to put --  
 20 expand Urban Growth grow or Rural Growth Boundaries.

21 MR. MAYER: That would be the one area that  
 22 you would have to expand as opposed to all the others.

23 COMMISSIONER MARDFIN: And may I follow up?

24 CHAIR HEDANI: Commissioner Mardfin.

25 COMMISSIONER MARDFIN: Let me make sure I

1 understand the date of this. The -- the potential  
 2 supply is as of today?

3 MR. MAYER: As of July 1st is when the -- of  
 4 this year.

5 COMMISSIONER MARDFIN: And the demand row,  
 6 K --

7 MR. MAYER: Yes.

8 COMMISSIONER MARDFIN: -- is in 2030, 20 years  
 9 from now?

10 MR. MAYER: That was -- that was what your  
 11 analysis -- your technical analysis said would be needed  
 12 in 2030, but now -- and that was based on the higher  
 13 population figure of 198,000 for the County, the DBEDT  
 14 estimate.

15 COMMISSIONER MARDFIN: So we should be using  
 16 row L as the demand?

17 MR. MAYER: Row L is the correct row because  
 18 that's the one that's now been adjusted for the reduced  
 19 population estimate for 2030.

20 COMMISSIONER MARDFIN: But -- but that's in  
 21 2030. Today, we have enough lots; in 2020, we have  
 22 enough lots; in 2030, we have enough lots with the  
 23 exception of Central Maui?

24 MR. MAYER: Correct.

25 COMMISSIONER MARDFIN: Thank you.

1 MR. MAYER: And the other thing that the --  
 2 that report says -- which is very critical, it says that  
 3 usually they put a five percent or 10 percent factor in  
 4 there because they know that all the houses will not be  
 5 built. They made it very clear that that is not  
 6 necessary in this particular analysis because, in 2020,  
 7 these numbers would all be looked at again and  
 8 readjusted up or down at that time. So -- and there are  
 9 more than enough houses with a big safety factor to  
 10 2020.

11 COMMISSIONER MARDFIN: Thank you.  
 12 CHAIR HEDANI: Commissioner Hiranaga.

13 COMMISSIONER HIRANAGA: Mr. Mayer, looking at  
 14 your graph here, focusing on Upcountry, line item B.

15 MR. MAYER: Yes.

16 COMMISSIONER HIRANAGA: So if I look at this,  
 17 since 2004 to July 2009, there have been nine new units  
 18 added to Upcountry?

19 MR. MAYER: That's the number that was in  
 20 large projects. This does not include, for example, if  
 21 a neighbor of mine did build a house, that would not be  
 22 included in that. That's all -- those are -- an  
 23 additional supply of houses that are not even -- these  
 24 are very conservative estimates of the number of housing  
 25 supply. Because that only includes nine houses in -- in

1 existing large projects.

2 COMMISSIONER HIRANAGA: Nine, nine units?

3 MR. MAYER: Correct.

4 COMMISSIONER HIRANAGA: In five years?

5 MR. MAYER: Yeah. That's what the -- that's  
 6 what the Department is saying.

7 COMMISSIONER HIRANAGA: Okay. And through --  
 8 line Item D through H --

9 MR. MAYER: Yes.

10 COMMISSIONER HIRANAGA: Are you assuming --  
 11 let's look at Upcountry again.

12 MR. MAYER: Uh-huh.

13 COMMISSIONER HIRANAGA: There's approximately  
 14 6,000 units.

15 MR. MAYER: Correct.

16 COMMISSIONER HIRANAGA: You're assuming they  
 17 all have water meters?

18 MR. MAYER: No, I don't assume that.

19 COMMISSIONER HIRANAGA: And access, clear  
 20 title? You said houses.

21 MR. MAYER: These --

22 COMMISSIONER HIRANAGA: They're really vacant  
 23 lots.

24 MR. MAYER: They're -- they're lots that could  
 25 have houses built on them if water was available. And

1 extending Urban Growth Boundaries in that area wouldn't  
 2 add any water. That would be an additional -- just  
 3 making more units available, land available, but it  
 4 wouldn't make -- mean any greater supply.

5 COMMISSIONER HIRANAGA: Third question. So  
 6 I've got this information from the Planning Department,  
 7 who talked to the Department of Water Supply. And  
 8 Pookela Well, which is the last County well that was  
 9 installed in 2003, just above Makawao Town.

10 MR. MAYER: Correct.

11 COMMISSIONER HIRANAGA: It came online in  
 12 2003, and in six years, they have installed 316 meters.

13 MR. MAYER: Uh-huh.

14 COMMISSIONER HIRANAGA: Which is about 50  
 15 meters a year.

16 MR. MAYER: More than that.

17 COMMISSIONER HIRANAGA: So how long is it  
 18 going to take to get to those 6,000 potential units if  
 19 they're doing 50 meters a year? And there is a limit as  
 20 to the number of meters each well can generate. So I --  
 21 I mean, in 1992, they had the Upcountry rule, 17 years,  
 22 they -- I mean, they have come up with 316 new meters  
 23 for Pookela Well.

24 MR. MAYER: Uh-huh.

25 COMMISSIONER HIRANAGA: I just don't -- I

1 can't see how 6,000 homes will be built in the next 20  
 2 years Upcountry.

3 MR. MAYER: I think you make my point that  
 4 that's they don't -- you don't need to increase Urban  
 5 Growth Boundaries even Upcountry, in Haliimaile,  
 6 Pukalani-Makawao, because we already have so many lots.  
 7 And especially what we have of the Hawaiian Homelands  
 8 that you're talking about Upcountry. Hawaiian Homelands  
 9 is the first -- should be the first on the list, even  
 10 perhaps before the meters. And they will need water.

11 So whatever water is developed by a private developer or  
 12 the County probably should go to the people on the meter  
 13 list. And those people are already in line waiting.

14 CHAIR HEDANI: Commissioner Shibuya.

15 COMMISSIONER SHIBUYA: I was just wondering,  
 16 Dick, can you tell us, on the entitled ones, the age,  
 17 the average age of these development? I know I'm gonna  
 18 be asking you to guess on this. How many are -- what  
 19 percentage is actually 10 years or older and nine years  
 20 and younger?

21 MR. MAYER: I would have to go through -- I --  
 22 I have a list here, if anybody would want to see it.

23 This is from the Department. It's their July 1st list.

24 COMMISSIONER SHIBUYA: Okay.

25 MR. MAYER: And, obviously, there's a great

1 variation from some of them that have been on -- on --  
 2 you know, thinking about it for 20 years. Like for  
 3 example, two -- let's use two examples. Kehalani and  
 4 Maui Lani, because these are two -- among the two  
 5 largest. Maui Lani was first approved, I think, back in  
 6 the late seventies. And they have been building an  
 7 increment at a time all the way through. And I think  
 8 they still have a reserve of somewhere around 2,000,  
 9 2,300 more units that they could build in Central Maui.  
 10 Kehalani, the same thing. They were approved, I think,  
 11 in the eighties. And they have been building up the  
 12 hill, and as we all know now, for a period of time. So  
 13 some of these, even though they have been on the list  
 14 for a long time, have been building steadily. Maybe not  
 15 as fast as the market needed, but they have been  
 16 building steadily, or at least as fast as people could  
 17 afford them. There's -- there's no --

18 CHAIR HEDANI: Commissioner Hiranaga.

19 COMMISSIONER HIRANAGA: Yeah. Dick, you know,  
 20 as you brought up Maui Lani, my parents live on the  
 21 boundary of Maui Lani. And I believe A&B proposed that  
 22 project in the mid seventies.

23 MR. MAYER: Uh-huh.

24 COMMISSIONER HIRANAGA: The first homes were  
 25 built, I believe, around 1994, 1995.

1 developer who has now gone ahead and done that. So I  
 2 agree with you it doesn't always get done, but the  
 3 number of units out there that could be built already is  
 4 adequate for the supply that's been predicted for 2030.

5 CHAIR HEDANI: Commissioner Mardfin.

6 COMMISSIONER MARDFIN: I'm looking at this and  
 7 drawing three conclusions. I wanna state them and see  
 8 if you agree that these are three major conclusions.  
 9 One major conclusion is that, in Central Maui, we need  
 10 to develop buildable -- have buildable lots approved so  
 11 that we can take care of the demand there?

12 MR. MAYER: Uh-huh.

13 COMMISSIONER MARDFIN: The second part is  
 14 Upcountry. We don't have a -- need a land use policy,  
 15 we need a water development policy to make those houses  
 16 come online. Approving more lands won't do any good  
 17 there.

18 MR. MAYER: Correct.

19 COMMISSIONER MARDFIN: And for all the rest of  
 20 the island, there seems to be sufficient housing there,  
 21 not only to cover us through 2020, when we can  
 22 reevaluate, but through 2030. And so for the rest of  
 23 Maui, we really don't need to be approving additional  
 24 growth in particular?

25 MR. MAYER: That -- that -- I think all three

1 MR. MAYER: Uh-huh.

2 COMMISSIONER HIRANAGA: So 20 years passed --

3 MR. MAYER: Uh-huh.

4 COMMISSIONER HIRANAGA: -- before a single  
 5 home was built in Maui Lani.

6 MR. MAYER: Uh-huh.

7 COMMISSIONER HIRANAGA: So, again, I'm having  
 8 concerns, when you're saying there's an ample supply of  
 9 house lots that can already be built upon. And you're  
 10 familiar with the "Show Me the Water" Bill?

11 MR. MAYER: Yes, I am.

12 COMMISSIONER HIRANAGA: Okay. So these new  
 13 projects that are coming up will have to provide their  
 14 own water source or obtain a water source before they  
 15 can get final subdivision approval. In fact, before  
 16 they can get construction plan approval.

17 MR. MAYER: That's right.

18 COMMISSIONER HIRANAGA: So some of these  
 19 developers, like A&B and Kula Ridge, are saying they're  
 20 gonna provide their own source.

21 MR. MAYER: Yeah. A&B was the developer that  
 22 originally got the approval for Maui Lani. They're the  
 23 ones who got it. And then they -- part of that delay,  
 24 why it wasn't built, was Maui -- A&B did not initiate  
 25 that project, and then, finally, they sold it to another

1 of those statements are correct. And I think one of the  
 2 things that -- that would follow from that would be that  
 3 you should be looking at how do we make sure that  
 4 developers do it -- make sure the approval process for  
 5 projects is expedited, is made smoother so that -- that  
 6 these projects that are on the list can go through their  
 7 overall extraordinary handicaps that these things  
 8 that -- that affordable housing, which is the housing  
 9 we're all talked about, do get built. Those are  
 10 critical things. And whatever the Department --

11 CHAIR HEDANI: Commissioner Mardfin.

12 COMMISSIONER MARDFIN: Yeah. You just touched  
 13 on the last point I was gonna make. It isn't so much  
 14 that we don't have lots that can't be developed, it's  
 15 that we don't have lots that can be developed for the  
 16 people that we need to be concerned about, low income,  
 17 affordable housing, senior housing, that sort of thing.  
 18 So the constraint isn't that we don't have enough lots,  
 19 that we don't have enough lots that are gonna be  
 20 provided for affordable housing and senior housing, is  
 21 that --

22 MR. MAYER: I think so. I -- I agree.

23 COMMISSIONER MARDFIN: Thank you very much.

24 CHAIR HEDANI: Thank you very much, Dick.

25 Are there any other members of the public that

1 would like to offer testimony at this time? If so,  
 2 please step to the microphone and state your name for  
 3 the record.  
 4 MR. VICENS: Aloha, Commissioner Hedani and  
 5 Members of the group.  
 6 As you know, I -- I am a member or have been a  
 7 member of GPAC.  
 8 CHAIR HEDANI: State your name for the record.  
 9 MR. VICENS: Mercer Chubby Vicens. I was a  
 10 member of GPAC for three years.  
 11 There are a couple of things that were said  
 12 today -- and I have been to almost every meeting of the  
 13 Planning Commission, but there are a couple of things  
 14 that bothered me today. One is a statement made by the  
 15 gentleman who was the president of the Olowalu  
 16 subdivision, sitting in the black -- with the black  
 17 shirt, making accusations that there was possible graft  
 18 tended by the Ward and Frampton group towards GPAC  
 19 Members.  
 20 This is an American society. If you have --  
 21 CHAIR HEDANI: Chubby -- Chubby --  
 22 MR. VICENS: Excuse me.  
 23 CHAIR HEDANI: I won't allow -- you know, I  
 24 won't allow attacks on anybody that previously  
 25 testified.

1 that that should never be a question. You either voted  
 2 because it's good for the community or you vote for it  
 3 -- against it because it's not. So I wanna clear that  
 4 up. Okay.  
 5 And the third, you know, I'm kind of  
 6 disappointed in Dick. Dick was the Dick -- was the  
 7 Vice-Chair of our group.  
 8 MS. PAREDES: One minute.  
 9 MR. VICENS: To come up with the numbers that  
 10 he came up with today -- we had three years to develop  
 11 numbers. Okay. So, I mean, I -- I -- I don't know what  
 12 the purpose is to discredit the numbers that came up  
 13 with the GPAC group. They worked very hard to come up  
 14 with some numbers. If information were available then,  
 15 they should have been brought up.  
 16 We know that down the road, 10 years from now,  
 17 you're gonna be able to revisit this again. So whether  
 18 you're two or three thousand units off one way or the  
 19 other does not make a darn difference.  
 20 I'm disappointed that he didn't share his  
 21 mana'o with us when we were members, because he was the  
 22 vice chair. Okay.  
 23 So these are the three things I picked up  
 24 today. And the reason I attend the meetings is that I  
 25 want the record to stay straight. Okay. We tried to

1 MR. VICENS: I'm not gonna attack anybody.  
 2 I'm just -- I'm just stating a fact because I was  
 3 attacked. Okay? I was a member of the group. He  
 4 didn't --  
 5 CHAIR HEDANI HEDANI: Okay.  
 6 MR. VICENS: -- say who they were.  
 7 CHAIR HEDANI HEDANI: If you want to offer  
 8 testimony, please direct the testimony to the  
 9 Commission.  
 10 MR. VICENS: Thank you very much. I'll do  
 11 that.  
 12 So I think that the Commissioners should ask  
 13 the question, when these things are brought up, do you  
 14 have any specific names, dates, et cetera. We don't do  
 15 that. Okay.  
 16 The second thing is, is that Lucienne said the  
 17 same thing, basically, that members of the Commission  
 18 recused themselves. I'm 73 years old. I'm losing my  
 19 memory every day of my life, but I don't ever remember  
 20 recusing myself from any -- any decisions or votes that  
 21 were taken.  
 22 And the reason I didn't is because I was  
 23 appointed by the Mayor to represent a faction of the  
 24 community. I take enough pride in what I do and the  
 25 integrity of what -- that I bring to this community,

1 accomplish a goal. And I believe we tried our best to  
 2 do it. Thank you very much.  
 3 CHAIR HEDANI HEDANI: Thank you very much.  
 4 I have one question, Chubby.  
 5 MR. VICENS: Yes.  
 6 CHAIR HEDANI HEDANI: In the case of GPAC, and  
 7 when the GPAC maps are presented to us, it's presented  
 8 to us in a way that it seems like there was something  
 9 that we had not been able to achieve in the last two  
 10 meetings, which is consensus on the maps, consensus on  
 11 the proposals that are put forward. Were the maps that  
 12 were approved by GPAC approved by a unanimous decision  
 13 or a majority decision?  
 14 MR. VICENS: I think it was a majority  
 15 decision because it came out on -- at the eleventh hour.  
 16 We had a termination date to complete it, and I think it  
 17 came up in the last week or last couple days before we  
 18 were -- we had to meet that deadline.  
 19 CHAIR HEDANI HEDANI: Okay. Thank you.  
 20 MR. VICENS: Thank you.  
 21 CHAIR HEDANI HEDANI: Are there any other  
 22 members of the public that would like to offer  
 23 testimony? Please step to the microphone and state your  
 24 name for the record.  
 25 MS. ENGLISH: Aloha, Chair Hedani and Members

1 of the Commission. My name Pam English with Maui Land &  
2 Pineapple Company.

3 I spoke about our conceptual plans for the  
4 Haliimaile area when you convened in Pukalani. I showed  
5 the demand projections for Upcountry may be severely  
6 underestimated due to the popularity of the area. I  
7 spoke of the potential gap in demand figures due to the  
8 assumption that 100 percent of the currently entitled  
9 unbuilt product will be built. And I spoke of the need  
10 for affordable housing Upcountry.

11 Haliimaile is indeed only a 10 to 15-minute  
12 drive to Kahului, one of our largest job centers on the  
13 island. The Maui Island Plan goals aspire to bring  
14 compact, walkable communities near schools and services,  
15 like grocery and gas. We've seen wide support for  
16 well-planned, affordable and energy-efficient housing  
17 development in Haliimaile.

18 Compact development, phased over time, in a  
19 well-planned long-range vision can provide for the  
20 future families of Upcountry. The process of  
21 entitlement, at best, will take 10 years. Starting with  
22 the EIS, about three years. State zoning, a couple  
23 more. And then County zoning, at which point we then  
24 begin the subdivision process.

25 The Staff has assumed the buffer for demand is

1 Mahalo.

2 CHAIR HEDANI HEDANI: Thank you very much,  
3 Pam.

4 I have one question. Over the past several  
5 years, Maui Land & Pineapple Company has released over  
6 500 employees from its employment base. What is the  
7 future -- how many employees do you currently have? I  
8 believe it's like 700 left, of the 1,200 originally that  
9 you had. And what is the future for those 700  
10 employees?

11 MS. ENGLISH: Thank you.

12 I believe you're correct that it is  
13 approximately 700. And I'm one of them. And I hope our  
14 future is bright. As -- as we're all working through  
15 these tough economic times, we've had to make some  
16 difficult choices. And we're -- we are working to  
17 balance our agricultural operations with our resort  
18 management operations and look to the future for things  
19 like the Haliimaile project, which can provide for  
20 affordable housing for our workers.

21 So we're both a development company and an  
22 agricultural company. Agriculture is difficult in these  
23 times, as you know. And we are doing everything that we  
24 can to keep that strong. It's tough. It is hard.

25 So I guess that's what I can say.

1 built into the plan by virtue of the 10-year update. We  
2 won't be working on these affordable projects if it's  
3 not on the map. And it will take 10 years to get a  
4 shovel in the ground. Development will be phased. We  
5 just need to be able to project the costs equitably.

6 Please consider the inclusion of Haliimaile  
7 expansion area in the Country Town Growth Boundary so we  
8 may begin work on supplying the demands of this market.

9 I've passed out a map. We have land in the  
10 Haliimaile central area that's currently zoned for  
11 services such as the grocery and gas. We would have the  
12 ability, with the inclusion of this property, to provide  
13 for a whole community. The proposed boundary is  
14 inclusive of open space, parks, schools, as well as  
15 homes. We need the critical mass in order to provide  
16 the community services. Without services, you would be  
17 left with just another residential sprawl subdivision.

18 We are committed to providing for the  
19 Agricultural zone to remain in perpetuity between  
20 Makawao and Pukalani with this proposed inclusion. I  
21 think our Haliimaile project --

22 MS. PAREDES: One minute.

23 MS. ENGLISH: -- is a good plan, worthy of the  
24 opportunity to begin working with the community for the  
25 future of Upcountry.

1 CHAIR HEDANI HEDANI: Thank you.

2 Are there any other members of the public that  
3 would like to offer testimony at this time? Seeing  
4 none, public testimony is closed.

5 I'm going to go ahead and take a break at this  
6 point for lunch. And we'll reconvene at 1:30.  
7 (Recess, 12:29 p.m. to 1:32 p.m.)

8 CHAIR HEDANI: Planning Commission of  
9 September 14th is back in session. Next item on our  
10 agenda is Item E. Director, please set us up for  
11 success.

12 MR. HUNT: Thank you, Mr. Chairman.

13 COMMISSIONER HIRANAGA: Mr. Chair? Mr. Chair?  
14 Did you wanna to just ask if there's any additional  
15 testimony?

16 CHAIR HEDANI: Are there any member of the  
17 public that would like to offer testimony? Seeing none,  
18 public testimony is closed. Thank you.

19 Director.

20 MR. HUNT: Item E on your agenda involves the  
21 Commission discussion of and recommendations related to  
22 the Draft Maui Island Plan's Directed Growth area unit  
23 count spreadsheet, boundaries and maps. The intent is  
24 to review the island by community planned region in the  
25 following order: Paia-Haiku, Hana,

1 Makawao-Pukalani-Kula, Kihei-Makena, West Maui, and  
 2 then, finally, Wailuku-Kahului.  
 3 To give a little background, the Commission  
 4 has gone through Paia-Haiku and, also, Hana, and made a  
 5 recommendation. The Commission visited Makawao -- or  
 6 let's just call that Upcountry, and South Kihei and West  
 7 Maui -- pardon me, South Maui and West Maui, but there  
 8 wasn't -- there wasn't a definite vote or recommendation  
 9 made. There was a lot of split votes on your last  
 10 discussion. You have several choices at this point. We  
 11 haven't gone through Central Maui, Wailuku-Kahului, even  
 12 once. However, the Planning Department would recommend  
 13 that we actually just go back to Upcountry and start  
 14 there. And you've got some background knowledge and  
 15 most of you, I believe, have some opinions on it  
 16 already. It should go much quicker, I would think, now  
 17 that you kind of visited it and got some of the  
 18 information.  
 19 It's -- the Department would like to encourage  
 20 you to come up with a recommendation. Split votes don't  
 21 give direction to the public or the Council. And  
 22 sometimes you can negotiate amongst yourselves, saying,  
 23 well, you know, if this project was in or if that area  
 24 was out or something, it would change my vote. And you  
 25 can talk to each other to try and get some kind of vote,

1 related to Upcountry. My motion is to recommend  
 2 provisionally the growth boundaries listed on maps U1,  
 3 U2, U3 and U4 with the Kee Road amendment and the  
 4 addition of Kula San.  
 5 CHAIR HEDANI: Is there a second?  
 6 COMMISSIONER SHIBUYA: I'll second it.  
 7 CHAIR HEDANI: Seconded by Commissioner  
 8 Shibuya. Discussion?  
 9 Commissioner Mardfin.  
 10 COMMISSIONER MARDFIN: This is not exactly  
 11 germane, but we left off this morning with some new  
 12 tables of housing units. And I think that we ought to  
 13 get that resolved before we start talking about new  
 14 boundaries. And I was wondering if we could ask the  
 15 Long Range Planning people to comment on that  
 16 presentation.  
 17 CHAIR HEDANI: Mr. Summers.  
 18 MR. SUMMERS: Thank you, Mr. Chairman.  
 19 Our Staff just received these -- these numbers  
 20 from Mr. Mayer, this new table. We looked at it very  
 21 quickly. We're gonna have to analyze it. We think  
 22 there may be some areas where the -- where there's some  
 23 overlap or double counting. So it'll take us some time  
 24 to do that research.  
 25 In terms of the Item H, in the -- in the

1 where you could get a firm recommendation.  
 2 Finally, in an ideal situation, the Planning  
 3 Department and the Planning Commission's recommendations  
 4 would be the same. It's not going to happen in all  
 5 likelihood, but, in that ideal situation, that sends a  
 6 very strong message to the Council. And it gives them  
 7 assurance and a comfort level that they are -- that they  
 8 can then act on quicker.  
 9 So that's not to prejudice you or anything  
 10 like that. It's just that we tried to support the  
 11 GPAC's recommendations as much as we could. And we  
 12 would ask that you support us in those GPAC  
 13 recommendations as much as you can. And then, again, it  
 14 gets some kind of solid consensus that goes to the  
 15 Council for their decision-making.  
 16 So with that, I'll turn it over to the Chair  
 17 unless you want to send it straight to Staff.  
 18 CHAIR HEDANI: Does Staff have anything  
 19 constructive to say today?  
 20 MR. HUNT: I guess we should decide where  
 21 we're gonna go first. Do we want go back Upcountry or  
 22 do you want to go to Central Maui?  
 23 COMMISSIONER STARR: Yeah, Mr. Chair.  
 24 CHAIR HEDANI: Commissioner Starr.  
 25 COMMISSIONER STARR: I have a motion to make

1 spreadsheet, the potential units on larger ag lots, as  
 2 we have noted previously, we did not do a build-out of  
 3 lots greater than five acres in the Ag District. There  
 4 were a number of reasons why we did not. One of which  
 5 was the Department's intent. In fact, it's clearly  
 6 spelled out in the policy recommendations of this body  
 7 that we would go back and tighten up the subdivision  
 8 potential in the Ag District. We also felt that the  
 9 assumption that lots of five acres or less, that that  
 10 assumption that they would all be developed with a house  
 11 sort of counterweighted that.  
 12 So we would like to report back to you on this  
 13 table after we've had a chance to look at it.  
 14 As I noted in the previous meeting, the  
 15 Department's forecast was very conservative on the side  
 16 of erring to make sure that we've provided enough  
 17 housing to meet the needs of our resident population.  
 18 There are a number of provisions in the forecast, the  
 19 five percent vacancy factor that was included, the  
 20 existing land use database most likely undercounted a  
 21 number of units, and we didn't build out the Ag lands  
 22 larger than five acres.  
 23 CHAIR HEDANI: Thank you.  
 24 Commissioner Mardfin.  
 25 COMMISSIONER MARDFIN: I can live with that,

1 since we're passing these maps provisionally, anyway.  
 2 But before we did final version, I'd like to know what  
 3 we have -- our goals are. And I would urge you to work  
 4 with Dick Mayer to make -- so that I would feel  
 5 comfortable if both you of you were, basically, in  
 6 agreement on things. I don't know if that'll be  
 7 possible or not, but I would urge it. Because I -- I  
 8 think, from what I heard, he -- you know, it's a matter  
 9 of which assumptions are we gonna take. And if that's  
 10 what it boils down to, then I -- I don't know whose side  
 11 I would take. But it would be nice if there could -- as  
 12 -- as our Director said, unanimity of purpose gives  
 13 strength to it. And I think that's -- that would be  
 14 nice if there was unanimity on what kind of numbers we  
 15 ought to be thinking about.

16 CHAIR HEDANI: Any further discussion on the  
 17 motion on the floor? Commissioner Hiranaga.

18 COMMISSIONER HIRANAGA: Just to follow up on  
 19 that discussion that Commissioner Mardfin brought up.  
 20 In that Land Use Forecast that was provided for us,  
 21 Table 3-4 for Upcountry said there were a potential  
 22 3,658 units, Table A-3.4 estimated potential units of  
 23 3,172. So, you know, the numbers keep moving around. I  
 24 don't think we need to know exactly the number of units,  
 25 because it's still -- there's a lot of assumptions, how

1 know. And I think that an argument can probably be made  
 2 both ways in any -- and any other mechanism. But I  
 3 really think it's based on a lot of work and a lot of  
 4 study and a lot of science. So I, for one, will be  
 5 wanting to stick with what we've done.

6 However, just, you know, since we do have  
 7 curiosity, and the public, and I'm sure the Council  
 8 does, have curiosity, you know, it would be probably  
 9 good to develop, you know, some other, you know,  
 10 additional -- additional ideas. I know one thing that  
 11 I'd like to know is that Hawaiian Homes are not counted  
 12 on the -- in these numbers. And there's a large  
 13 dynamic.

14 I know, you know, reading the newspaper today  
 15 about the -- the proposed prison. My understanding is  
 16 that that is right adjacent to several thousand housing  
 17 units that are gonna be built on Mokualele, extending  
 18 most of the way to Kihei. You know, I know that there's  
 19 a lot of Hawaiian Homes housing units in other places.  
 20 And while I'm really glad to see them infill and get  
 21 built out, I think it just might be a good thing for us  
 22 to have an understanding of those kind of dynamics, at  
 23 least to the nearest thousand, you know, maybe. And  
 24 it's more for curiosity sake than anything else.

25 CHAIR HEDANI: Any further discussion?

1 many of these lots have water meters, how many of these  
 2 lots have access, how many of these lots have clear  
 3 title, so you can get a building permit. So I think we  
 4 have a general idea of what the unit count is. They're  
 5 all, basically, estimations, anyway, based on  
 6 assumptions. The last number you came up with was based  
 7 upon the last population projection, so you reduced it.  
 8 So I don't think we need to know exactly the number of  
 9 units forecast.

10 CHAIR HEDANI: Staff.

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

12 Obviously, with a long-term forecast, there  
 13 are gonna be a number of assumptions. This thing has  
 14 been beaten up for three years.

15 In a previous meeting, the -- this body  
 16 recommended to approve a certain number of units. And,  
 17 you know, in the spirit of not rechewing our cud, you  
 18 know, Staff would recommend that we move forward. As  
 19 Commissioner Hiranaga noted, we can go around and around  
 20 and around adding the different assumptions in the  
 21 forecast.

22 CHAIR HEDANI: Commissioner Starr.

23 COMMISSIONER STARR: Yeah. I'd like to say,  
 24 first of all, I think the assumptions we've -- we've  
 25 made, and voted on, are probably as good as any, you

1 Commissioner Hiranaga.

2 COMMISSIONER HIRANAGA: I'm a little confused.  
 3 Maybe Staff could clarify. But I look at Table 3-1,  
 4 Footnote 1, it says, "As far as known projects,  
 5 appropriate Community Plan designations for housing  
 6 development include project districts as well as  
 7 Department of Hawaiian Home Lands." So is Hawaiian Home  
 8 Lands in there or not?

9 MR. SUMMERS: That's correct, it is.

10 COMMISSIONER HIRANAGA: So --

11 CHAIR HEDANI: Any further discussion on the  
 12 motion on the floor? Motion on the floor is for  
 13 approval of U1 through U4 with the addition of Kee Road  
 14 and the hospital, Kula Hospital.

15 Commissioner Hiranaga.

16 COMMISSIONER HIRANAGA: These are sort of  
 17 housekeeping issues that we discussed. The last  
 18 meeting, we were not able -- I think this one got  
 19 passed, but was to take Kula 200 and Kula Glen out of  
 20 the Rural Growth Boundaries because of real property tax  
 21 and ag water issues. I'll make a motion to remove Kula  
 22 200 and Kula Glen from the Rural Growth Boundaries.

23 VICE-CHAIR U'U: Second.

24 CHAIR HEDANI: Moved by Commissioner Hiranaga,  
 25 seconded by Commissioner U'u to remove Kula 200 and Kula



1 Glen -- was it -- from the Rural Growth Boundaries.  
 2 Discussion on the amendment?  
 3 COMMISSIONER HIRANAGA: I sort of gave my  
 4 discussion.  
 5 CHAIR HEDANI: Commissioner Starr.  
 6 COMMISSIONER STARR: I think Staff commented  
 7 on it before, but I've completely forgot what they said.  
 8 So does Long Range have any comments on it?  
 9 CHAIR HEDANI: Commissioner Summers.  
 10 MR. SUMMERS: Thank you, Mr. Chairman.  
 11 I did provide the Members with a handout, some  
 12 more recent information on property taxation. I was  
 13 able to contact Arlene Taketa with Real Property Tax and  
 14 discuss -- discuss this issue with her in detail. And  
 15 after doing so, it -- it appears that there really is no  
 16 difference in property taxation for agricultural and  
 17 rural lands. That if you're a landowner in the Rural  
 18 District, you can dedicate your land to agricultural  
 19 use, much like you can in the Ag District.  
 20 The primary issue is you enter into a  
 21 dedication agreement. And if you change the use of the  
 22 property in a way that doesn't comply with that  
 23 agreement, then you are subject with -- to rollback  
 24 taxes.  
 25 So this concern about the property tax

1 that is in ag rates. And then what -- what Mike has got  
 2 up on the screen is he's overlaid that with our Rural  
 3 Growth Boundaries.  
 4 Kula 200 and Kula Ridge probably account for  
 5 more of those ag water rate TMKs than anywhere else. In  
 6 other words, about 90 percent of existing ag water rate  
 7 TMKs are outside our Rural Growth Boundaries with the  
 8 exception of what you see up on the screen, which is  
 9 Kula 200 and Kula Glen.  
 10 We really didn't go out to Hana per se. We  
 11 can. We can do it in realtime. But that's  
 12 essentially -- I think that was the data that Kent --  
 13 Kent requested. And he was right in terms of the  
 14 relationship with those two subdivisions.  
 15 CHAIR HEDANI: Commissioner Starr.  
 16 COMMISSIONER STARR: So my understanding would  
 17 be that that would kind of support the motion that's on  
 18 the floor?  
 19 MR. MICHAELSON: That's correct.  
 20 CHAIR HEDANI: Any further discussion?  
 21 (Silence.)  
 22 CHAIR HEDANI: Ready for the question? All  
 23 those in favor of the amendment to take Kula 200 and  
 24 Kula Glen out of the Rural Growth Boundaries signify by  
 25 raising your hand.

1 implications doesn't seem to be warranted.  
 2 CHAIR HEDANI: Commissioner Hiranaga.  
 3 COMMISSIONER HIRANAGA: My understanding is  
 4 you must -- if you are Rural zoned, you must dedicate to  
 5 ag use for 20 years with the State of Hawaii in order to  
 6 get the discount for ag use, versus, if you're in ag,  
 7 you just need to show it on the annual basis. So a  
 8 20-year dedication is a long time to receive your ag  
 9 exemption.  
 10 CHAIR HEDANI: Any further discussion? Ready  
 11 for the question? Commissioner Starr.  
 12 COMMISSIONER STARR: Yeah. Those two areas,  
 13 how much of them are developed into -- in a rural  
 14 fashion right now. Is there a way of looking at the  
 15 dense -- the existing density on it and how much of it  
 16 is in ag use? Can -- can we -- I know we've got some  
 17 good brains here. Can we get a quick analysis?  
 18 CHAIR HEDANI: Anybody?  
 19 MR. MICHAELSON: Mr. Chairman, one thing that  
 20 might be a little enlightening is another question that  
 21 Kent brought up last time. That dealt with the ag water  
 22 rates. And the question that he posed to Staff was how  
 23 many lots within existing Rural Growth Boundaries have  
 24 ag water rates. And I contacted the Department of Water  
 25 Supply, I got a GIS file by TMK that showed every parcel

1 Opposed, same sign.  
 2 Motion is carried. Thank you.  
 3 Any further discussion on the main motion for  
 4 U1 through U4 as amended? Commissioner Hiranaga.  
 5 COMMISSIONER HIRANAGA: As discussed in the  
 6 other previous meeting, I'd like to make a motion to  
 7 include the 80 acres in Haliimaile that was presented to  
 8 us earlier, which was a revision from their earlier  
 9 request for, I believe, 300-plus acres. So a motion to  
 10 include Haliimaile's 80 acres in the Urban Growth  
 11 Boundaries.  
 12 CHAIR HEDANI: Is there a second?  
 13 COMMISSIONER HIRANAGA: Urban Growth  
 14 Boundaries.  
 15 VICE-CHAIR U`U: Second.  
 16 CHAIR HEDANI: Moved by Commissioner Hiranaga,  
 17 seconded by Commissioner U`u to include 80 acres at  
 18 Haliimaile.  
 19 Discussion? Commissioner Starr.  
 20 COMMISSIONER STARR: Yeah. I -- I don't think  
 21 that was Urban.  
 22 COMMISSIONER HIRANAGA: Country Town.  
 23 COMMISSIONER STARR: Yeah, Country Town.  
 24 CHAIR HEDANI: Oh, my correction.  
 25 Any further discussion?

1 COMMISSIONER STARR: The motion is for Country  
 2 Town, yeah?  
 3 COMMISSIONER HIRANAGA: Yes.  
 4 CHAIR HEDANI: Right. Commissioner Shibuya.  
 5 COMMISSIONER SHIBUYA: This plot that you're  
 6 talking about is mauka of the Hali'imaile Road? Or --  
 7 let's see.  
 8 CHAIR HEDANI: Makai.  
 9 COMMISSIONER SHIBUYA: Makai. Oh, makai of  
 10 the road.  
 11 CHAIR HEDANI: Any further discussion?  
 12 COMMISSIONER SHIBUYA: I thought this property  
 13 was approved.  
 14 CHAIR HEDANI: We've chewed our cud several  
 15 times on this one, Warren. We're about to do it again.  
 16 Commissioner Hiranaga.  
 17 COMMISSIONER HIRANAGA: Yeah. Commissioner  
 18 Shibuya, we were never able to take action on the  
 19 Upcountry plan due to lack of votes.  
 20 COMMISSIONER SHIBUYA: Okay.  
 21 COMMISSIONER HIRANAGA: So we have to kind of  
 22 go through it again.  
 23 COMMISSIONER SHIBUYA: Okay.  
 24 COMMISSIONER HIRANAGA: So this map shows  
 25 Haliimaile Town and the area that they already have

1 that's fully entitled. It does not show the expansion  
 2 area, which is the 80 acres, but there was a map that  
 3 was handed out this morning. So it's, basically, left  
 4 of that yellow square up to the gulch. You can see  
 5 there's a gulch.  
 6 CHAIR HEDANI: To the right of the yellow.  
 7 COMMISSIONER HIRANAGA: To the left of  
 8 Haliimaile. There it is. Thank you.  
 9 CHAIR HEDANI: Oh, okay. I'm sorry. It's  
 10 upside down.  
 11 Any further discussion? Commissioner  
 12 Hiranaga.  
 13 COMMISSIONER HIRANAGA: One of the reasons is  
 14 they're already planning to install a water well for the  
 15 fully entitled project, and they will be constructing a  
 16 sewage treatment plant for the fully entitled area. So  
 17 this is just expansion. You know, Haliimaile is a nice  
 18 place to live. I used to live in Makawao and I used to  
 19 drive through the town. And it's -- it's probably, like  
 20 I said 10, 15 minutes to Kahului Town. You're gonna  
 21 have the infrastructure there.  
 22 CHAIR HEDANI: Any further discussion?  
 23 Commissioner Mardfin.  
 24 COMMISSIONER MARDFIN: If somebody would help  
 25 my recollection. Did we have any testimony against this

1 by the Haliimaile people or was everybody sort of in  
 2 favor of this? I just don't remember.  
 3 CHAIR HEDANI: Not to my recollection.  
 4 Commissioner Shibuya.  
 5 COMMISSIONER SHIBUYA: I am gonna not support  
 6 this because I feel that this is prime ag. Water's  
 7 available; however, it's not the kind of water that I  
 8 would want to impose upon residents. I do wanna see  
 9 more productivity from lands that we can produce food  
 10 from. And this is one of the prime areas that I'm  
 11 looking at. And I think this is appropriate for  
 12 agriculture production.  
 13 CHAIR HEDANI: Commissioner Starr.  
 14 COMMISSIONER STARR: Yeah, there was  
 15 testimony, Diana Doll from the Organic Farmers  
 16 Association, Doug MacCluer, and I think there was  
 17 someone else as well, that this is really super prime ag  
 18 land and it's wrong to take it out.  
 19 CHAIR HEDANI: Any further discussion?  
 20 Commissioner Hiranaga.  
 21 COMMISSIONER HIRANAGA: One of the testifiers  
 22 who represented Maui Land & Pine -- Maui Land & Pine, I  
 23 believe, said it quite well. You know, A&B is a  
 24 agricultural company and they're also a development  
 25 company. Development of certain lands allows them to

1 continue in their ag production. And if you're going to  
 2 take away development, then I believe you're  
 3 jeopardizing the future of sugarcane on this island,  
 4 because they are already very near the edge at this  
 5 point. So then we'll have a lot of ag land that can be  
 6 used for something.  
 7 CHAIR HEDANI: Any further discussion?  
 8 (Silence.)  
 9 CHAIR HEDANI: Ready for the question? Motion  
 10 on the floor is to add 80 acres at Haliimaile.  
 11 All those in favor, signify by raising your  
 12 hands.  
 13 Opposed, same sign.  
 14 Motion is lost.  
 15 Any further discussion on the main motion?  
 16 Commissioner Hiranaga.  
 17 COMMISSIONER HIRANAGA: I'd like to make a  
 18 motion to move Kula Ridge into the -- is that the Rural  
 19 Service Center or Rural Growth Boundary? I'm not sure  
 20 what the -- Because some of it's already designated for  
 21 single-family, so --  
 22 CHAIR HEDANI: Mr. Summers, what was the  
 23 request?  
 24 MR. SUMMERS: Thank you, Mr. Chairman.  
 25 Can we put the Community Plan designation on,

1 Mike?  
 2 Thank you, Mr. Chairman.  
 3 It looks like the majority of the project site  
 4 is in Rural Residential.  
 5 COMMISSIONER HIRANAGA: We're not talking  
 6 about Kula Ridge Mauka. We're only talking about Kula  
 7 Ridge affordable homes.  
 8 CHAIR HEDANI: Commissioner Hiranaga, are you  
 9 talking about the section in blue?  
 10 COMMISSIONER HIRANAGA: Blue and yellow.  
 11 CHAIR HEDANI: Blue and yellow.  
 12 COMMISSIONER HIRANAGA: Can you remove Kula  
 13 Ridge Mauka?  
 14 CHAIR HEDANI: That section.  
 15 COMMISSIONER HIRANAGA: I don't want people to  
 16 confuse how much land we're talking about.  
 17 CHAIR HEDANI: Any further discussion?  
 18 Commissioner Shibuya.  
 19 COMMISSIONER SHIBUYA: Can you put on the  
 20 sensitive lands overlay?  
 21 CHAIR HEDANI: Mr. Summers, sensitive lands,  
 22 are those designated in green?  
 23 MR. SUMMERS: These areas running through  
 24 here. That's correct.  
 25 CHAIR HEDANI: So everything in green.

1 Additional discussion? Commissioner Mardfin.  
 2 COMMISSIONER MARDFIN: I'd like to ask the  
 3 Director. I think there was testimony this morning from  
 4 somebody that you had kind of mischaracterized the  
 5 position of the Kula Community Association. Do you want  
 6 to comment on that one way or the other?  
 7 MR. HUNT: Yeah. I wasn't here, but if I  
 8 mischaracterized it, it was unintentional. I thought we  
 9 had a letter from somebody, and perhaps it was board  
 10 members versus the whole association, or -- there's been  
 11 some conflicting information provided to us. I probably  
 12 should have clarified that conflicting information in my  
 13 mind better. It was an innocent mistake.  
 14 COMMISSIONER MARDFIN: It seems to me what you  
 15 had said was they didn't support it. And I think that's  
 16 in fact what it is. They didn't oppose it, but they  
 17 didn't support it, either. So I think your statement  
 18 was probably an accurate one.  
 19 CHAIR HEDANI: Commissioner Hiranaga.  
 20 COMMISSIONER HIRANAGA: My -- my understanding  
 21 is the board of directors of the Kula Association  
 22 opposed the project. And the Kula Association --  
 23 Community Association, did not take an official stand  
 24 plus or minus. So --  
 25 CHAIR HEDANI: Commissioner --

1 COMMISSIONER HIRANAGA: The board is comprised  
 2 of 20 members.  
 3 CHAIR HEDANI: Go ahead and finish up.  
 4 COMMISSIONER HIRANAGA: I did.  
 5 CHAIR HEDANI: 20 directors. Commissioner  
 6 U'u.  
 7 VICE-CHAIR U'U: I don't think there was a  
 8 second, so I'll second that. Are you talking about that  
 9 48-acre parcel for --  
 10 CHAIR HEDANI: Crosshatched in red on the map.  
 11 COMMISSIONER HIRANAGA: 116 acres.  
 12 VICE-CHAIR U'U: My stating my reason for  
 13 that, I think it fits the -- fits the mold of one VMX.  
 14 I think you gonna get one mixed-use housing area which  
 15 is a mix of senior, duplex housing, affordable housing.  
 16 And I -- I -- I think that's what we looking at in the  
 17 future instead of this -- just doing one aspect of it.  
 18 It's been around for a while. I heard of it before.  
 19 And the one they proposing next to St. Joseph, I -- I  
 20 think was a lack of communication between -- between the  
 21 school and the developer into coming up with some kind  
 22 of agreement. And I don't want to take it for granted  
 23 that they saying it's -- that it looks good, (inaudible)  
 24 it's a positive thing. I think this has been out in the  
 25 community for a while, and that's the only reason for

1 supporting, and it fits into the criteria of a VMX  
 2 project.  
 3 CHAIR HEDANI: Commissioner Starr.  
 4 COMMISSIONER STARR: Yeah. My understanding  
 5 is, though, the board did oppose it, it was not  
 6 unanimous. And -- and, you know, there were people on  
 7 both sides of it. I do feel that it is fairly compact.  
 8 It is rural. So at this point, I'll be -- I'll be  
 9 supporting the -- the amendment.  
 10 CHAIR HEDANI: Commissioner Shibuya.  
 11 COMMISSIONER SHIBUYA: I'm gonna be -- I have  
 12 some real reservations. The problem here is that Lower  
 13 Kula Road is inadequate right now. And to put in more  
 14 traffic loading on that inadequate rural road, I don't  
 15 think that's conscionable at this point. Unless I see  
 16 some proposal to improve that road, to widen it, to  
 17 include a sidewalk, to allow for the students to walk on  
 18 the side of that road, we're potentially asking for a  
 19 huge problem with the Waldorf and Haleakala Schools in  
 20 that area. This is not an acceptable solution right  
 21 now.  
 22 Water is another problem. The reason why many  
 23 of the Kula lots are not developed is because we don't  
 24 have enough water. To add more lots without the water  
 25 source is just not thinking straight here. Until we

1 develop the upper levels or some kind of water source, I  
2 cannot agree to adding more entitlement or -- on the  
3 County's list here.

4 So I think I'm gonna be voting against this.

5 At the same time, in GPAC, when this issue was  
6 very much discussed, the community association, as I  
7 recall, testified at GPAC saying that they did not want  
8 this. And that's why the GPAC version does not include  
9 this project.

10 CHAIR HEDANI: Commissioner Mardfin.

11 COMMISSIONER MARDFIN: I want some  
12 clarification on the motion. I see -- I see that area  
13 that was -- well, now I can't see it because it's  
14 hidden, but the part that was striped. And I want to  
15 know whether the motion was -- but on my map, U3, I see  
16 Kula 2 in light blue, which is Rural Growth, and I see  
17 Waiakoa, which is in dark blue, which is Rural Service  
18 Center. And I wanna know for that orange striped one,  
19 which is -- was the motion to put it into Rural Growth  
20 or to put it into Rural Service Center?

21 CHAIR HEDANI: Commissioner Hiranaga.

22 COMMISSIONER HIRANAGA: I thought we asked for  
23 clarification from Staff what the developer was  
24 proposing. Did we -- I forgot the answer.

25 CHAIR HEDANI: Mr. Summers.

1 CHAIR HEDANI: Commissioner Hiranaga.

2 COMMISSIONER HIRANAGA: Yeah. I would urge  
3 all Commissioners to familiarize themselves with the  
4 affordable -- workforce affordable housing ordinance  
5 and, also, the "Show Me the Water" ordinance. "Show Me  
6 the Water," you cannot -- my understanding is you cannot  
7 receive construction plan approval until you show a  
8 source of water. But these people will not obtain a  
9 source of water if they don't have this designation.  
10 We're -- we're not even at first base here. So I think  
11 you're putting the cart before the horse. You need to  
12 give them these designations so they can start the  
13 process of obtaining the water source.

14 CHAIR HEDANI: Commissioner Starr.

15 COMMISSIONER STARR: Yeah. Now take -- this  
16 particular project aside, but to go out in general a  
17 little bit, I'd like to ask the Planning Director, when  
18 we add some land to the Rural Growth Boundary or Country  
19 Town or Urban, and it's listed as an affordable project,  
20 or a project for seniors, or a project for veterans, or  
21 anything else, you know, a whim may provide, what reason  
22 do we have, other than that someone said it at one  
23 point, to believe that, 20 years from now, that's what  
24 it's gonna be?

25 CHAIR HEDANI: Director?

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

2 Based on the Community Plan designations, for  
3 this area in hatch, a recommendation would be to wrap  
4 this Service Center boundary around the Single-Family  
5 designation here and then use a Rural Residential  
6 boundary around the balance of the property.

7 CHAIR HEDANI: So -- I'm sorry, John. Can you  
8 repeat that again?

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

10 The recommendation would be to wrap or amend  
11 this Rural Service Center boundary around the area  
12 that's depicted in -- in yellow here, the Single-Family  
13 portion of the project, and then use a Rural Residential  
14 boundary around the balance of that property up in here.

15 CHAIR HEDANI: Does that comply with the maker  
16 of the motion and the seconder?

17 COMMISSIONER HIRANAGA: Yes.

18 VICE-CHAIR U'U: Yes.

19 CHAIR HEDANI: Commissioner Mardfin.

20 COMMISSIONER MARDFIN: And now you referred to  
21 this as Kula Ridge affordable homes. Would somebody  
22 speak to the affordability of these? Because I -- I  
23 mean, I think we've acknowledged we need affordable  
24 homes. I'm not sure we need lots of other things at  
25 this point.

1 MR. HUNT: The task before this Commission

2 today is to identify locations for future growth.  
3 Inherent in that analysis there, it draws in project  
4 review. The planners even do that. We'll admit it.  
5 What's -- what's imperative upon the Commission is to  
6 pull yourself back out, and don't get into a project  
7 review decision-making mode, but stick to the task which  
8 is location.

9 And you're correct in the sense that if we, as  
10 a community, adopt Urban or Rural Growth areas, just by  
11 themselves, all they are doing is saying this area is  
12 intended to future growth. It's not a project specific  
13 approval, a site plan approval. There are some  
14 guidelines and policies that you have included in your  
15 -- in your text which should speak to some of the issues  
16 of design and affordability. But you're not approving a  
17 specific project with this action.

18 CHAIR HEDANI: Commissioner U'u.

19 VICE-CHAIR U'U: Just to add to that comment,  
20 and to Commissioner Mardfin, that the 201H approval  
21 process would require 51 percent affordable housing.

22 CHAIR HEDANI: Commissioner Mardfin.

23 COMMISSIONER MARDFIN: But in recognition of  
24 what the Director just said, when we look at these  
25 things, we can assume, except for perhaps that one

1 comment of 51 percent, that these could be -- the rest  
2 could be all mega mansions. That we're not -- that  
3 people would say this is for senior housing or for  
4 low-income housing or for veterans' housing, we should  
5 totally discount because that -- they're not -- we're  
6 not dealing with projects, we're dealing with growth.  
7 And, therefore, people that are saying, well, we don't  
8 have this because it'll give us 100 people a cheap home  
9 or it'll provide senior housing. We -- this -- you're  
10 saying, basically, we should be ignoring all that  
11 information because we're approving growth areas, not  
12 projects?

13 CHAIR HEDANI: Director.

14 MR. HUNT: I'm not sure I would go so far to  
15 say strongly that you should ignore that information.  
16 But the question was what guarantee do we have. And  
17 unless you attach some kind of policy specific to that  
18 project, your only guarantee is the other policies and  
19 regulations. And Mr. U'u mentioned one. There's a  
20 workforce housing one. And, again, you have policies in  
21 your text which, if they're adopted, will speak to  
22 having effect on design, compact growth, affordable  
23 housing, et cetera.

24 But to answer the question in what guarantee  
25 of a specific project, it's weak.

1 CHAIR HEDANI: Director, do you mean we are  
2 not supposed to be specifying the color of the street  
3 light poles in this subdivision?

4 Commissioner Starr.

5 COMMISSIONER STARR: You know, it -- it makes  
6 it hard because we don't know what someone is gonna  
7 wanna build or even who's gonna be the owner in 10, 20  
8 years. And in most -- I would say, you know, in more  
9 than half the cases, it'll be someone other than the  
10 people that own it now.

11 What does become, you know, compelling to me,  
12 though, is an argument like the one Commissioner Shibuya  
13 made which is, you know, there's no sidewalks, it's  
14 already dangerous, it has two schools. And I know we've  
15 put policies saying that's not what we want. Yet, you  
16 know, as we create density -- I mean, is there any kind  
17 of tool to -- to utilize to make sure that, you know,  
18 those kind of safety infrastructure -- things like  
19 sidewalks so kids can get to school safely keep up with  
20 it? Because we also have -- I've seen rural standards  
21 that we have that don't want sidewalks. But here's a  
22 case where, you know, it becomes compelling. How should  
23 we be thinking of that in our mindset when -- when a  
24 place is, you know, already dangerous? We wanna add to  
25 it, but we also know that some degree of -- of

1 improvement needs to be made in the infrastructure for  
2 it to be realistic?

3 CHAIR HEDANI: From my personal perspective on  
4 that is that, you know, I guess our charge here is to  
5 identify whether or not it makes sense for something  
6 like this to be proposed at that particular location.  
7 And all of the items that need to be done in order to  
8 make that project successful would be handled at a later  
9 date as a condition of -- of -- of their development.

10 Commissioner Shibuya.

11 COMMISSIONER SHIBUYA: I would feel more at  
12 ease if I could see some of these conditions added to  
13 it. Without the conditions, I cannot agree to it. The  
14 reason for that is below standards, below rural  
15 standards. And now you're trying to add in a possible  
16 service center and increase that with affordable houses.

17 I love affordable house. I love senior  
18 houses. However, I'm looking at public safety. And I  
19 just don't want that thing to be -- this to be an  
20 albatross. I will agree, if we can put down in the  
21 conditions that the -- the Lower Kula Road improvements  
22 will be made and will be reflecting the appropriate  
23 level of services.

24 CHAIR HEDANI: Commissioner Hiranaga.

25 COMMISSIONER HIRANAGA: I'll defer to Director

1 Hunt.

2 CHAIR HEDANI: Director Hunt.

3 MR. HUNT: Just to follow up on your comments,  
4 Mr. Chairman, some of these issues are really more of a  
5 Community Plan issue. And that's where this should be  
6 taken care of. And, hopefully, they will be taken care  
7 of. I -- if the Commission wants these areas, or is  
8 comfortable to a certain level, then I would suggest you  
9 simply rely on the policies in your plan and the  
10 Community Plan, which is the next step, rather than  
11 getting into conditioning these projects at this level.  
12 Because, then, you're starting to get into Community  
13 Plan.

14 CHAIR HEDANI: I think this is the beginning  
15 of a 125-hurdle process to get a project approved.

16 Commissioner Hiranaga.

17 COMMISSIONER HIRANAGA: One of the reasons I  
18 made the motion for this project is, in this 20-year  
19 plan, there are no new units proposed for Kula. And  
20 that bothers me. There's people that wanna live in  
21 Kula.

22 And there's arguments there's no water.

23 That's not true. The water delivery system is  
24 inadequate. There is water.

25 These people will have to find the water

1 before they get construction plan approval. More people  
2 wanna live in Kula. You know, we had a testifier, says  
3 he wants his grandchildren to have an opportunity to  
4 live in Kula.

5 The other assumption that there's these X  
6 thousands of units out there already existing, many of  
7 'em don't have water meters. And water catchment does  
8 not work in Kula. So who's gonna build a house without  
9 a water meter?

10 And they've issued 360 meters of Pookela Well  
11 in the past seven years. You need to give these people  
12 an opportunity. This is just step one of a very, very  
13 long process. But if you shut the door, they're not  
14 gonna go forward.

15 CHAIR HEDANI: Commissioner U`u.

16 VICE-CHAIR U`U: Just to comment that we had a  
17 testifier also stated that they did a survey that --  
18 that 43 percent of the people would like to live in  
19 Upcountry area. That's a pretty high percentage. And  
20 I'm one of those people.

21 CHAIR HEDANI: Any further discussion?  
22 Commissioner Mardfin.

23 COMMISSIONER MARDFIN: Commissioner Hiranaga's  
24 argument about the water is one we were trying to make  
25 before we broke for lunch. And it doesn't persuade me.

1 COMMISSIONER SHIBUYA: I feel very  
2 uncomfortable with this because the GPAC heard these  
3 same arguments over. And here I am again hearing the  
4 same things.

5 I'm just gonna have to stay with the GPAC. I  
6 agreed with the GPAC compromise. And I think this was  
7 probably the best way. And allow for a balance between  
8 having the water available, having the infrastructure  
9 being developed to accommodate these inadequate low  
10 standards of infrastructure within this Upcountry area.  
11 Unless we see some improvements, I cannot add any more.

12 Answering to Commissioner Hiranaga's statement  
13 that nothing is -- you need more land and more  
14 developments. Well, much of the developments that's  
15 happening in the Upcountry area are small family  
16 subdivisions. They -- farmers, on steep lands, are  
17 actually dividing their lands in family subdivisions.  
18 And then they have their children live on it.

19 These are not counted in the data that we have  
20 here. They're not reflected. So many of 'em, unless  
21 you are familiar and have gone through the back roads,  
22 you will not see this. You will not notice this.

23 This is where the problem comes in. It's  
24 judgment. And I'm using my best judgment. And I feel  
25 that the GPAC version is probably the best version that

1 That would tend to make me vote against this. Because I  
2 think there are plenty of lots out there; it's just  
3 water is the issue. And I don't know why this means  
4 that water will somehow mysteriously approve -- come  
5 from the ground.

6 On the other hand, I think the Director has  
7 impressed me in the sense that I -- I think that I --  
8 I'm a believer -- as you all know, I'm a real believer  
9 in community plans. And I think the community plan  
10 process can work this all out and in much more detail,  
11 and make sure that things are going according to Hoyle.

12 So I'm at the point where I think I can vote  
13 for it.

14 CHAIR HEDANI: Commissioner Starr.

15 COMMISSIONER STARR: I think we do have to  
16 trust the process. You know, we've gone -- we've gone  
17 this far with it. We, at least, have -- you know, we're  
18 so in it that we do have to trust the ongoing process.

19 And, you know, one thing I do like about this  
20 is that it's -- you know, it's close into the whatever,  
21 you know, little bit of infrastructure there is -- there  
22 is there, you know, in terms of schools and the store  
23 and stuff. It's -- it, actually, is -- is -- is  
24 somewhat walkable and -- and compact. So --

25 CHAIR HEDANI: Commissioner Shibuya.

1 I can address right now a little bit more comfortably.  
2 In fact, I would have gone less than what the GPAC was  
3 proposing.

4 CHAIR HEDANI: Commissioner Hiranaga.

5 COMMISSIONER HIRANAGA: Corporation Counsel  
6 can correct me, but I believe the "Show Me the Water"  
7 ordinance applies to even the two-lot subdivision. So  
8 you can propose your family subdivision in Kula, but if  
9 you do not have water meters, they will not approve it.

10 So, again, it's water meters, it's a  
11 delivery -- inadequate delivery system, not the lack of  
12 a water source. So these people will find the source  
13 and deliver the water so they can get their homes built.

14 I feel sorry for the people Upcountry who have  
15 lots and are trying to subdivide. Because they are now  
16 on that Upcountry water waiting list, which has been  
17 there for 17 years. That's a shame. That's a shame.

18 CHAIR HEDANI: Any further discussion?  
19 (Silence.)

20 CHAIR HEDANI: Ready for the question? The  
21 motion on the floor is to include the crosshatched  
22 section in Rural Service Center and Rural designation.

23 MR. HUNT: That's the Kula Ridge project, for  
24 the record.

25 CHAIR HEDANI: For the Kula Ridge project.

1 All those in favor, signify by raising your hand.  
 2 Opposed, same sign.  
 3 Motion is carried.  
 4 Any further amendments to the main motion?  
 5 Commissioner U`u.  
 6 VICE-CHAIR U`U: Just for clarity, the  
 7 Balthazar property, do we have to vote on that?  
 8 CHAIR HEDANI: That was Kee Road.  
 9 VICE-CHAIR U`U: Okay. Thank you.  
 10 CHAIR HEDANI: Any further discussion on the  
 11 main motion?  
 12 (Silence.)  
 13 CHAIR HEDANI: Ready for the question? The  
 14 question on the floor is to approve U1 through U4 as  
 15 amended. All those in favor, signify by raising your  
 16 hand.  
 17 Opposed, same sign.  
 18 Motion is carried. Thank you.  
 19 Congratulations, you've actually accomplished  
 20 something today.  
 21 VICE-CHAIR U`U: We can go home now. Thanks.  
 22 COMMISSIONER MARDFIN: We did lunch. That's  
 23 two things.  
 24 CHAIR HEDANI: Besides lunch.  
 25 COMMISSIONER SHIBUYA: Over the objection from

1 the representative from Upcountry.  
 2 COMMISSIONER STARR: Where do we go next?  
 3 COMMISSIONER HIRANAGA: So noted.  
 4 MR. GIROUX: So noted.  
 5 CHAIR HEDANI: You folks wanna take a break  
 6 until tomorrow, or do you wanna continue?  
 7 COMMISSIONER STARR: No.  
 8 VICE-CHAIR U`U: Ask me that again.  
 9 COMMISSIONER SHIBUYA: We're on Central Maui  
 10 now.  
 11 MR. HUNT: Staff -- Staff would suggest we go  
 12 to South Maui S1, 2 and 3.  
 13 CHAIR HEDANI: Commissioner Mardfin.  
 14 COMMISSIONER MARDFIN: I move that we approve  
 15 the GPAC version of 1, 2 and 3.  
 16 COMMISSIONER STARR: May I ask a clarification  
 17 before I offer a possible second?  
 18 CHAIR HEDANI: Commissioner Starr.  
 19 COMMISSIONER STARR: I would like to suggest  
 20 the Department's version for S1 and S1 and the GPAC  
 21 version for S3.  
 22 COMMISSIONER MARDFIN: I will accept that as a  
 23 friendly amendment.  
 24 COMMISSIONER STARR: So I second.  
 25 CHAIR HEDANI: Okay. The motion on the floor

1 is to accept the Director's version for S1 and S2, and  
 2 the GPAC version for S3 for South Maui. Discussion?  
 3 Ready for the question?  
 4 COMMISSIONER HIRANAGA: Can we have a moment  
 5 while we look -- locate those maps? Because we're now  
 6 looking at two sets of maps instead of one set of maps.  
 7 CHAIR HEDANI: Okay. I think the difference  
 8 on S3 is the -- the reduction of the area for the Makena  
 9 zone.  
 10 COMMISSIONER STARR: Puu Olai.  
 11 CHAIR HEDANI: Around Puu Olai. Are there  
 12 other differences, Director?  
 13 MR. HUNT: On Map S3, the only difference, to  
 14 the best of my recollection, is the southern part of  
 15 Makena Resort. Again, you should be aware that there  
 16 are community planned areas in there which are not  
 17 included in either the GPAC or Department's  
 18 recommendations.  
 19 On Map S1, their general difference is that  
 20 rather than having a Country Town separate and -- and  
 21 mauka up on the hill, the Department is recommending  
 22 that the density be more makai or down the hill and  
 23 particularly around the high school -- or filling in the  
 24 previous gap around the high school.  
 25 I believe Map S2 is the same for the

1 Department and GPAC.  
 2 CHAIR HEDANI: Discussion? Commissioner  
 3 Starr.  
 4 COMMISSIONER STARR: I would like to offer an  
 5 amendment. The amendment is to remove the four Rural  
 6 Growth Boundaries, Makena 1, Makena 2, Makena 3 and  
 7 Makena 4.  
 8 COMMISSIONER MARDFIN: Was that to remove  
 9 them? Second.  
 10 CHAIR HEDANI: Moved and seconded to remove  
 11 the Rural Growth Boundaries, Makena 1, 2, 3 and 4. Is  
 12 that on the GPAC map?  
 13 COMMISSIONER SHIBUYA: No.  
 14 MR. HUNT: It should be on both.  
 15 COMMISSIONER SHIBUYA: No, I don't believe it  
 16 was.  
 17 VICE-CHAIR U`U: It is.  
 18 COMMISSIONER HIRANAGA: This is GPAC.  
 19 COMMISSIONER SHIBUYA: I'm sure it was added  
 20 in.  
 21 CHAIR HEDANI: Mr. Summers, do we have an S1,  
 22 2, 3 and 4 in the GPAC map?  
 23 MR. SUMMERS: Yes, we do, Mr. Chair.  
 24 CHAIR HEDANI: Okay. Discussion?  
 25 Commissioner Hiranaga.

1 COMMISSIONER HIRANAGA: Is there any  
 2 significance in the fact that the GPAC map is a solid  
 3 blue line and the Department's map is blue and white  
 4 line?  
 5 CHAIR HEDANI: Mr. Summers, keeper of the  
 6 lines.  
 7 MR. MICHAELSON: Kent, I believe in the  
 8 legend, you'll see that those are -- one represents  
 9 Director's, one represents GPAC. They're the same Rural  
 10 Growth Boundary.  
 11 COMMISSIONER HIRANAGA: Right. But one's a  
 12 solid blue line and one's a blue and white line.  
 13 There's no difference?  
 14 CHAIR HEDANI: Any further discussion?  
 15 Commissioner Starr.  
 16 COMMISSIONER STARR: Yeah, I think, in any  
 17 case, this would remove all rural to the south of the  
 18 Urban Growth Boundary. And to speak in favor of it,  
 19 this is about the most sensitive shoreline on Maui.  
 20 Ahihi being a -- a preserve is really -- really a  
 21 sensitive place. And a large amount of development  
 22 there, even rural in nature, will likely do permanent  
 23 harm.  
 24 CHAIR HEDANI: Commissioner Hiranaga.  
 25 COMMISSIONER HIRANAGA: Can we see the

1 These areas appear to be Interim zoned. We  
 2 would have to verify that for you.  
 3 CHAIR HEDANI: About Makena 4?  
 4 Commissioner Starr.  
 5 COMMISSIONER STARR: Yeah. Just to defend the  
 6 fact that these guys all have strange looks on their  
 7 faces and scratching their heads, I believe the paper  
 8 maps for this stuff have never been really added into  
 9 any of the databases. And it's really hard to know what  
 10 is going on, on that.  
 11 CHAIR HEDANI: Commissioner U`u.  
 12 MR. SUMMERS: That's why any formal  
 13 verification would have to be done by the Zoning  
 14 Administration Division for this area.  
 15 CHAIR HEDANI: Thank you, Mr. Summers.  
 16 Commissioner U`u.  
 17 VICE-CHAIR U`U: No. I'm good.  
 18 COMMISSIONER HIRANAGA: Just a follow-up. I'm  
 19 surprised that the Planning Department does not know the  
 20 underlying County zoning for these three designations  
 21 since they've been working on this Community Plan, Maui  
 22 Island Plan for years, and they're actually designated  
 23 Makena 1, 2, 3 and 4. I can't make a decision until I  
 24 know the answer to it.  
 25 VICE-CHAIR U`U: Myself included.

1 underlying land designations currently in place, State  
 2 Land Use, Community Plan and County zoning, for those 1,  
 3 2 and 3 Makena -- four Makenas.  
 4 CHAIR HEDANI: Mr. Summers?  
 5 MR. SUMMERS: Thank you, Mr. Chairman.  
 6 Mike, can you zoom on that a little bit?  
 7 What we're looking at now is State Land Use --  
 8 CHAIR HEDANI: Further down, Mike. It's  
 9 Makena 1, 2, 3 and 4.  
 10 COMMISSIONER STARR: The blue ones.  
 11 COMMISSIONER SHIBUYA: Being the sensitive  
 12 shoreline.  
 13 CHAIR HEDANI: You wanna translate that for  
 14 us, John?  
 15 MR. SUMMERS: Thank you, Mr. Chairman.  
 16 In these areas, we've got Rural Community Plan  
 17 designation. And if we take the Community Plan  
 18 designation off, it appears that the balance of the area  
 19 is State Land Use Ag.  
 20 CHAIR HEDANI: Commissioner Hiranaga, does  
 21 that answer your question?  
 22 COMMISSIONER HIRANAGA: That was two of my  
 23 three questions. The last one was County zoning.  
 24 CHAIR HEDANI: Mr. Summers.  
 25 MR. SUMMERS: Thank you, Mr. Chairman.

1 CHAIR HEDANI: Commissioner Shibuya?  
 2 COMMISSIONER SHIBUYA: Can you put in the  
 3 sensitive coastal waters overlay, ecosystems, if you  
 4 have that?  
 5 CHAIR HEDANI: All of our waters are  
 6 sensitive. I'm impressed.  
 7 Any further discussion? Commissioner Starr.  
 8 COMMISSIONER STARR: Would it be useful to  
 9 send a runner to go look at the paper while we deal with  
 10 something else?  
 11 CHAIR HEDANI: Director.  
 12 MR. HUNT: If the Commission wants accurate  
 13 information on that, we could defer on these four  
 14 parcels until another meeting. But --  
 15 COMMISSIONER STARR: Can't someone just go and  
 16 look? It's right -- it's just up there.  
 17 MR. HUNT: Believe it or not, the zoning  
 18 confirmation process on Maui leaves a lot to be desired.  
 19 And it's -- it's not a quick, easy or certain process.  
 20 CHAIR HEDANI: The dungeon that's hazardous to  
 21 your health to access.  
 22 MR. HUNT: In defense of the Long Range Staff,  
 23 they -- they are working with information that they've  
 24 inherited over decades. And it's -- it's not as  
 25 desirous as we would like it to be, but we're doing the



1 best we can given the information that we have.  
 2 CHAIR HEDANI: Any further discussion?  
 3 Commissioner Mardfin.  
 4 COMMISSIONER MARDFIN: Would you like a motion  
 5 to defer this S -- this whole motion on S1, 2 and 3  
 6 until the next meeting?  
 7 CHAIR HEDANI: Is that a motion?  
 8 COMMISSIONER MARDFIN: I'm asking if that  
 9 would help the process.  
 10 COMMISSIONER SHIBUYA: Just the three.  
 11 CHAIR HEDANI: Would the maker of the motion  
 12 wanna withdraw the motion until we -- for  
 13 reconsideration at a future time?  
 14 COMMISSIONER MARDFIN: I'm the maker of the  
 15 motion. Let's try for the vote. Maybe we'll have  
 16 enough.  
 17 CHAIR HEDANI: Maker of the motion was  
 18 Commissioner Starr.  
 19 COMMISSIONER STARR: Yeah, the amendment.  
 20 COMMISSIONER HIRANAGA: Mr. Chair?  
 21 COMMISSIONER MARDFIN: The original motion.  
 22 Oh, you're talking about the amendment.  
 23 COMMISSIONER HIRANAGA: I have questions for  
 24 other areas. So maybe we should exhaust that before we  
 25 defer the matter, in case the Department has to do

1 additional research.  
 2 CHAIR HEDANI: Okay. Commissioner Starr.  
 3 COMMISSIONER STARR: You know, if I know we'll  
 4 get back to it, I'd be willing to take them -- defer the  
 5 amendment until we had this particular item settled, if  
 6 it would allow us to deal with the main motion and then  
 7 get back -- get back to amending it at a future meeting  
 8 when we have the County zoning information. If -- you  
 9 know, if other Members would be ready to go with the  
 10 main motion. Assured of that, I would be willing to do  
 11 that.  
 12 CHAIR HEDANI: Director Hunt.  
 13 MR. HUNT: That's what Staff would encourage  
 14 you to do. What happened with GPAC is there was a  
 15 couple of sensitive issues or areas that they weren't  
 16 quite clear about. And they just put 'em aside, and  
 17 then we came back around to 'em later on. So we would  
 18 encourage you to get some action on South Maui, maybe  
 19 defer these four lots until a later discussion.  
 20 CHAIR HEDANI: Commissioner Starr.  
 21 COMMISSIONER STARR: So I will -- I'll take  
 22 the amendment off the table if the second will go along  
 23 with me, with the understanding that we will return to  
 24 -- return to this exhibit.  
 25 COMMISSIONER SHIBUYA: These three.

1 COMMISSIONER MARDFIN: The main motion will  
 2 not be final until this has been resolved.  
 3 COMMISSIONER STARR: I mean, we will -- we can  
 4 vote on the main motion, but then we can come back and  
 5 vote on the 1, 2, 3 and 4 then.  
 6 CHAIR HEDANI: Any objection from the  
 7 Commission? Seeing none --  
 8 COMMISSIONER HIRANAGA: Say again.  
 9 CHAIR HEDANI: The idea is to defer -- well --  
 10 COMMISSIONER STARR: Take it off.  
 11 CHAIR HEDANI: To withdraw this particular  
 12 motion for reconsideration at such time as we get the  
 13 information that's been requested. Then we can proceed  
 14 with the main motion relative to the balance of the  
 15 properties in South Maui. Okay? There's no objection.  
 16 Any further discussion? Commissioner  
 17 Hiranaga.  
 18 COMMISSIONER HIRANAGA: I would like to know,  
 19 in the South Maui Community Plan area, what lands  
 20 currently have Community Plan designations that the  
 21 Department or GPAC are planning or proposing to remove,  
 22 exclusive of Makena 1, 2, 3 and 4.  
 23 CHAIR HEDANI: Mr. Summers. That's an easy  
 24 question.  
 25 MR. SUMMERS: You're talking about

1 entitlements, as Jeff noted, in Maui, it's not always  
 2 easy. This area here -- Mike, if you could drop the  
 3 UGBs on -- yeah. If you can pan up a little bit towards  
 4 Kihei just -- just a tad. There we go. This -- this  
 5 area here, through here, is in -- in the Community Plan  
 6 as Single-Family. The State Land Use designation is  
 7 Agriculture. And it does have some County zoning, but  
 8 it's not fully entitled. So we did leave this area out.  
 9 That's the -- the only area that I'm aware of.  
 10 If we can pan a little bit further north. A  
 11 little bit more.  
 12 COMMISSIONER HIRANAGA: May I ask a question?  
 13 MR. SUMMERS: Yeah.  
 14 COMMISSIONER HIRANAGA: You said that that  
 15 section, which is included in the Director's map,  
 16 excluded from GPAC, has County zoning, Community Plan  
 17 designation but State Land Use is Ag?  
 18 MR. SUMMERS: Mike, can you go back to that?  
 19 This -- this area here -- this is the  
 20 Director's growth boundary. This was the GPAC's  
 21 recommendation. The Director excluded these areas right  
 22 here. The areas have State Land Use Ag as a  
 23 designation, so they weren't fully entitled. So we  
 24 didn't include them. This area here, from our analysis,  
 25 is fully entitled. So we did include this area right

1 here; the GPAC left it out.

2 CHAIR HEDANI: Commissioner Hiranaga.

3 COMMISSIONER HIRANAGA: Again, fully entitled  
4 means they had consistency with State Land Use  
5 designation, Community Plan designation and County  
6 zoning designation. So if they meet whatever conditions  
7 were required for the granting of that ordinance, they  
8 can start construction.

9 MR. SUMMERS: That -- that's correct. There's  
10 a small -- a small area -- Mike, if we could go  
11 further -- they would have to comply with SMA, some  
12 other discretionary approval processes, but not the big  
13 three. There's a small area here that we're aware of,  
14 we were notified of this through this process, that is  
15 not included. So we intend to, in our transmittal to  
16 the Council, include this area in the map. And then if  
17 we go a little further south -- I'm sorry -- north. A  
18 little bit more. A little bit more. Let's go to the  
19 Kihei Mauka area. Okay. There's a little portion up  
20 here. Mike, can you zoom in on that and take the  
21 boundary off? There was a little area up here, mauka of  
22 this proposed roadway, that had a Community Plan  
23 designation of Single-Family that we didn't include. We  
24 felt that the roadway itself would provide a natural  
25 mauka urban Boundary. So this small portion here was

1 runs through here. This is the primary area included.

2 The GPAC Boundary's primary area here is through here  
3 with delineation of some of the gulches through here.

4 CHAIR HEDANI: Can you sharpen your laser,  
5 please?

6 Commissioner Starr.

7 COMMISSIONER STARR: Mr. Summers mentioned the  
8 road. And I'm wondering whether there's been a  
9 delineation of a mauka road there.

10 MR. SUMMERS: This -- this road here was --  
11 right through here was in the project applicant's master  
12 plan. And it seemed like a natural boundary for us. It  
13 was not the -- the main relief route that the State DOT  
14 is currently working with the County on.

15 COMMISSIONER STARR: Okay. So the -- the --  
16 the State road is that blue line, and this would be like  
17 a -- another north/south collector or something?

18 MR. SUMMERS: That's correct, in the plan.

19 This -- this is sort of our best, but rather rough  
20 estimate of where that relief road would be.

21 CHAIR HEDANI: Is that the alignment for the  
22 State's 3010 plan?

23 Commissioner Shibuya.

24 COMMISSIONER SHIBUYA: Can you show S3 area  
25 with the same sort of information? The GPAC cut off one

1 left out.

2 Now, the underlying -- Mike, can you put on  
3 State Land Use? So they do have the Community Plan  
4 designation of Single-Family, but it's not within the  
5 Urban Growth Boundary.

6 We do have an area in Maalaea that's in the  
7 Kihei, South Maui Community Plan, but it's not part of  
8 these maps. We could perhaps address that later.

9 COMMISSIONER HIRANAGA: What's the County  
10 zoning under that little sliver that you're proposing to  
11 exclude?

12 CHAIR HEDANI: Any further discussion?  
13 Commissioner Shibuya.

14 COMMISSIONER SHIBUYA: I'd like to see the  
15 overlay or at least the dotted lines for the GPAC  
16 recommendation and, also, the sensitive lands,  
17 especially in the area of S2 -- I mean, S3.

18 CHAIR HEDANI: John, can you explain what  
19 we're looking at?

20 MR. SUMMERS: This area here is the GPAC  
21 recommendation for Kihei Mauka. It's a Country Town  
22 service boundary. These hard red lines were intended to  
23 delineate open space networks through here. The  
24 Planning Department's -- Mike, go back and forth, just  
25 to compare the two. The Planning Department's boundary

1 section. Can you point that out?

2 MR. SUMMERS: This section right here.

3 COMMISSIONER STARR: Same one we just did.

4 COMMISSIONER SHIBUYA: I know.

5 CHAIR HEDANI: Commissioner Hiranaga.

6 COMMISSIONER HIRANAGA: Since we had that map  
7 up there, could the Department explain why their  
8 recommendation is to include that area versus GPAC?

9 CHAIR HEDANI: Director.

10 MR. HUNT: In our deliberations internally,  
11 the Staff, one of the considerations we make is the  
12 level of entitlement and even direction received from  
13 the County Council.

14 Recently, the Council voted to include  
15 entitlement for that land. As a result, it has  
16 entitlement at all three levels, State, Community Plan  
17 and zoning. So we -- we recognize the sensitivity of  
18 that area and we recognize the contentiousness of the  
19 debate that involved that project.

20 From our perspective, the decision's been  
21 made, the direction's been set. And we don't feel we  
22 have much choice as professional planners but to include  
23 it in an Urban Growth Boundary.

24 CHAIR HEDANI: Commissioner Hiranaga.

25 COMMISSIONER HIRANAGA: Can I ask if

1 Corporation Counsel wishes to add any comments regarding  
2 fully entitled lands?

3 CHAIR HEDANI: Mr. Giroux. Mr. Giroux prefers  
4 not to comment.

5 MR. GIROUX: I don't wanna prevent you guys  
6 from meeting any deadlines.

7 COMMISSIONER STARR: Mr. Giroux will ask his  
8 lawyer.

9 MR. GIROUX: You'll have to speak with my  
10 attorney.

11 Yeah, I think we covered this last time as far  
12 as fully entitled and what -- what that's gonna mean. I  
13 think it's gonna be interesting because you're working  
14 on a timing issue here, you know, that this -- what --  
15 your decision you make here are still gonna have to go  
16 to Council. And if they're still in the process of  
17 looking at the other plan we sent out, they're not  
18 getting to this one, then, you know, I -- I think  
19 they're gonna make those decisions at that time based on  
20 how far along the developers are in getting their  
21 projects up and running.

22 I think that's really gonna be determinative.  
23 I mean, it's -- it's a moving -- these types of lawsuits  
24 are a moving target. And I -- I really strongly suggest  
25 you look more at the -- the good planning part as

1 the bells and whistles of a project, you know, create a  
2 compelling atmosphere for, you know, it -- it moving --  
3 it moving forward. And, you know, I -- I don't know  
4 quite what -- how the Council would have acted with the  
5 entitlements for this had at that point it been up for  
6 auction piecemeal by a bankruptcy court.

7 But, you know, if anything, it's kind of a  
8 lesson to what -- you know, even the most solid thing,  
9 with the best intentions, you know, what happens and --  
10 in the real life world. And, you know, I think that no  
11 one really knows -- no one knows the future. And maybe,  
12 you know, it'll be part of a coherent green project in  
13 the future, and I certainly hope so, but maybe it won't.

14 CHAIR HEDANI: Commissioner U'u.

15 VICE-CHAIR U'U: When Corporation Counsel  
16 mentioned the project hasn't moved, most of the times  
17 it's not the landowner who's not moved, it's more so  
18 the -- the agencies that dictate the movement. And I --  
19 I like to say one would be the County and the State at  
20 times. We heard conflicting testimony earlier from a  
21 lot of people saying that working with specific agencies  
22 to address the, say, 57 to 43 conditions at a time. And  
23 you mentioned move. It's not on the part of landowner;  
24 it's the process itself.

25 CHAIR HEDANI: Mr. Shibuya.

1 opposed to are we gonna get sued or not. Because until  
2 we get closer to ground zero, it's really hard to advise  
3 you of, you know, are we gonna get sued, is this  
4 gonna -- you know.

5 And as far as a property that's fully  
6 entitled, you know, the -- the County Council can also,  
7 if -- if a project hasn't started moving, also has the  
8 power to change the zoning, you know, so -- as long as  
9 that zoning doesn't completely erase all use of that  
10 property. That's a risk that people take when they get  
11 entitlements and they don't move.

12 So that's -- you know, that's what you're  
13 doing here. You're trying to hit a moving target.

14 So you need to be conscious more of are you  
15 guys incorporating good planning principles into your  
16 decision-making rather than are you gonna get sued.  
17 Because, you know, from our experience, all -- all  
18 general planning causes some level of litigation. So  
19 we're -- we're gonna rely on your best judgment here.  
20 And as we get closer to the impacts zone, we'll probably  
21 have to start, you know, analyzing what the liabilities  
22 are at that time.

23 CHAIR HEDANI: Commissioner Starr.

24 COMMISSIONER STARR: Yeah. I -- I think this  
25 is a case where, you know, a lot of -- a lot of times

1 COMMISSIONER SHIBUYA: I would like to  
2 activate the cultural sensitive database as well as the  
3 mass transit corridor database layer at the same time.

4 While I can respect the private owners'  
5 entitlements, I am also interested in the public's  
6 interest and benefits. And if not so, this is the  
7 reason why I'm planning, looking ahead, so that the  
8 public can benefit from good planning and foresight.

9 CHAIR HEDANI: Mr. Summers, you wanna touch on  
10 the cultural and transportation maps?

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

12 We -- we do not have our -- our -- our total  
13 cultural inventory referenced at this point, so it's  
14 fairly limited. We do have the transit corridor maps  
15 depicted.

16 Mike, can you pan out a little bit?

17 CHAIR HEDANI: So the sensitive lands -- could  
18 you explain the sensitive lands, John?

19 MR. SUMMERS: The sensitive lands is primarily  
20 identified looking at slope constraints, natural  
21 resource constraints, not so much cultural resources.

22 The transit corridors depicted were developed  
23 by a transportation investigator of the Review Committee  
24 that the GPAC had, and then affirmed by a body as a  
25 whole. And these lines here delineate the transit

1 corridors identified by the Committees.  
 2 CHAIR HEDANI: Commissioner Shibuya, does that  
 3 answer your questions?  
 4 COMMISSIONER SHIBUYA: I just wanted to get a  
 5 closer view of the lower portion of the S3, especially  
 6 where the disconnect between the GPAC and the planning  
 7 Director's recommendation --  
 8 CHAIR HEDANI: There's the blowup of that  
 9 section.  
 10 COMMISSIONER SHIBUYA: I believe there was  
 11 some archaeological surveys being done, and there's a  
 12 process -- environmental assessment is going on.  
 13 CHAIR HEDANI: What does the yellow depict,  
 14 John?  
 15 MR. SUMMERS: Those would be registered  
 16 historical parcels.  
 17 CHAIR HEDANI: Commissioner Mardfin.  
 18 COMMISSIONER MARDFIN: The reason I made my  
 19 original motion to accept the GPAC borders for S3 is  
 20 because of this that I've referenced before, (inaudible)  
 21 by Lucienne deNaie. The subtitle of this is A Challenge  
 22 to Preserve Cultural Landscapes in Modern Makena. And,  
 23 basically, it -- there's a lot of very sensitive stuff  
 24 there. I recognize the fact that it might be fully  
 25 entitled, but I think we shouldn't be rubber stamps. We

1 this database is not complete.  
 2 CHAIR HEDANI: Ah-so. Director.  
 3 MR. HUNT: The Council approval included a  
 4 cultural preservation area, for lack of a better term,  
 5 in this area. Then I believe it had a minimum acreage  
 6 and a maximum acreage. And so that was recognized by  
 7 the Council, and the developer needs to comply with that  
 8 condition.  
 9 CHAIR HEDANI: Any further discussion?  
 10 Commissioner Hiranaga.  
 11 COMMISSIONER HIRANAGA: I was clarifying. Is  
 12 the North Kihei residential project within the  
 13 Department's proposed Urban Growth Boundaries?  
 14 MR. HUNT: Yes, it is.  
 15 COMMISSIONER HIRANAGA: And Wailea 670?  
 16 MR. HUNT: Yes, it is.  
 17 CHAIR HEDANI: Commissioner Hiranaga.  
 18 COMMISSIONER HIRANAGA: I would like to make a  
 19 friendly amendment that maybe we just address this S1  
 20 and S2, since we have some questions regarding S3, and  
 21 not take action on that at this time.  
 22 CHAIR HEDANI: Any objection?  
 23 (Silence.)  
 24 CHAIR HEDANI: Are you ready for the question  
 25 on S1 and S2? Commissioner Starr.

1 should be using our best judgment to convey to the  
 2 Council that we think this is an area that is due for  
 3 preservation.  
 4 I feel -- we're only a recommending body,  
 5 they're the decision-making body, but I think we need to  
 6 send them a message that we think that this ought to --  
 7 area ought to have some special attention.  
 8 CHAIR HEDANI: Commissioner U`u.  
 9 VICE-CHAIR U`U: In listening to the  
 10 discussion among the Planning Commissioners, I will beg  
 11 to differ. There's no such thing as a rubber stamp.  
 12 CHAIR HEDANI: Any further discussion?  
 13 (Silence.)  
 14 CHAIR HEDANI: I'm surprised that the  
 15 culturally sensitive areas does not include the section  
 16 -- the entitled section. That's the difference between  
 17 the GPAC map and the Director's map. Because, you know,  
 18 a prior presentation that we had on Makena, that showed  
 19 spots on the map for cultural sites, it looked like that  
 20 area was hit by a shotgun, if my memory serves me  
 21 correctly.  
 22 COMMISSIONER SHIBUYA: That's correct.  
 23 CHAIR HEDANI: Mr. Summers.  
 24 MR. SUMMERS: Thank you, Mr. Chairman.  
 25 The area is rich in cultural resources, but

1 COMMISSIONER STARR: Yeah. I'd prefer to deal  
 2 with S1, S2 and S3 with just the exclusion of the four  
 3 Makena Rurals. That is a motion on the floor. I think  
 4 if we can get past it today, it would be a good thing.  
 5 CHAIR HEDANI: Any further discussion?  
 6 Commissioner Hiranaga.  
 7 COMMISSIONER HIRANAGA: I will be voting  
 8 against the GPAC S3 map. I think it's better to  
 9 mitigate than to litigate. And I think we can try and  
 10 do as much mitigation regarding archaeological sites,  
 11 identifying them, protecting them.  
 12 And I know Corporation Counsel said we  
 13 shouldn't speculate on the probability of litigation,  
 14 but I'd hate to spend the next planned period in  
 15 litigation. So I will be voting against the GPAC map  
 16 for S3. So I'm hoping we can separate S1 and S2 and  
 17 move forward. And maybe we'll get new information in  
 18 the future so we can address S3.  
 19 CHAIR HEDANI: Further discussion?  
 20 Commissioner Shibuya.  
 21 COMMISSIONER SHIBUYA: I will be voting for  
 22 the general -- GPAC version of S1, 2 and 3.  
 23 CHAIR HEDANI: Any further discussion?  
 24 Commissioner Mardfin.  
 25 COMMISSIONER MARDFIN: For clarification,

1 that's not the motion on the floor --  
 2 COMMISSIONER SHIBUYA: I understand.  
 3 COMMISSIONER MARDFIN: -- Commissioner  
 4 Shibuya. The motion on the floor is the Director's  
 5 version for S1 and S2, the GPAC version for S3.  
 6 COMMISSIONER SHIBUYA: I understand. So you  
 7 understand when I vote.  
 8 CHAIR HEDANI: Commissioner Hiranaga.  
 9 COMMISSIONER HIRANAGA: I'd like to make a  
 10 motion to amend S1 to include the section that's  
 11 currently in the Community Plan for North Kihei, I think  
 12 you kind of call it Ohukai.  
 13 CHAIR HEDANI: Talking about the sliver that  
 14 was excluded?  
 15 COMMISSIONER HIRANAGA: Yes.  
 16 CHAIR HEDANI: Can you guys go back to that  
 17 map? Is there a second?  
 18 VICE-CHAIR U`U: Second.  
 19 CHAIR HEDANI: Seconded by Commissioner U`u.  
 20 Discussion from the maker of the motion?  
 21 COMMISSIONER HIRANAGA: The reasoning is that  
 22 area is currently in the plan as Single-Family, and we  
 23 have an imaginary road that may be built that's  
 24 theoretically going to separate it. But until that  
 25 happens, I -- I think we should include it. You know,

1 that's the current plan. I -- I have difficulty  
 2 removing areas that are currently in the plan from the  
 3 proposed plan. We should be -- we should be refining  
 4 and defining it, but when we start chopping off  
 5 pieces -- is that what they're going to do to us 10  
 6 years from now when we're not on the Commission, we're  
 7 going to chop off pieces? It doesn't give clarity to  
 8 landowners. You want -- you want progress, development,  
 9 you want jobs, but when you start giving them, you know,  
 10 lack of clarity, they're not gonna be spending capital  
 11 on this island. So --  
 12 CHAIR HEDANI: Any comments from the maker of  
 13 the motion and the second?  
 14 COMMISSIONER STARR: I believe that was being  
 15 offered as an amendment.  
 16 CHAIR HEDANI: A friendly amendment, or if the  
 17 maker of the motion would like to accept that as an  
 18 amendment on the main -- on the motion.  
 19 COMMISSIONER STARR: Well, let's see how  
 20 friendly it is. Because that -- does that mean that  
 21 you'll vote yes on the main motion if -- if --  
 22 COMMISSIONER HIRANAGA: I'm willing to vote on  
 23 S1 and S2. I think we're gonna have --  
 24 COMMISSIONER STARR: So it's not friendly. In  
 25 fact, it's --

1 COMMISSIONER SHIBUYA: It's a conditional  
 2 vote.  
 3 COMMISSIONER STARR: Yeah.  
 4 CHAIR HEDANI: Any further --  
 5 COMMISSIONER HIRANAGA: I think it's two  
 6 different -- two separate issues.  
 7 CHAIR HEDANI: Any further discussion?  
 8 (Silence.)  
 9 CHAIR HEDANI: Why don't you make it in the  
 10 form -- you made it in the form of a motion. Was there  
 11 a second?  
 12 COMMISSIONER HIRANAGA: To amend.  
 13 VICE-CHAIR U`U: Second.  
 14 CHAIR HEDANI: Seconded by Commissioner U`u.  
 15 Discussion?  
 16 (Silence.)  
 17 CHAIR HEDANI: Okay. The amendment on the  
 18 floor is to add the Single-Family sliver shown on that  
 19 map in yellow.  
 20 That's a sharp laser. I like that laser.  
 21 All those in favor, signify by raising your  
 22 hand. Three.  
 23 Opposed, same sign. Three.  
 24 Motion fails.  
 25 VICE-CHAIR U`U: Chair gonna vote?

1 CHAIR HEDANI: Any further discussion?  
 2 (Silence.)  
 3 CHAIR HEDANI: Ready for the question on the  
 4 main motion? Main motion is for the Director's version  
 5 for S1 and S2 and the GPAC version for S3.  
 6 COMMISSIONER HIRANAGA: Excluding Makena 1, 2,  
 7 3 and 4.  
 8 CHAIR HEDANI: Excluding Makena, 1, 2, 3 and  
 9 4. Any further discussion?  
 10 (Silence.)  
 11 CHAIR HEDANI: Ready for the question? All  
 12 those in favor, signify by raising your hand. One, two,  
 13 three.  
 14 Opposed, same sign. One, two, three.  
 15 Congratulations. You're evenly divided.  
 16 COMMISSIONER MARDFIN: How did the Chairman  
 17 vote?  
 18 CHAIR HEDANI: Chair did not vote.  
 19 Any further discussion? The weather or --  
 20 Commissioner Hiranaga.  
 21 COMMISSIONER HIRANAGA: I'll make a motion to  
 22 approve S1 and S2 with the inclusion of that section of  
 23 Ohukai that's part of the current Community Plan  
 24 designated Single-Family.  
 25 CHAIR HEDANI: That's the Director's version.

1 COMMISSIONER HIRANAGA: Director's version.  
 2 CHAIR HEDANI: Is there a second?  
 3 VICE-CHAIR U`U: Second.  
 4 CHAIR HEDANI: Moved by Commissioner Hiranaga,  
 5 seconded by Commissioner U`u to approve the Director's  
 6 version of S1 and S2 with the inclusion of the  
 7 Single-Family sliver.  
 8 Discussion? Commissioner Hiranaga.  
 9 COMMISSIONER HIRANAGA: I would like the  
 10 Department -- I know you explained this once before.  
 11 Why are you excluding that area if it's already in the  
 12 Community Plan?  
 13 CHAIR HEDANI: Good question. Mr. Summers?  
 14 MR. SUMMERS: Thank you, Mr. Chairman.  
 15 This -- Mike, can we put the site plan on for  
 16 this, this project?  
 17 This -- this follows the proposed roadway, the  
 18 developer's proposed roadway. It works as a natural  
 19 Urban Growth Boundary. This area here would expand  
 20 urbanization mauka of the roadway. We felt that was  
 21 inappropriate. We also didn't need the additional  
 22 supply for this area.  
 23 CHAIR HEDANI: Commissioner Hiranaga.  
 24 COMMISSIONER HIRANAGA: So what happens if the  
 25 GPAC S3 is adopted to your unit count?

1 and all?  
 2 MR. SUMMERS: It would leave the school out of  
 3 the growth boundary. We did have some fairly  
 4 significant concerns with this proposal due to lack of  
 5 scale, just not enough density to really have an  
 6 opportunity for a self-sufficient community. Also, we  
 7 had concerns about the ability to provide affordable  
 8 housing with that type of concept and bring the  
 9 infrastructure in.  
 10 COMMISSIONER STARR: What's that red stuff  
 11 that's cut in half?  
 12 COMMISSIONER SHIBUYA: It's the highway.  
 13 CHAIR HEDANI: Commissioner Starr, can you  
 14 speak into the microphone?  
 15 COMMISSIONER STARR: Yeah. What's that red  
 16 four-leaf clover that's kind of cut in half?  
 17 MR. SUMMERS: This is the proposed town center  
 18 for one of the nodes, adjacent to the high-tech park and  
 19 just mauka of the high school site in the planner's  
 20 proposal.  
 21 COMMISSIONER STARR: So this in -- the school  
 22 is -- has a big chunk of Ag between it and the new  
 23 residential area?  
 24 MR. SUMMERS: That's correct.  
 25 CHAIR HEDANI: Commissioner Hiranaga.

1 MR. SUMMERS: Mike, can you pan down to that  
 2 area?  
 3 We would need to look at the number of units  
 4 that we included in the supply for that -- for that  
 5 portion that's removed from the UGB and adjust  
 6 accordingly.  
 7 COMMISSIONER HIRANAGA: Yeah. I saw  
 8 Single-Family, Multifamily. So sizable number?  
 9 MR. SUMMERS: I'd have to go back and look at  
 10 the database.  
 11 CHAIR HEDANI: Commissioner Shibuya.  
 12 COMMISSIONER SHIBUYA: Can you put on the GPAC  
 13 overlay at this point so we can just see the comparison?  
 14 Because the GPAC portion in the upper area that we're  
 15 discussing is actually Rural.  
 16 MR. SUMMERS: The GPAC's proposal was to have  
 17 a Country Town in the mauka portion of the area. We  
 18 wanted to pull it closer to the school and the high-tech  
 19 center and existing infrastructure.  
 20 MR. HUNT: It's hard to see, but the GPAC line  
 21 is the yellow and black line. I know there's a lot of  
 22 lines up there.  
 23 CHAIR HEDANI: Commissioner Starr.  
 24 COMMISSIONER STARR: Yeah. Does that cut the  
 25 super computer in half in the school, the high-tech park

1 COMMISSIONER HIRANAGA: I'm just wondering if  
 2 it's -- we -- returning to Ohukai, is that efficient use  
 3 of infrastructure improvements to not have any urban use  
 4 on one side of a road if it's not a State highway? You  
 5 have -- if you're talking about controlling urban sprawl  
 6 mauka, you -- you have the proposed Kihei Bypass road,  
 7 which will act as a boundary. But this so-called  
 8 collector road, you're gonna just have urban use on one  
 9 side of a collector road? Is that efficient use of  
 10 infrastructure improvements?  
 11 CHAIR HEDANI: Mr. Summers.  
 12 MR. SUMMERS: Thank you, Mr. Chairman.  
 13 We felt that -- looking at infrastructure in  
 14 its entirety that that was an efficient land use pattern  
 15 for that area.  
 16 CHAIR HEDANI: Commissioner Starr.  
 17 COMMISSIONER STARR: I believe that this would  
 18 allow to have a road that has a mauka view plane instead  
 19 of a road with houses and ticky tack on both sides.  
 20 CHAIR HEDANI: Director?  
 21 COMMISSIONER HIRANAGA: Ticky tack?  
 22 MR. HUNT: Commissioner Hiranaga raises a good  
 23 point. It's often an argument in planning, you wanna  
 24 double-load any kind of infrastructure. But in terms of  
 25 an urban growth tool, it's also a common tool to draw

1 that line at a road. So on one side, you had  
 2 development; on the other side, it's agriculture. And  
 3 that is a valid tool. So you've kind of got two tools  
 4 here that you are arguing.  
 5 CHAIR HEDANI: Any further discussion?  
 6 (Silence.)  
 7 CHAIR HEDANI: Motion on the floor is for  
 8 approval of S1 and S2 with the addition of the  
 9 Single-Family sliver.  
 10 Commissioner Mardfin.  
 11 COMMISSIONER MARDFIN: I'm gonna vote against  
 12 this. I think we need to deal with South Maui in its  
 13 entirety. So as long as we're not accepting the GPAC  
 14 recommendation for S3, I'll be voting against all the  
 15 motions dealing with S1 and S2.  
 16 CHAIR HEDANI: Any further discussion?  
 17 Commissioner Shibuya.  
 18 COMMISSIONER SHIBUYA: I'm willing to make a  
 19 compromise here. Using the Director's border line,  
 20 except for the Ohukai area, anything across mauka of  
 21 that Director's line would be considered -- I could  
 22 consider as Rural Service Center type of designation.  
 23 CHAIR HEDANI: Any further discussion?  
 24 Commissioner Hiranaga.  
 25 COMMISSIONER HIRANAGA: Can someone show us

1 the red area would be Country Town.  
 2 COMMISSIONER HIRANAGA: Rural Service.  
 3 COMMISSIONER SHIBUYA: Rural Service. Rural  
 4 Service.  
 5 CHAIR HEDANI: Commissioner Starr.  
 6 COMMISSIONER STARR: Yeah. This is a lot more  
 7 than is entitled Rural or than was in the -- in the  
 8 landowner's proposal.  
 9 CHAIR HEDANI: Commissioner U'u.  
 10 VICE-CHAIR U'U: That was a clarification.  
 11 CHAIR HEDANI: My only comment is there is  
 12 nothing country about Kihei.  
 13 COMMISSIONER SHIBUYA: Yeah. The reason why  
 14 I'm compromising on this is because it's actually a  
 15 border. It's a buffer for additional urban development  
 16 up the hill. And this would be a nice buffer. And I  
 17 think using -- even though I don't agree with all of the  
 18 Director's recommendations, I'm willing to accept all of  
 19 the Director's recommendations and to include this  
 20 little buffer for Country Town development.  
 21 CHAIR HEDANI: So it would be like half  
 22 country?  
 23 COMMISSIONER SHIBUYA: Half country.  
 24 CHAIR HEDANI: Commissioner Hiranaga.  
 25 COMMISSIONER HIRANAGA: Could you overlay the

1 what Commissioner Shibuya just proposed?  
 2 CHAIR HEDANI: Mr. Summers.  
 3 MR. SUMMERS: Thank you, Mr. Chairman.  
 4 I wasn't clear.  
 5 CHAIR HEDANI: Mr. Shibuya -- Commissioner  
 6 Shibuya.  
 7 COMMISSIONER SHIBUYA: Okay. Can you put on  
 8 the overlays again for the GPAC and the Director's  
 9 boundaries? Okay. There's the yellow and black line.  
 10 Anything mauka of that Director's line would be Country  
 11 Town Service Center type. And below the line, that's  
 12 makai, would be considered whatever the -- urban  
 13 development.  
 14 COMMISSIONER HIRANAGA: Adding area?  
 15 CHAIR HEDANI: I'm sorry. Was that a  
 16 question, Commissioner?  
 17 COMMISSIONER SHIBUYA: No. I'm just opening  
 18 it up for -- as a suggestion. And if anybody wants it,  
 19 fine; if not, then I withdraw.  
 20 CHAIR HEDANI: Any further discussion?  
 21 Commissioner Hiranaga.  
 22 COMMISSIONER HIRANAGA: I'm sorry. So you're  
 23 saying include the red area into this one?  
 24 COMMISSIONER SHIBUYA: That's correct. And  
 25 everything else that the Director is recommending. But

1 proposed State highway route? How firm is that  
 2 location?  
 3 MR. SUMMERS: Not very firm. I mean, it needs  
 4 to go through a site selection process.  
 5 CHAIR HEDANI: That should be done by 3010.  
 6 Commissioner Starr.  
 7 COMMISSIONER STARR: Yeah. Can you show the  
 8 -- the boundary of the rural zoning and the land -- and  
 9 the landowner's proposal, which had the same thing?  
 10 CHAIR HEDANI: Commissioner Hiranaga.  
 11 COMMISSIONER HIRANAGA: Does Commissioner  
 12 Shibuya have any concerns that his proposed addition  
 13 would extend beyond the makai boundary of the Kihei  
 14 Mauka highway, or is that his intent?  
 15 COMMISSIONER SHIBUYA: No, not to -- not the  
 16 intent. It's just if it were to follow the border of  
 17 the highway, that would be fine, too.  
 18 COMMISSIONER HIRANAGA: That could go --  
 19 COMMISSIONER SHIBUYA: Right.  
 20 COMMISSIONER HIRANAGA: -- mauka?  
 21 COMMISSIONER SHIBUYA: Not to go mauka of  
 22 that. I would be willing to do that, too, not to go  
 23 mauka of the highway.  
 24 CHAIR HEDANI: Okay. Mike, (inaudible). Half  
 25 Country Town makai of the highway. Commissioner

1 Hiranaga.

2 COMMISSIONER HIRANAGA: Could the Staff  
3 explain to us the difference between what could be  
4 developed in Urban Growth Boundary versus B-CT -- or  
5 RSC, Rural Service Center, right? Is it the size of  
6 lots?

7 MR. SUMMERS: It's not necessarily the size of  
8 the lot, but just the overall scale of the project. The  
9 level of urbanization would be much lower in the Rural  
10 Service Center or Country Town. A good example would be  
11 looking at the development patterns in Wailuku Town and  
12 compare it to, say, Paia. There's a distinct difference  
13 in terms of overall scale, density, height limits,  
14 mixture of uses.

15 CHAIR HEDANI: Okay. We're gonna have to take  
16 a break pretty soon. Commissioner Starr.

17 COMMISSIONER STARR: I think we're mixing  
18 metaphors here. And I'd like an explanation in terms of  
19 planning principles, whether you really want this kind  
20 of soft edge to an urban area. My understanding is you  
21 want a hard edge to an urban area, then you want a green  
22 space buffer. But by putting a soft edge to it, as is  
23 being discussed, I mean, that's really the recipe for  
24 just kind of having an Urban area that just kind of  
25 sprawls out into, you know, kind of nowhere land, you

1 MR. SUMMERS: Well, clearly, if we add  
2 additional land supply into the project, our unit count  
3 will increase in an equivalent manner.

4 COMMISSIONER STARR: So I ask my fellow  
5 Commissioners, what are we gonna take it out of?

6 CHAIR HEDANI: Okay. Let's go ahead and take  
7 a break at 3:15. So let's wrap this one up within the  
8 next five minutes or so.

9 Commissioner Hiranaga.

10 COMMISSIONER HIRANAGA: I'm not sure if we're  
11 gonna be able to approve or do anything with South  
12 Kihei. So if we don't take action, maybe you could come  
13 up with a unit count, just in case we don't take action.  
14 In the unlikelihood we don't take action.

15 CHAIR HEDANI: Any further discussion?

16 COMMISSIONER STARR: Let's take a break.

17 CHAIR HEDANI: Okay. We'll go ahead and take  
18 a break. We'll take a 10-minute break at this time.

19 (Recess, 3:12 p.m. to 3:26 p.m.)

20 CHAIR HEDANI: Planning Commission meeting of  
21 September 14th is back in order.

22 We're on Kihei, S1 and S2. Director's  
23 recommendation with the modification. Is that where we  
24 were? All right.

25 Commissioner Shibuya.

1 know.

2 CHAIR HEDANI: Mr. Summers, is that why you  
3 have a fuzzy laser?

4 MR. SUMMERS: I guess so. But I think  
5 Commissioner Starr raises an excellent point. You have  
6 the opportunity to have a very hard edge without a  
7 spill-over of urbanization mauka of the highway or the  
8 growth boundary in this case. Once we do that, we open  
9 up or we set precedent for additional incremental  
10 urbanization mauka, which really is counter to best  
11 practice.

12 CHAIR HEDANI: Commissioner Hiranaga.

13 COMMISSIONER HIRANAGA: Let's put the State  
14 highway proposed boundary up there again. Is that a  
15 pretty hard edge? Would you consider -- is that a  
16 four-lane highway they're proposing?

17 MR. SUMMERS: That hasn't been determined.

18 COMMISSIONER HIRANAGA: But that would be a  
19 fairly hard edge?

20 MR. SUMMERS: It could be a hard edge.

21 CHAIR HEDANI: Any further discussion?  
22 Commissioner Starr.

23 COMMISSIONER STARR: Yeah. While we're doing  
24 it, what's the unit count? What does that do to our  
25 unit count?

1 COMMISSIONER SHIBUYA: Mr. Chair, I did not  
2 make a motion on that. So is it appropriate at this  
3 time that I make a motion that -- make a proposal that  
4 the upper portion of the GPAC proposal -- woops, it's  
5 not there.

6 CHAIR HEDANI: Sorry. The slate's been wiped  
7 clean.

8 COMMISSIONER SHIBUYA: Okay. We start all  
9 over again. That would be --

10 COMMISSIONER STARR: Could we have a  
11 clarification of where we are at first?

12 COMMISSIONER HIRANAGA: Did my motion fail?

13 COMMISSIONER STARR: What's on the floor?

14 CHAIR HEDANI: What's on the floor is S1 and  
15 S2. Director's recommendation would be inclusion of the  
16 Single-Family sliver and a potential amendment that is  
17 what Commissioner Shibuya had suggested.

18 COMMISSIONER STARR: That --

19 CHAIR HEDANI: Commissioner Starr.

20 COMMISSIONER STARR: Yeah. Was there an  
21 amendment that wasn't passed to the main motion? And if  
22 so, can we have that read back to us?

23 CHAIR HEDANI: It wasn't in the form of an  
24 amendment. But he's in the process of making an  
25 amendment now.



1 COMMISSIONER STARR: So what is the floor  
 2 before us? What have we --  
 3 CHAIR HEDANI: It's S1 and S2, Director's  
 4 recommendation, with the inclusion of Single-Family  
 5 sliver that was excluded from the original plan.  
 6 COMMISSIONER STARR: I don't think so. We --  
 7 did we -- we had a main motion, is that correct? What  
 8 did the main motion read?  
 9 COMMISSIONER MARDFIN: That was it.  
 10 COMMISSIONER STARR: Mr. Hunt?  
 11 MR. HUNT: According to my records, the main  
 12 motion was made by Mr. Hiranaga to Department  
 13 recommendations on S1 and S2 with the inclusion of  
 14 Ohukai. There was subsequent discussion about the GPAC  
 15 area and the bypass and the mauka, but no motion was  
 16 ever made regarding that.  
 17 CHAIR HEDANI: Right.  
 18 COMMISSIONER STARR: So Ohukai being --  
 19 CHAIR HEDANI: The Single-Family sliver mauka  
 20 of the line.  
 21 COMMISSIONER SHIBUYA: But makai of the  
 22 highway, proposed highway?  
 23 COMMISSIONER HIRANAGA: Roadway.  
 24 COMMISSIONER SHIBUYA: Roadway.  
 25 COMMISSIONER STARR: Can we see that on the

1 buffer between urban development and not having urban  
 2 development all the way to the roadway, but to have a  
 3 rural country town type of development there.  
 4 CHAIR HEDANI: That was for that portion that  
 5 was included within the GPAC's Country Town?  
 6 COMMISSIONER SHIBUYA: That's correct. We're  
 7 not considering the GPAC now. We're considering just  
 8 adding that little portion for Rural.  
 9 CHAIR HEDANI: Is there a second?  
 10 COMMISSIONER STARR: What -- excuse me. For  
 11 clarification, I think what he's saying is that little  
 12 Ohukai sliver, just the little sliver, is Rural and not  
 13 Urban. Am I correct?  
 14 COMMISSIONER SHIBUYA: Yes, including all the  
 15 way to the highway or the roadway.  
 16 COMMISSIONER STARR: You mean you're gonna  
 17 thicken that up all the way to the --  
 18 CHAIR HEDANI: Commissioner Hiranaga.  
 19 COMMISSIONER HIRANAGA: There's no second.  
 20 CHAIR HEDANI: Beg your pardon?  
 21 COMMISSIONER HIRANAGA: There's no second.  
 22 COMMISSIONER SHIBUYA: No second.  
 23 CHAIR HEDANI: Right. Any further discussion?  
 24 Commissioner Hiranaga.  
 25 COMMISSIONER HIRANAGA: I have this feeling

1 screen?  
 2 CHAIR HEDANI: Actually, did you amend your  
 3 main motion, Kent?  
 4 COMMISSIONER HIRANAGA: No.  
 5 CHAIR HEDANI: No. So it just a yellow sliver  
 6 that you're talking about?  
 7 COMMISSIONER STARR: Yeah. Can we see that?  
 8 COMMISSIONER SHIBUYA: You'll have to fit the  
 9 highway.  
 10 COMMISSIONER HIRANAGA: Yes. Remove the GPAC  
 11 proposal. You've got the GPAC proposal on there.  
 12 Remove the GPAC proposal.  
 13 MR. HUNT: Just for clarification, it's the --  
 14 the mustard sliver right through there. There we --  
 15 COMMISSIONER HIRANAGA: There.  
 16 MR. HUNT: Just that area that's kind of  
 17 mustard that is mauka of the Urban Growth Boundary.  
 18 That's the addition to the Director's map according to  
 19 the motion on the floor.  
 20 COMMISSIONER STARR: Okay.  
 21 CHAIR HEDANI: Now, any further amendments?  
 22 Commissioner Shibuya.  
 23 COMMISSIONER SHIBUYA: I was gonna make an  
 24 amendment requesting that the -- makai of the proposed  
 25 State roadway, and to this area, would be creating a

1 that Commissioner Shibuya wants some type of buffer  
 2 between the urban use and the proposed Kihei mauka  
 3 highway. But if you look there, you know, that green  
 4 area, if it remains undesignated would be basically  
 5 agriculture. So there's your buffer. So I don't know  
 6 if you need to put a Rural Service Center designation  
 7 there. If you just -- you know, you allow the existing  
 8 community planned area to move forward, you've got your  
 9 Ag buffer there.  
 10 COMMISSIONER SHIBUYA: Okay.  
 11 CHAIR HEDANI: Commission Sablas.  
 12 COMMISSIONER SABLAS: You know, I live in  
 13 Kihei. And I attended the GPAC meeting in our  
 14 community. And I do remember strong testimony for  
 15 wanting to keep all the greenbelt areas. So can I see  
 16 the original GPAC version of the map? We've had so many  
 17 versions that, at this point, I'm not clear, really,  
 18 what we -- I'm gonna be voting on. So, Mr. Summers, if  
 19 you could bring up the original GPAC --  
 20 CHAIR HEDANI: Why don't you walk us through  
 21 that, John?  
 22 MR. SUMMERS: Thank you, Mr. Chairman.  
 23 This would be the -- the GPAC's Urban Growth  
 24 Boundary. These heavy red and black dotted lines would  
 25 delineate areas for preservation of open space. And

1 then we have this Country Town in the mauka portion of  
2 the area.

3 CHAIR HEDANI: Director Hunt.

4 MR. HUNT: Just a little more clarification.

5 The area in between the yellow and black line and the  
6 red and black line would be agriculture or open space or  
7 whatever, and then there -- the GPAC was very specific  
8 in bringing the Urban Growth Boundaries down on both  
9 sides of these gulches. So that would be a separation  
10 in there. And, also, in this area here. You can see  
11 where they were very precise in their Urban Growth  
12 Boundaries. And those areas, again, would be green  
13 space.

14 CHAIR HEDANI: Commissioner Sablas.

15 COMMISSIONER SABLAS: So for clarification,  
16 can Staff explain the rationale for your recommendation  
17 over the GPAC's?

18 MR. HUNT: At the Kihei meeting that the  
19 Planning Commission went to, there was some discussion  
20 that the high school site should have more density by  
21 it. And the high school site being in that area. So  
22 there was talk that instead of having the growth for  
23 Kihei be up mauka on the side of the hill that we would  
24 move it down. And so it was -- it's almost just a swath  
25 of taking this GPAC growth area and having this gap in

1 laterally and move up and down, where the school is  
2 surrounded by communities and where they -- you know,  
3 it's enough density for shops to exist up there where  
4 people can get to them without having to get in a car  
5 every time. It also allows real continuous ag and open  
6 space above it rather than, you know, setting the -- the  
7 groundwork for -- you know, for more stuff that's  
8 neither here nor there, which is kind of -- just kind of  
9 -- just kind of sprawls out. So I really think that  
10 what the Department is recommending is -- is the best  
11 thing. And I am willing to go along with the -- the  
12 addition of that little bit that's already  
13 Single-Family. And -- and I think we should move ahead  
14 and approve 1 and 2.

15 CHAIR HEDANI: Any further discussion?  
16 Commissioner Hiranaga?

17 COMMISSIONER HIRANAGA: Yeah. You know,  
18 isolating the gulches, but those are flood areas or  
19 sensitive lands. They're not gonna get developed,  
20 anyway. So I really don't see a need to delineate those  
21 gulches outside of the Urban Growth Boundary. You need  
22 to have flexibility when you're developing the  
23 community. And one of the main arguments for the  
24 Director's -- Department's map is the inclusion of the  
25 high school within the Urban area, so the kids can walk

1 between and just switching it. So moving it down, so  
2 it's closer to the high school. So, again, it's just  
3 more compact -- our argument would be more compact,  
4 dense development, smart growth. The kids can walk to  
5 the school, they can bike to the school. There's  
6 development around the school as opposed to pushing it  
7 up on the side of the hill.

8 COMMISSIONER SABLAS: Thank you.

9 CHAIR HEDANI: Any further discussion?  
10 Commissioner Shibuya.

11 COMMISSIONER SHIBUYA: The GPAC also was  
12 concerned about the identity of these new developments.  
13 They did not want to blend in and become all Ohukai.  
14 They wanted to have a separate identity in the Country  
15 Town area. And that's why they set that up. They also  
16 did not want the other urban areas to be merging  
17 together so that you have one complete South Kihei  
18 community. They wanted it divided and they wanted it  
19 divided by natural barriers such as the gulch and/or  
20 created the open space, parks, whatever you have.

21 CHAIR HEDANI: Commissioner Starr.

22 COMMISSIONER STARR: I understand the  
23 thinking, but I don't agree with it at all. I think  
24 that, you know, where we wanna head is -- is to create  
25 something that's cohesive and you're able to move

1 to school and they don't have to hop on a bus.

2 CHAIR HEDANI: Any further discussion?  
3 (Silence.)

4 CHAIR HEDANI: I think we've beat this one to  
5 death. Ready for the question?

6 All those in favor of the motion, which is to  
7 approve Director's version, S1, S2, with the  
8 modification of the Single-Family sliver in the Ohukai  
9 area, signify by raising your hand.

10 Opposed, same sign.

11 Chair votes in favor. Motion is approved.

12 Any further discussion on S3? Commissioner  
13 Mardfin.

14 COMMISSIONER MARDFIN: I move the adoption of  
15 the GPAC version of S3 with the exception of Makena 1,  
16 2, 3 and 4.

17 COMMISSIONER STARR: Second.

18 CHAIR HEDANI: Moved and seconded to approve  
19 the GPAC version of S3 with the exception of Makena 1,  
20 2, 3 and 4. Discussion?

21 (Silence.)

22 CHAIR HEDANI: All those in favor of the  
23 motion, signify by raising your hands. One, two, three,  
24 four.

25 Opposed, same sign. One, two, three.

1 Chair votes against. Chair votes nay.  
 2 Motion is lost.  
 3 Any further discussion on S3? Do you want to  
 4 move on to a new area?  
 5 Commissioner Hiranaga.  
 6 COMMISSIONER HIRANAGA: Do we need a motion to  
 7 defer that?  
 8 CHAIR HEDANI: Beg your pardon?  
 9 COMMISSIONER HIRANAGA: Do we need a motion to  
 10 defer S3, or we're just gonna take inaction, or what  
 11 happens to S3?  
 12 CHAIR HEDANI: We can come back to S3 when we  
 13 feel like it, if you want to do that.  
 14 COMMISSIONER SHIBUYA: Let's go ahead and  
 15 defer it.  
 16 CHAIR HEDANI: Commissioner Shibuya.  
 17 COMMISSIONER SHIBUYA: I move we defer our  
 18 deliberation and voting on S3.  
 19 CHAIR HEDANI: Is there a second?  
 20 VICE-CHAIR U`U: Second.  
 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 version. And W1 and W4 only have one version, which is  
 2 B and C.  
 3 CHAIR HEDANI: Okay. We're all clear on that?  
 4 COMMISSIONER SHIBUYA: You should take 'em one  
 5 at a time.  
 6 CHAIR HEDANI: Okay. W1, B and C. W2, Plan  
 7 B.  
 8 COMMISSIONER STARR: W3, B.  
 9 CHAIR HEDANI: W3, Plan B. And W4, Plan B and  
 10 C.  
 11 COMMISSIONER STARR: Uh-huh.  
 12 CHAIR HEDANI: Is that right?  
 13 COMMISSIONER STARR: Uh-huh.  
 14 CHAIR HEDANI: Discussion? Commissioner  
 15 Starr.  
 16 COMMISSIONER STARR: Yeah. I -- I think that  
 17 the Department's done a real good job with this and it  
 18 provides workable, compact communities, it provides for  
 19 plenty of growth. The long -- the project Kaanapali  
 20 2020, which has been under great microscopes by the  
 21 community for 10, 15 years, is -- is included to a large  
 22 enough scale to work Lahaina. Also is -- has enough  
 23 growth around it to -- to make that viable. So I  
 24 applaud the work on these by the Department.  
 25 CHAIR HEDANI: Any further discussion?

1 CHAIR HEDANI: Deferred.  
 2 Now, where would you want to head?  
 3 Commissioner Starr.  
 4 COMMISSIONER STARR: Go west, young man.  
 5 CHAIR HEDANI: Go west.  
 6 COMMISSIONER STARR: I move for the adoption  
 7 -- the adoption -- oh. What term are we using?  
 8 MR. HUNT: Provisional.  
 9 COMMISSIONER STARR: Provisional adoption of  
 10 whiskey 1 through 4, which is what we'll all need after  
 11 we get out of here.  
 12 COMMISSIONER MARDFIN: You need to specify  
 13 which version.  
 14 COMMISSIONER SHIBUYA: W1, 2, 3, 4.  
 15 COMMISSIONER STARR: This is the -- be the  
 16 bravo version.  
 17 COMMISSIONER HIRANAGA: Planning Department?  
 18 COMMISSIONER STARR: Yeah.  
 19 CHAIR HEDANI: Is there a second?  
 20 COMMISSIONER MARDFIN: Second.  
 21 CHAIR HEDANI: Moved by Commissioner Starr,  
 22 seconded by Commissioner Mardfin to approve W1, B?  
 23 COMMISSIONER STARR: W1, 2, 3 and 4, B  
 24 version. I believe there are two -- there are actually  
 25 two of them that have a B version. W2 and W3 have a B

1 Commissioner Hiranaga.  
 2 COMMISSIONER HIRANAGA: I have to confess I  
 3 was not paying attention. What was the maps again?  
 4 CHAIR HEDANI: It's --  
 5 VICE-CHAIR U`U: Slowly.  
 6 CHAIR HEDANI: W1, B and C; W2, Plan B; W3,  
 7 Plan B; W4, Plans B and C.  
 8 COMMISSIONER HIRANAGA: Director's?  
 9 CHAIR HEDANI: Director's recommendation.  
 10 Discussion? Commissioner Starr.  
 11 COMMISSIONER STARR: Yeah. I'd like to  
 12 understand what the logic behind the Napilihau wine  
 13 glass project is on W1.  
 14 CHAIR HEDANI: Talking about the blue Rural?  
 15 COMMISSIONER STARR: Yeah.  
 16 CHAIR HEDANI: It's in conjunction with the  
 17 Wine Symposium of Kapalua.  
 18 Mr. Summers.  
 19 MR. SUMMERS: Thank you, Mr. Chairman.  
 20 This was an area that was entitled for rural  
 21 use.  
 22 CHAIR HEDANI: I'm sorry. Can you repeat  
 23 that?  
 24 MR. SUMMERS: That was an area that was  
 25 entitled for rural use, so we've included it within

1 Rural.  
 2 CHAIR HEDANI: So it's fully entitled?  
 3 MR. SUMMERS: That's our understanding, yes.  
 4 CHAIR HEDANI: Any further discussion?  
 5 Commissioner Starr.  
 6 COMMISSIONER STARR: Yeah. I -- I move to  
 7 amend for its removal. It seems to be kind of just up  
 8 in space and doesn't, I think, add to -- add to the  
 9 community.  
 10 CHAIR HEDANI: Is there a second?  
 11 COMMISSIONER MARDFIN: For the sake of  
 12 discussion, I'll second it.  
 13 CHAIR HEDANI: Moved and seconded to remove  
 14 the rural Napilihau designation for that area identified  
 15 on the map which looks like a wine glass.  
 16 Commissioner Hiranaga.  
 17 COMMISSIONER HIRANAGA: I'm sorry. Did you  
 18 say that area was fully entitled? State Land Use  
 19 Community Plan and zoning?  
 20 CHAIR HEDANI: Mr. Summers.  
 21 MR. SUMMERS: Thank you, Mr. Chairman.  
 22 We'll walk you through the different layers.  
 23 CHAIR HEDANI: Can you repeat that, John?  
 24 MR. SUMMERS: Mike, can you put up the State  
 25 Land Use?

1 land?  
 2 MR. SUMMERS: We do have a few dwellings in  
 3 this area, individual property owners.  
 4 CHAIR HEDANI: Commissioner Hiranaga.  
 5 COMMISSIONER HIRANAGA: Do you have any  
 6 historical information for us as to why that's so  
 7 designated, so designated currently?  
 8 MR. SUMMERS: I'm not aware of the historical  
 9 nature of it when it was discussed in the West Maui  
 10 Community Plan. I do think, you know, that Maui Land &  
 11 Pine wasn't involved in this. It's -- I would have to  
 12 do some research on that.  
 13 CHAIR HEDANI: Any further discussion?  
 14 Director.  
 15 MR. HUNT: Can -- can you give us some  
 16 acreages of some of the parcels?  
 17 MR. SUMMERS: The parcel that just came up was  
 18 just over two acres. We had one that was four  
 19 and-a-half acres.  
 20 Mike, can you draw the parcel lines on it?  
 21 Okay. I believe this parcel is four  
 22 and-a-half acres. That's actually nine acres.  
 23 You want to go through a few more, Mike?  
 24 Maybe start at the -- 2.6, two acres, and a 10.98, 2.52,  
 25 2.1, four and-a-half.

1 It looks like the State designation is Ag.  
 2 Can you move to the Community Plan?  
 3 The Community Plan designation is identified  
 4 as Rural.  
 5 CHAIR HEDANI: Discussion? Commissioner  
 6 Shibuya.  
 7 COMMISSIONER SHIBUYA: I have more of a  
 8 question, actually. Is this an area that's currently in  
 9 use by gentleman's estates and a gated community?  
 10 CHAIR HEDANI: Mr. Summers.  
 11 MR. HUNT: Well --  
 12 CHAIR HEDANI: Director.  
 13 MR. HUNT: From the best of my recollection,  
 14 which isn't always the best -- and I hate to say this  
 15 because I don't know for a fact -- but I don't believe  
 16 it would be described as a gentleman estate. I believe  
 17 it's more local housing. But --  
 18 CHAIR HEDANI: Is this an area that was  
 19 designated for employee housing? Not that they have any  
 20 employees left, but --  
 21 MR. SUMMERS: I'm not aware of it.  
 22 CHAIR HEDANI: Any further discussion?  
 23 Commissioner Hiranaga.  
 24 COMMISSIONER HIRANAGA: For the real property  
 25 database, are there any homes there, or is it all vacant

1 CHAIR HEDANI: Thank you.  
 2 Commissioner Shibuya.  
 3 COMMISSIONER SHIBUYA: Why are some parcels  
 4 included and some not included? Why are some excluded?  
 5 It looks kind of funny.  
 6 MR. SUMMERS: The Department followed the  
 7 existing Community Plan designation. So for those areas  
 8 that were Community Plan Rural, we adhered to those.  
 9 CHAIR HEDANI: So Community Plan follows this  
 10 designation?  
 11 MR. SUMMERS: That's correct.  
 12 CHAIR HEDANI: Any further discussion?  
 13 Commissioner Starr.  
 14 COMMISSIONER STARR: Yeah, I mean, it looks  
 15 like this was at one point just kind of spot zoned  
 16 for -- you know, to float someone's boat, and now we're  
 17 following it in the General Plan. And I -- I just don't  
 18 really get it.  
 19 CHAIR HEDANI: Any further discussion?  
 20 Commissioner Hiranaga.  
 21 COMMISSIONER HIRANAGA: Yeah. I'm hesitant to  
 22 just decide to remove this based on speculation. I'd  
 23 like Staff to go back and research this, see if there is  
 24 an open subdivision application, if there's applications  
 25 to change the land use designation. I think they need

1 to do more research before we wipe this off the map and  
 2 surprise somebody.  
 3 CHAIR HEDANI: Any further discussion? Motion  
 4 on the floor is to delete. Any further discussion?  
 5 MR. HUNT: Just for the record, it's Napilihau  
 6 on Map W1.  
 7 CHAIR HEDANI: Napilihau on W1, Rural  
 8 designation. All those in favor, signify by raising  
 9 your hand.  
 10 All those opposed, same sign. Three, four.  
 11 Chair votes nay. Motion is lost.  
 12 Any further discussion on W1 through W4?  
 13 Commissioner Hiranaga.  
 14 COMMISSIONER HIRANAGA: Can we ask the Staff  
 15 to do some research?  
 16 MR. MICHAELSON: Got it.  
 17 CHAIR HEDANI: Mr. Summers?  
 18 MR. SUMMERS: Yes.  
 19 COMMISSIONER HIRANAGA: Before the next  
 20 meeting, tomorrow.  
 21 COMMISSIONER SHIBUYA: Don't go to sleep  
 22 tonight.  
 23 CHAIR HEDANI: Can we get it before 5:00,  
 24 John? Any further discussion on W1 through W4?  
 25 Commissioner Hiranaga.

1 and a lot of the kupuna to get their support, I don't  
 2 think is enough to make this a good project. It's out  
 3 in the middle of nowhere and --  
 4 COMMISSIONER HIRANAGA: W2.  
 5 COMMISSIONER STARR: It will likely kill the  
 6 one really good reef we have that comes into shore.  
 7 It's a very sensitive area. It's -- it goes against  
 8 virtually all the planning principles. And it will  
 9 require us to take out a lot of density from someplace  
 10 else where we're already building some good compact  
 11 communities on the west side.  
 12 So, you know, it will allow people to get  
 13 rich, I understand that, and I don't see what other good  
 14 it'll do. This is an abomination.  
 15 CHAIR HEDANI: Any further discussion?  
 16 Commissioner Shibuya.  
 17 COMMISSIONER SHIBUYA: I will be voting  
 18 against this amendment. And the reason why is the  
 19 economies of scale because these people -- this  
 20 development has to create their own infrastructure. And  
 21 if you make it too small, then the cost is gonna be too  
 22 prohibitive for the types of sewage system, renewable  
 23 energy systems that they are gonna be providing. And I  
 24 think this is (inaudible) if you do reduce the size of  
 25 it. I think it's the right size at this point. And so,

1 COMMISSIONER HIRANAGA: Yeah. I'd like to  
 2 make a motion to include the Olowalu project, south of  
 3 Olowalu Stream and mauka of the current Honoapiilani  
 4 Highway location.  
 5 COMMISSIONER MARDFIN: W4?  
 6 CHAIR HEDANI: Let's get the map up and you  
 7 can describe on the map the area that you're talking  
 8 about.  
 9 COMMISSIONER MARDFIN: Kent, was it W4?  
 10 CHAIR HEDANI: Wanna describe that again,  
 11 Kent?  
 12 COMMISSIONER HIRANAGA: The Olowalu project,  
 13 proposed Olowalu project, south of Olowalu Stream and  
 14 mauka of the current Honoapiilani Highway location.  
 15 CHAIR HEDANI: Okay. So that will be for  
 16 inclusion of the area south of the Olowalu Stream and  
 17 mauka of the current Honoapiilani Highway?  
 18 COMMISSIONER HIRANAGA: Right.  
 19 CHAIR HEDANI: Is there a second?  
 20 VICE-CHAIR U`U: Second.  
 21 CHAIR HEDANI: Seconded by Commissioner U`u.  
 22 Discussion? Commissioner Starr.  
 23 COMMISSIONER STARR: Yeah. I'll be voting  
 24 against this. I -- you know, the fact that these folks  
 25 have done a lot of nice deeds for the community members,

1 therefore, I'll be voting against it.  
 2 CHAIR HEDANI: Commissioner Hiranaga.  
 3 COMMISSIONER HIRANAGA: What if I amend my  
 4 motion to only exclude the makai lands of the current  
 5 Honoapiilani Highway location, so it would be just lands  
 6 mauka of Honoapiilani Highway? Would that appease the  
 7 Commissioner?  
 8 CHAIR HEDANI: Commissioner Shibuya.  
 9 COMMISSIONER SHIBUYA: Oh, I would be in favor  
 10 of -- what I think you're trying to do, Commissioner  
 11 Hiranaga, is to protect the shoreline and the reefs, and  
 12 create a buffer, an open space buffer from the  
 13 development, which is mauka of the highway. Is it not?  
 14 COMMISSIONER HIRANAGA: Correct. A buffer as  
 15 well as land area for retention basins.  
 16 COMMISSIONER SHIBUYA: And I can --  
 17 COMMISSIONER HIRANAGA: Open space.  
 18 COMMISSIONER SHIBUYA: I think that's good. I  
 19 think that's a very noble suggestion.  
 20 CHAIR HEDANI: Commissioner Mardfin.  
 21 COMMISSIONER MARDFIN: I'm gonna be voting  
 22 against this. I've been convinced by all -- I feel  
 23 sorry for the Hawaiians that have an opportunity to get  
 24 some things, but this is the one really good reef on the  
 25 entire island that's -- we've had testimony that is one

1 of the best reefs on this island. We've had testimony  
2 that any development can -- will ultimately result in  
3 degradation of this. I just think it's too high a price  
4 to pay for -- this is, basically, a treasure for Maui  
5 and we shouldn't -- we shouldn't be raiding the vault.

6 CHAIR HEDANI: Commissioner U`u.

7 VICE-CHAIR U`U: I like to disagree. I think  
8 there's a lot of healthy reef life there. North shore  
9 second reef extends from Hookipa to Kahului Harbor. I  
10 think you can improve the quality of life with the right  
11 development. And that's why I'm supporting this  
12 project.

13 Granted, they're taking into consideration the  
14 people who actually lived there, but I think you can  
15 improve runoff as a way with smart development. At  
16 least may be the case that -- that -- this may not be  
17 the case, but it's an option open where they can take  
18 into consideration, if done right, it could be done.  
19 And if it's done wrong, you shut 'em down at the -- at  
20 that time. But with smart development, I think you can  
21 control the runoff at the area at this time that flows  
22 directly into that treasure chest of reef.

23 CHAIR HEDANI: Commissioner Starr.

24 COMMISSIONER STARR: Yes. In 20 years, when  
25 this reef is gone the way of Honolulu, of Maalaea, of the

1 that have been expressed here before. And I -- I'm  
2 really thinking about it.

3 I -- I do have a lot of respect for the family  
4 there and the kupuna that have come before all those  
5 people that I know and respect for a long time. And for  
6 this very reason, I'm gonna trust that the family from  
7 the area is gonna take care of it because their  
8 generations are there from way before any of us, and  
9 they'll be there after many of us are gone. And I would  
10 like to respect the families of the -- the area.

11 And, yes, I'm very concerned about our reef.  
12 And that's why I said I've been on a seesaw. But I'm  
13 gonna be voting -- because I do respect the families and  
14 their wishes and their saying that they've never been  
15 asked about what's gonna happen in their own  
16 neighborhood for years and years and years. And they've  
17 come out to almost every meeting to voice their opinion  
18 for it. So I'll be voting in support of this project  
19 today.

20 CHAIR HEDANI: Additional discussion?  
21 Commissioner U`u.

22 VICE-CHAIR U`U: And at times, I do agree with  
23 Commissioner Starr. And at times, the weight is put on  
24 top the shoulders of the Commission. And I hope for a  
25 better solution.

1 other places which are all great resources, I hope that  
2 those Commissioners who vote for it will feel guilty and  
3 understand what they've done today.

4 VICE-CHAIR U`U: That's why I hope it  
5 improves.

6 CHAIR HEDANI: Commissioner Mardfin.

7 COMMISSIONER MARDFIN: I share Commissioner  
8 Starr's concerns. You know, there was a big condition  
9 that Commissioner U`u made, that if it's done right.  
10 And I'm not sure it either can or will be done right.  
11 And I -- I just think this is absolutely the wrong place  
12 to have any kind of development.

13 CHAIR HEDANI: Further discussion?  
14 Commissioner Hiranaga.

15 COMMISSIONER HIRANAGA: Could you show us the  
16 SMA boundary line for the area?

17 CHAIR HEDANI: Is that it, Kent?

18 COMMISSIONER HIRANAGA: I don't know.

19 MR. NAPIER: Yes.

20 MR. SUMMERS: There in green.

21 CHAIR HEDANI: Any further discussion?  
22 Commissioner Sablas.

23 COMMISSIONER SABLAS: This is a tough one.  
24 I've been on a seesaw on this one. Sometimes I think  
25 I'm for it, sometimes I think I'm against it for reasons

1 And, also, with that, I think the families  
2 understand that the weight is actually placed on their  
3 shoulders because it's exactly what they're asking for.

4 CHAIR HEDANI: Additional discussion?  
5 Commissioner Mardfin.

6 COMMISSIONER MARDFIN: I remember a lot of the  
7 testimony in Lahaina. And if the entire community had  
8 been behind this, I might maybe feel differently. But  
9 it seemed to me, at the Lahaina meeting, we heard an  
10 awful lot of testimony against this project, among  
11 people that were there, among Hawaiians that were there.  
12 And if it were unanimity that the community wanted this  
13 that would be one thing, but it's not. It seems very,  
14 very split.

15 And I think this is a resource not just for  
16 this region, but a resource for the entire island. If  
17 we can maintain healthy coral there, healthy reef, there  
18 will be opportunities perhaps for it to spread. If we  
19 destroy this one place -- and as Commissioner Starr  
20 said, we may not know for 20 years. But if this place  
21 is -- but we have lots of evidence of other reefs where  
22 development on the land has adversely affected the coral  
23 in the water. And it just seems to me that we -- this  
24 -- it's too big a price to pay.

25 CHAIR HEDANI: Additional discussion?

1 Commissioner Shibuya.  
 2 COMMISSIONER SHIBUYA: I just want to make  
 3 sure that the developer understands that I may not live  
 4 to see the project, but I assure you, if this thing is  
 5 voted through, I'll be watching. And if you heard of  
 6 the white lady legend, you will hear about the Kula  
 7 ghost legend. So remember that, Olowalu folks.  
 8 CHAIR HEDANI: Commissioner Starr.  
 9 COMMISSIONER STARR: Don't try to throw the  
 10 blame on someone else. The developer will sell this,  
 11 and they won't be here. It may go in a bankruptcy  
 12 court. It may -- the kupuna are not gonna have any  
 13 control over what happens. The only people who have any  
 14 ability to protect the shoreline and the aina are us.  
 15 So it rests on our shoulders. Take that responsibility.  
 16 Vote as you want to, but take the responsibility. Don't  
 17 try to push it off.  
 18 CHAIR HEDANI: Okay. The only comment that I  
 19 can offer relative to this is, personally, I feel that  
 20 Olowalu can be developed into a very beautiful  
 21 community, if done correctly. If it's scaled properly,  
 22 it's done correctly, if appropriate safeguards are --  
 23 are put in place to preserve open space, views to the  
 24 ocean, it can be supportive of, I hope, affordable  
 25 housing for the West Maui side in a place where people

1 correct?  
 2 MR. HUNT: That is correct.  
 3 CHAIR HEDANI: Commissioner Hiranaga.  
 4 COMMISSIONER HIRANAGA: Was that proposed  
 5 affordable employment -- employee housing? Is that the  
 6 intent of Pulelehua?  
 7 MR. HUNT: I believe that's the intent from  
 8 the developers. It's mixed use. It also included, I  
 9 believe, it was tied to the Kapalua Mauka project so  
 10 that the affordable housing was to be delivered here, or  
 11 at Pulelehua.  
 12 CHAIR HEDANI: Commissioner Hiranaga.  
 13 COMMISSIONER HIRANAGA: And Plan B leaves  
 14 Kaanapali 2020 totally intact?  
 15 MR. HUNT: That's correct.  
 16 CHAIR HEDANI: Commissioner U`u.  
 17 VICE-CHAIR U`U: Can we show on the screen,  
 18 where is Pulelehua?  
 19 CHAIR HEDANI: Mike? No sooner said than  
 20 done.  
 21 Any further discussion?  
 22 (Silence.)  
 23 CHAIR HEDANI: Director Hunt.  
 24 MR. HUNT: While you're thinking it over, just  
 25 to give you some background, the original Department

1 would wanna live.  
 2 The flip side, on the discussion relative to  
 3 the reef, is if you let the existing conditions  
 4 continue, two things will happen. Your views to the  
 5 mountain and to the valley will be totally obscured by  
 6 the trees that are growing on those vacant parcels right  
 7 now. There's a fire hazard in the entire area. When  
 8 the fire does occur, you're gonna sustain major damage  
 9 to the coral reef ecosystems because of runoff that  
 10 comes from burnt and scarred areas that could ultimately  
 11 damage the reef more so than any controlled development.  
 12 So from my perspective, I believe at least an  
 13 opportunity should be provided to allow for some  
 14 consideration in that area.  
 15 Any further discussion?  
 16 (Silence.)  
 17 CHAIR HEDANI: All those in favor of the  
 18 motion to add Olowalu as modified and described, please  
 19 raise your hand.  
 20 Opposed, same sign.  
 21 Motion is carried.  
 22 Additional discussion on W1 through W4?  
 23 Commissioner Hiranaga.  
 24 COMMISSIONER HIRANAGA: W2, Plan B, as  
 25 proposed, excludes Pulelehua in its entirety, is that

1 report was to include Pulelehua. We -- we felt that the  
 2 Department had already recommended in favor of it, the  
 3 Planning Commission had recommended in favor of it. The  
 4 GPAC, however, wanted to scale it back some. And I  
 5 believe that is the white and red line up there now, is  
 6 the GPAC's version. They pushed it back from the  
 7 airport terminal and they also excluded the south node,  
 8 which is across the gulch.  
 9 When the more recent numbers came in from  
 10 DBEDT, the Department felt one option would be to now  
 11 scale it back to the GPAC version. The other option  
 12 would be to take it out altogether. And you've heard  
 13 arguments on -- both sides of that argument.  
 14 CHAIR HEDANI: Additional discussion?  
 15 Commissioner U`u.  
 16 VICE-CHAIR U`U: Can we see it in its original  
 17 intention? Right now, is that the GPAC and the Planning  
 18 Director's recommendation?  
 19 MR. HUNT: You've got several lines up there.  
 20 The red and white -- well, that is the --  
 21 MR. NAPIER: Sorry, Jeff.  
 22 COMMISSIONER SHIBUYA: That was the GPAC's.  
 23 MR. HUNT: Are you playing with me or what?  
 24 CHAIR HEDANI: Not make the screen blank,  
 25 Mike.

1 MR. HUNT: Can you put the site plan up?  
 2 CHAIR HEDANI: Pulelehua.  
 3 MR. HUNT: So the original plan had a node up  
 4 north. And it went up next to the airport as part of  
 5 the project, but you can see how it was -- how it was a  
 6 green space. So there wasn't really development  
 7 proposed right up next to the airport runway. Down here  
 8 by the terminal, perhaps.  
 9 And then I know I lectured you or cautioned  
 10 you about not doing site planning, but you can see how  
 11 we all do this.  
 12 So then there's also a node south of this  
 13 gulch. And then the GPAC, you can see the white and red  
 14 line, they scaled it back to just that central node.  
 15 And the Department, we didn't -- we haven't  
 16 changed our recommendation. We presented you with two  
 17 options. We've been trying to stay neutral on B versus  
 18 C options. One option would be to conform with the GPAC  
 19 version and the other would be to take it off  
 20 altogether.  
 21 CHAIR HEDANI: Any further discussion?  
 22 VICE-CHAIR U`U: So at its current state, what  
 23 we're approving is to delete?  
 24 MR. HUNT: The motion on the floor is to not  
 25 -- the motion would not include any Pulelehua. It would

1 not be approved at all to any extent.  
 2 VICE-CHAIR U`U: What was the -- the -- so the  
 3 Director's -- the Director's is backing the GPAC's  
 4 decision?  
 5 CHAIR HEDANI: Director's recommendation  
 6 didn't have anything in on the -- on the current motion.  
 7 VICE-CHAIR U`U: I like to make a motion to  
 8 include that piece.  
 9 COMMISSIONER SHIBUYA: Second.  
 10 CHAIR HEDANI: Which piece, Bruce?  
 11 VICE-CHAIR U`U: That piece there.  
 12 CHAIR HEDANI: The entire -- the entire  
 13 Pulelehua?  
 14 VICE-CHAIR U`U: Yes.  
 15 COMMISSIONER SHIBUYA: No. GPAC version or  
 16 the entire subdivision plan?  
 17 VICE-CHAIR U`U: I -- I -- I think we can -- I  
 18 like to do the entire subdivision plan.  
 19 COMMISSIONER SHIBUYA: Okay. No. I withdraw  
 20 my second.  
 21 COMMISSIONER HIRANAGA: Second.  
 22 CHAIR HEDANI: Okay. The motion on the floor  
 23 is to include Pulelehua as originally proposed.  
 24 Seconded by Commissioner Hiranaga, motion by  
 25 Commissioner U`u. Discussion?

1 VICE-CHAIR U`U: I like to know the reasoning  
 2 for scaling back. I do remember them coming before us.  
 3 And, also, what was the original plan of Pulelehua? Was  
 4 there a school involved there, hospital? There's some  
 5 background on what was proposed and what we potentially  
 6 adding on or deleting? I -- I -- I know we had concerns  
 7 about the airport area. I know FAA approved that with  
 8 the original, if I not mistaken. So what was the  
 9 thinking of the GPAC or the Planning Department?  
 10 CHAIR HEDANI: Jeff.  
 11 MR. HUNT: The plan, as I recall, includes a  
 12 school, and it does include a mixed-use -- a mixed-use  
 13 central core. It's -- it's a good site plan. The --  
 14 the Department originally supported it based on that.  
 15 When the numbers came back, then -- the DBEDT numbers  
 16 for population being lower, then we said, well, what are  
 17 some options. And one would be to scale it back to the  
 18 GPAC level.  
 19 The down side on scaling projects -- just  
 20 trying to argue both sides. The down side on scaling  
 21 projects is you lose the viability of them. There's --  
 22 there's been argued that there's a certain critical mass  
 23 required in order to support the school. The down side  
 24 on approving the project or approving the whole thing  
 25 would be, well, your numbers, your supply numbers are

1 now gonna be very high. So -- so have at it.  
 2 VICE-CHAIR U`U: So saying that if it's not  
 3 feasible, we may potentially lose the entire project,  
 4 potentially?  
 5 MR. HUNT: That would be the fear. Again --  
 6 and I'm not advocating. But, again, another side of the  
 7 argument could be, well, could you phase it, perhaps.  
 8 You know, they could come back in. We're gonna be --  
 9 hopefully, not us, but somebody is gonna be going  
 10 through this exercise in 10 years. And perhaps you  
 11 could phase it. Other people, again, argue, no, the  
 12 phasing doesn't really work, there's financial  
 13 considerations. You have to take these as a whole. So.  
 14 CHAIR HEDANI: Future discussion?  
 15 Commissioner Shibuya.  
 16 COMMISSIONER SHIBUYA: Just clarification. On  
 17 one of these charts, these charts here, it's listed as  
 18 Mahinahina. Is that the same thing as Pulelehua, or is  
 19 this a different --  
 20 MR. HUNT: That's -- on your supply  
 21 spreadsheet, it's listed as Mahinahina.  
 22 COMMISSIONER SHIBUYA: Okay. Thank you.  
 23 CHAIR HEDANI: Any further discussion?  
 24 Commissioner Hiranaga.  
 25 COMMISSIONER HIRANAGA: One of the issues I



1 always had with this forecast for housing supply is this  
2 assumption of 100 percent build-out in 20 years of  
3 existing lots. And just because you designate it  
4 doesn't mean they're gonna build it. If you put all  
5 your eggs into one basket, and that landowner decides  
6 not to develop it, then what? We have a housing  
7 shortage. Housing prices go up, and people end up going  
8 beyond 2.72 people per unit. So I have this concern  
9 about trying to hit this number assuming 100 percent  
10 build-out.

11 CHAIR HEDANI: Commissioner Starr.  
12 COMMISSIONER STARR: This completely blows the  
13 numbers way out of the water. And, you know, I -- I  
14 think what Commissioner Hiranaga is saying is if, you  
15 know, the numbers that come from DBEDT, that come from  
16 all of the studies, are -- you know, are not to be  
17 believed --  
18 COMMISSIONER HIRANAGA: Please do not speak  
19 for me. I did not say that.  
20 CHAIR HEDANI: One at a time, please.  
21 COMMISSIONER STARR: That was what I believe I  
22 heard --  
23 COMMISSIONER HIRANAGA: Do not speak for me.  
24 Do not speak for me.  
25 COMMISSIONER STARR: That's what I believed

1 Mauka was to create affordable housing and employee  
2 housing and a very intelligent mixed-use community at  
3 Pulelehua in order to accommodate workforce housing.  
4 We've managed to keep Kapalua Mauka in the plan in its  
5 entirety. And if we throw Pulelehua out, we've  
6 essentially kept the bath water and thrown the baby out  
7 the window, in my -- in my opinion.

8 Commissioner Starr.  
9 COMMISSIONER STARR: My understanding and  
10 memory is that Pulelehua was not a part of the Kapalua  
11 Mauka process. That although Kapalua Mauka does invoke  
12 a certain amount of affordable housing -- and it is  
13 certainly not the amount that -- that it would invoke  
14 were to be entitled now. Because, remember, it was  
15 subject to one of those (inaudible) deals. It -- they  
16 had the responsibility to build affordable housing.  
17 Now, the understanding with affordable housing  
18 is that, well, they can build it in Kapalua Mauka, or  
19 they can build it anywhere they want as long as it's in  
20 the same Community Plan area. So the facts they stated  
21 when they went for the entitlements at Pulelehua, that  
22 they wanted to build some of it there, it -- the two --  
23 the two don't wash. They can still go and build it in  
24 Kapalua Mauka, or they can find another place to build  
25 it. I -- I don't think that the logic that we have to

1 you were saying. And I may be wrong.  
2 CHAIR HEDANI: Commissioner Starr, if you  
3 could just direct your comments to me, please.  
4 COMMISSIONER STARR: To you?  
5 CHAIR HEDANI: Rather than arguing with other  
6 Commissioners, if you could direct your comments to me.  
7 COMMISSIONER STARR: I don't get it, but okay.  
8 Anyway, this motion is just blowing the  
9 numbers clear out of the water. And it is possible that  
10 some of the things on here that won't get built. But  
11 then there are a lot of things that do not occur in  
12 these studies. Hawaiian Homes are several thousand  
13 units in the west side above and beyond what are in the  
14 numbers. There's all the housing that will continue to  
15 be built on ag land. You know, there's other stuff as  
16 well. So, you know, I -- there's kind of a buffer on  
17 both sides. And it just seems that we're being  
18 irresponsible if we do not try to do this in a  
19 responsible fashion and stick to the budget of numbers  
20 that we've already agreed upon.  
21 CHAIR HEDANI: Additional discussion?  
22 (Silence.)  
23 CHAIR HEDANI: My only comment on this matter  
24 is that if you take a look at the maps, on WI, we've  
25 included all of Kapalua Mauka. The tradeoff on Kapalua

1 give them Kapalua -- Pulelehua so they can build the  
2 affordable housing for -- for the, you know, gated  
3 communities up in Kapalua Mauka.  
4 CHAIR HEDANI: Any further discussion?  
5 Commissioner U'u.  
6 VICE-CHAIR U'U: I do believe a representative  
7 earlier testified that there was a design for the  
8 school, also, did I hear that right, by DOE?  
9 CHAIR HEDANI: 50 acres.  
10 VICE-CHAIR U'U: Did the Commission take up  
11 Pulelehua?  
12 MR. HUNT: Planning Commission?  
13 VICE-CHAIR U'U: Yes.  
14 MR. HUNT: Yes.  
15 VICE-CHAIR U'U: Roughly, how long ago?  
16 MR. HUNT: Couple years ago you recommended  
17 approval, the body did.  
18 VICE-CHAIR U'U: Thank you.  
19 CHAIR HEDANI: It's going through the bowels  
20 of the elephant. And the bowels are very long.  
21 Any further discussion? Commissioner  
22 Hiranaga.  
23 COMMISSIONER HIRANAGA: It's my understanding  
24 the developers have an approved Environmental Impact  
25 Statement, they have had their State Land Use designated

1 -- designation changed to Urban, they received the  
 2 Planning Commission's approval, they're in joint design  
 3 with the Department of Education for a school. Unless  
 4 we're going to be proposing Urban Growth Boundaries  
 5 along Kapalua Mauka, which will then afford smaller lot  
 6 sizes, therefore allowing of more affordable homes, I'm  
 7 not sure if two to five-acre lots in Kapalua Mauka will  
 8 meet the needs of the local working people. I'm not  
 9 sure the price for those lots, but I would assume it's a  
 10 little higher than the current median price of a home on  
 11 -- on this island. So I'm not sure if Kapalua Mauka is  
 12 the great replacement for Pulelehua.  
 13 CHAIR HEDANI: Any further discussion?  
 14 (Silence.)  
 15 CHAIR HEDANI: Ready for the question?  
 16 Question on the floor is to add the original Pulelehua  
 17 project to W2. All those in favor, signify by raising  
 18 your hand.  
 19 Opposed, same sign.  
 20 Motion is lost.  
 21 Any further discussion?  
 22 (Silence.)  
 23 CHAIR HEDANI: Ready for the question?  
 24 COMMISSIONER HIRANAGA: Chotto matte kudasai.  
 25 CHAIR HEDANI: That's Japanese for if you

1 that. We'll do that in a minute. So if Option B were  
 2 approved as proposed, roughly, 1,400 units.  
 3 COMMISSIONER STARR: That's without Pulelehua?  
 4 MR. SUMMERS: That's correct.  
 5 CHAIR HEDANI: Director Hunt.  
 6 MR. HUNT: Just to clarify, that's on the west  
 7 side, the regional count. There may be some changes in  
 8 the other regions that we'd have to account for.  
 9 CHAIR HEDANI: Any further discussion?  
 10 Commissioner Hiranaga.  
 11 COMMISSIONER HIRANAGA: Are there any other  
 12 land areas that are in the current Community Plan that's  
 13 being proposed to be deleted with the motion on the  
 14 floor?  
 15 MR. SUMMERS: In the West Maui area?  
 16 COMMISSIONER HIRANAGA: W1 through 4.  
 17 MR. SUMMERS: No. No. And the Olowalu unit  
 18 count is 1,500 units. And in the spreadsheet, no option  
 19 B, we had a surplus of 325 units. So we're roughly  
 20 1,825 units over.  
 21 COMMISSIONER HIRANAGA: So you're assuming --  
 22 CHAIR HEDANI: Commissioner Hiranaga.  
 23 COMMISSIONER HIRANAGA: -- Kaanapali 2020 and  
 24 the Waivee subdivision project will be 100 percent built  
 25 out in 20 years?

1 could wait a while.  
 2 Commissioner Hiranaga.  
 3 COMMISSIONER HIRANAGA: On W3, B -- trying to  
 4 find it -- is the entire Waivee project left intact?  
 5 CHAIR HEDANI: Mr. Summers?  
 6 MR. SUMMERS: Yes, it is.  
 7 CHAIR HEDANI: Commissioner Hiranaga.  
 8 COMMISSIONER HIRANAGA: So from the motion on  
 9 the floor, W1, B, C; W2, B, W3, B; and W4, B, C. The  
 10 only project that is being excluded by that motion is  
 11 the Pulelehua project, is that correct?  
 12 CHAIR HEDANI: Director.  
 13 MR. HUNT: The motion's been revised to add  
 14 Olowalu.  
 15 COMMISSIONER HIRANAGA: Right.  
 16 MR. HUNT: To the best of my knowledge, I  
 17 think your conclusion is accurate.  
 18 CHAIR HEDANI: Any further discussion?  
 19 Commissioner Starr.  
 20 COMMISSIONER STARR: How high above our number  
 21 budget are we already with Olowalu?  
 22 MR. SUMMERS: We're gonna confirm the unit  
 23 count. I believe it's --  
 24 COMMISSIONER STARR: Approximately.  
 25 MR. SUMMERS: -- 1,400. We'll have to verify

1 MR. SUMMERS: Well, I'm just -- if Option B  
 2 were approved with those two projects.  
 3 CHAIR HEDANI: Director Hunt.  
 4 MR. HUNT: I think, also, at Launiupoko, the  
 5 Makila project is not approved on either the GPAC or the  
 6 Planning Department's recommendations as per the  
 7 developer's request. We can go into that in more  
 8 detail, if you want, but, to answer your question,  
 9 that's another area.  
 10 CHAIR HEDANI: Commissioner Hiranaga.  
 11 COMMISSIONER HIRANAGA: On W3 Map, B, Makila  
 12 is in a circle.  
 13 CHAIR HEDANI: It's a round community.  
 14 COMMISSIONER HIRANAGA: Are you proposing a  
 15 Rural Service Center there?  
 16 CHAIR HEDANI: Director Hunt.  
 17 MR. HUNT: The idea on the Makila area is to  
 18 -- well, let me answer your question real quick. The  
 19 circle shows a general area where a rural center would  
 20 be supported. The GPAC IRC, they -- I believe they  
 21 recommended to support a rural center if the density was  
 22 transferred off the lots that are along the shoreline.  
 23 And I believe when it went to the full GPAC, they just  
 24 supported the rural center there. The Department has  
 25 supported the idea of a rural center absolutely

1 predicated on the idea that density would be transferred  
2 away from the coastal area. There's -- coastal lots.  
3 So it's -- it's a conceptual Department recommendation  
4 that with a -- with a transfer of development rights  
5 into a rural center, we can -- we can support -- or we  
6 support that.

7 CHAIR HEDANI: So it's not a perfectly round  
8 town.

9 Commissioner Shibuya.

10 COMMISSIONER SHIBUYA: I just wanna confirm  
11 the Director's interpretation and recollection. That is  
12 exactly correct. The GPAC did want that transfer of  
13 development rights to keep the coastal areas open and  
14 preserved for everybody for the public.

15 CHAIR HEDANI: Commissioner Hiranaga.

16 COMMISSIONER HIRANAGA: Are you saying you're  
17 -- you're addressing Makila Ranches 2 and 3, just to put  
18 names on these coastal areas?

19 MR. HUNT: I believe there's more than that,  
20 but it would include that. I understand they proposed  
21 more development than just those two subdivisions that  
22 you referenced. But the transfer of the development  
23 rights in particular would transfer from those two  
24 coastal nearshore subdivisions to more mauka to get the  
25 development away from the shore. And in exchange, we

1 Town and you're going to have to bring in infrastructure  
2 to build a commercial type -- I -- I'm having a hard  
3 time understanding why you would want a Rural Service  
4 Center there.

5 CHAIR HEDANI: Director.

6 MR. HUNT: The -- the developer proposed a  
7 rural center there with the idea -- to the best of my  
8 recollection, with the idea being that it would serve  
9 the local community and perhaps they wouldn't have to  
10 drive into Lahaina to get groceries. Perhaps there may  
11 be a coffeehouse where there would be people interacting  
12 with each other, and it would form a neighborhood  
13 gathering spot. I believe there was a concept of a park  
14 involved with it. I -- I don't -- to the best of my  
15 recollection, I don't believe the developer was looking  
16 at a huge amount of commercial development. It was  
17 mostly those things that I just spoke to, and then  
18 adding some density to support it. So the  
19 infrastructure would mostly be residential, I -- I  
20 think.

21 CHAIR HEDANI: Additional discussion?

22 Commissioner Mardfin.

23 COMMISSIONER MARDFIN: We're getting ready to  
24 vote on the main motion, aren't we?

25 CHAIR HEDANI: We're still discussing Makila

1 proposed adding density. The density would then be  
2 clustered in a rural center type development in that  
3 area where the circle is.

4 CHAIR HEDANI: Commissioner Hiranaga, you look  
5 confused.

6 COMMISSIONER HIRANAGA: I'm a little confused.  
7 Do you have acreage assigned to this Rural Service  
8 Center?

9 MR. HUNT: We don't have acres, but we  
10 suggested 40 units, the Department. So there would be  
11 20 units transferred away from the shore, and, in  
12 exchange for them transferring those away from the shore  
13 and to help make up for the economic difference, we were  
14 supportive of adding 20 units. So there would be 40  
15 units in a rural center essentially in that area where  
16 the circle is.

17 CHAIR HEDANI: Commissioner Shibuya.

18 COMMISSIONER SHIBUYA: The rural centers are  
19 not all residences. Okay. There's a combination of  
20 servicing as well as for commercial business operations.

21 CHAIR HEDANI: Additional discussion?  
22 Commissioner Hiranaga.

23 COMMISSIONER HIRANAGA: It seems odd to me to  
24 locate a Rural Service Center below Launiupoko  
25 subdivision. You're two miles or a mile from Lahaina

1 right now.

2 COMMISSIONER MARDFIN: There was no motion,  
3 was there?

4 CHAIR HEDANI: There's no motion.

5 COMMISSIONER MARDFIN: Well, assuming that  
6 this gets disposed of, I just -- I'm -- while I'm very  
7 appreciative of the work that's been done on W1, W2, W3,  
8 I'm gonna have to vote against the main motion. The --  
9 virtually all the scientists said the reef would be in  
10 danger, the reef would be in danger, the reef would be  
11 in danger. We saw on the map that the SMA area is makai  
12 of the highway. So it won't affect -- the part that is  
13 amended to approve if development mauka of the road  
14 wouldn't come under SMA issues. I am -- I just think  
15 we're making a big mistake. And I can't vote to support  
16 it overall, even though I think 1, 2 and 3, you've done  
17 a good job.

18 CHAIR HEDANI: Additional discussion?

19 Commissioner Hiranaga.

20 COMMISSIONER HIRANAGA: Who is the proposed  
21 developer for Kaanapali 2020 and the Waivee subdivision?

22 CHAIR HEDANI: Kaanapali Land Corp.

23 COMMISSIONER HIRANAGA: How many housing units  
24 have they built in the last five years?

25 CHAIR HEDANI: Mr. Summers.

1 Mr. Hanzawa, do you have an answer? Howard,  
 2 sorry. I withdraw my question.  
 3 Mr. Summers.  
 4 MR. SUMMERS: I'm not aware. We could  
 5 research that for you.  
 6 CHAIR HEDANI: Any further discussion?  
 7 Commissioner Hiranaga.  
 8 COMMISSIONER HIRANAGA: Yeah. I'm just having  
 9 difficulty, you know, placing all our eggs in one  
 10 basket. Assuming a land developer is gonna generate --  
 11 what, 1,700? If you put Kaanapali 2020 together and  
 12 Wainee together, is that 1,700 units, or is it more than  
 13 that? What's the unit count for Kaanapali 2020?  
 14 MR. SUMMERS: Thank you, Mr. Chairman.  
 15 The unit count for Kaanapali 2020 is -- the  
 16 latest information we have is 1,800 units. That does  
 17 not include (inaudible) Village, which is mauka of the  
 18 project.  
 19 CHAIR HEDANI: I'm sorry. How many units?  
 20 MR. SUMMERS: 1,800 units.  
 21 CHAIR HEDANI: Commissioner Hiranaga.  
 22 COMMISSIONER HIRANAGA: Excluding Puu --  
 23 MR. SUMMERS: That's correct.  
 24 COMMISSIONER HIRANAGA: How many units is  
 25 that?

1 CHAIR HEDANI: Director.  
 2 MR. HUNT: Just to throw things out on the  
 3 table. Mr. Hiranaga's comments are one of the concerns  
 4 we had. And that's why we threw out the option of  
 5 shaving projects as opposed to cutting a complete one.  
 6 And there's arguments on both sides. The shaving is you  
 7 get lack of viability and integrity of projects, that  
 8 cutting the whole project sometimes on the west side you  
 9 may end up with -- and I suppose all your eggs in one  
 10 basket, for lack of a better phrase. No easy answers.  
 11 CHAIR HEDANI: Thanks a lot.  
 12 Commissioner U'u.  
 13 VICE-CHAIR U'U: For clarity, Mahinahina will  
 14 be Pulelehua, correct?  
 15 MR. SUMMERS: That's correct.  
 16 VICE-CHAIR U'U: Wainee would be Lahaina Town  
 17 North?  
 18 MR. SUMMERS: Lahaina Town South.  
 19 VICE-CHAIR U'U: Lahaina Town South would be  
 20 Wainee?  
 21 MR. SUMMERS: That's correct.  
 22 VICE-CHAIR U'U: Why is it named differently?  
 23 Just I have no idea why you would have something on a  
 24 map that has one name and something on this graph -- I  
 25 -- I can't understand that at all. I being honest.

1 MR. SUMMERS: 940 units.  
 2 COMMISSIONER HIRANAGA: And Wainee Village?  
 3 MR. SUMMERS: 805 units.  
 4 COMMISSIONER HIRANAGA: So we are -- we're  
 5 placing 2,500 units in the hands of Kaanapali Land  
 6 Development, we're assuming that they're gonna do 100  
 7 percent build-out in the next 20 years for West Maui.  
 8 Or, I'm sorry, 3,500 units.  
 9 CHAIR HEDANI: Commissioner Shibuya.  
 10 COMMISSIONER SHIBUYA: Mr. Summers, I have a  
 11 little different here. From these yellow sheets,  
 12 spreadsheets that you handed out, one of 'em shows 1,800  
 13 units for Kaanapali count, the other one shows 1,154.  
 14 And the date on that is September 14th.  
 15 CHAIR HEDANI: Mr. Summers.  
 16 MR. SUMMERS: Thank you, Mr. Chairman.  
 17 For Option B, we kept all three components of  
 18 Kaanapali 2020. So the total unit count would be 1,800.  
 19 I believe the spreadsheet you're looking at is Option C  
 20 where we skinned Pulelehua back, Kaanapali 2020 back, as  
 21 well as Wainee Village.  
 22 COMMISSIONER SHIBUYA: I also have Option B,  
 23 the 25th of August, 1,154.  
 24 CHAIR HEDANI: Any further discussion?  
 25 (Silence.)

1 Where's the consistency here?  
 2 CHAIR HEDANI: It's just Mr. Summers screwing  
 3 up again.  
 4 MR. SUMMERS: That's right.  
 5 VICE-CHAIR U'U: Could we have the proper  
 6 names or one consistent name basis so we can go off the  
 7 map without guessing?  
 8 MR. SUMMERS: Yeah. We -- you know, our  
 9 philosophy from the start has really been to try to  
 10 focus on regions that are viable for -- for growth  
 11 rather than reviewing specific project proposals. So  
 12 these were the -- the region's -- the region names that  
 13 we've used with the GPAC, and throughout the entire  
 14 process, to try to move us away from just getting into a  
 15 site planning exercise and looking at the different  
 16 components that we like about individual projects and,  
 17 instead, looking at our Guiding Land Use Principles and  
 18 our Directed Growth criteria in trying to ask ourselves  
 19 does this area make sense for development based on those  
 20 criteria.  
 21 VICE-CHAIR U'U: So the confusion was planned,  
 22 then, basically? We -- we got projects that are fully  
 23 entitled, and, having seen this, you would never know.  
 24 And that's part of the reasoning that I'm asking for  
 25 some consistency. But I thank you for your question --

1 your answer.

2 CHAIR HEDANI: Any further discussion?

3 Commissioner Hiranaga.

4 COMMISSIONER HIRANAGA: Yeah. You know, we're  
5 working with unit count and the argument from the  
6 developers if they need what they're proposing, if you  
7 start shaving off units, it may make the project not  
8 something they want to move forward with.

9 As was previously disclosed during public  
10 testimony, I did have experience working for a  
11 development company for eight years. And I can assure  
12 you that if the numbers do not pencil out, they will not  
13 build a project. They're not doing this for charity or  
14 for goodwill. Everyone is trying to make a buck. And  
15 we're -- what we're trying to do is create enough units  
16 so there's affordable housing for the people of this  
17 island. And if you throw all your eggs into one basket  
18 and you make a mistake, you've created a housing  
19 shortage, and something worse than what we have now.

20 So for me, it's better to err on the -- on the  
21 generous, because we're creating boundaries. And if  
22 you're out of the boundary, you're out of the picture.  
23 Sure, you can come back and do a plan amendment. Does  
24 that cost money to do? Probably. Time and money.

25 So I have a concern because all of these

1 to set some of the issues that you're gonna be grappling  
2 with. I don't think anyone expects a decision tonight.  
3 We can do that in 10 minutes and then try to wrap up the  
4 agenda. Does that sound good?

5 CHAIR HEDANI: Commissioner Hiranaga.

6 COMMISSIONER HIRANAGA: Yeah. Since we'll be  
7 recessing and re-adjourning tomorrow, two days in a row,  
8 I don't really feel a need to work all the way to 5:00.  
9 If you feel that it's productive to start now Central  
10 Maui, you know, I might forget because I'm pretty tired.  
11 I'll defer to your judgment.

12 MR. HUNT: It's up to the body. The  
13 Department's recommendation is to take advantage of the  
14 time that you have. And sometimes it's helpful to have  
15 the issues illuminated. Then you can kind of mull 'em  
16 over and talk to people, sleep on 'em, meditate on them,  
17 whatever you do for your enlightenment. So that's what  
18 we would recommend. If you folks are done, so be it.

19 CHAIR HEDANI: Commissioner Shibuya.

20 COMMISSIONER SHIBUYA: As a retired person, I  
21 say we flog the folks that are working for pay and just  
22 give 'em more work to do, we continue.

23 CHAIR HEDANI: The floor is open for any  
24 motions. Commissioner Starr.

25 COMMISSIONER STARR: My understanding is we

1 companies are facing financial struggles now. And none  
2 of this may get built in the next 20 years. So I -- you  
3 know, I feel we need to err on the generous side.

4 CHAIR HEDANI: Any further discussion?  
5 (Silence.)

6 CHAIR HEDANI: Ready for the question?  
7 Question on the floor is W1 through W4 as amended. If  
8 there's no further discussion, all those in favor,  
9 signify by raising your hand.

10 Those opposed, same sign.

11 Motion is lost.

12 Shall we call it a day, or do you want to go  
13 on to Central Maui?

14 COMMISSIONER MARDFIN: Let's go on to Central  
15 Maui.

16 CHAIR HEDANI: Commissioner Starr.

17 COMMISSIONER STARR: Yeah, I -- I need to  
18 leave here at 5:00 sharp. I believe Commissioner  
19 Mardfin --

20 COMMISSIONER MARDFIN: I do.

21 VICE-CHAIR U`U: Same.

22 COMMISSIONER STARR: So let's wrap up 10  
23 minutes before so we can finish what we got to do.

24 CHAIR HEDANI: Director.

25 MR. HUNT: We can give you kind of an overview

1 were gonna get a 10-minute presentation on Central Maui  
2 and then -- and then finish up our agenda.

3 CHAIR HEDANI: Director.

4 MR. HUNT: Essentially -- okay, that's where  
5 we're headed. Essentially, the Wailuku-Kahului, Central  
6 Maui area, is your largest employment and population  
7 generator. As has been noted before, there's -- there's  
8 a great deal of growth that, according to the DBEDT  
9 numbers, needs to be accommodated in that area.

10 For the most part, the Planning Department and  
11 the GPAC agreed on the areas. One of the differences is  
12 GPAC, again, was very keen on using Urban Growth  
13 Boundaries to specify and delineate communities. For  
14 example, they recommended an Urban Growth Boundary  
15 between Kahului and Wailuku. While the Department would  
16 say, well, they're both urbanized, there's no sense in  
17 using an Urban Growth Boundary to distinguish those two  
18 communities.

19 We could use another tool. We could create a  
20 community boundary or design guidelines, et cetera. It  
21 also presents some -- some just technical issues. Can  
22 you extend infrastructure across from one Urban Growth  
23 Boundary to another. And so we would -- we propose just  
24 keeping it simple in including parks and green areas and  
25 Wailuku and Kahului all within one Urban Growth area.

1 The majority of the growth would be  
 2 accommodated to the south, towards Waikapu. And there  
 3 are some differences there between the GPAC and the  
 4 Planning Department. Generally speaking, the GPAC  
 5 recommended more growth out in West Maui and the  
 6 Department, for reasons based on the infrastructure,  
 7 particularly the road, the highway, but, also, the  
 8 population and job projections, felt more growth should  
 9 be accommodated in Central Maui. So if you compare the  
 10 spreadsheets, you can see that those differences.

11 Other than that, fine-tuning the differences  
 12 south, by Waikapu, there was some growth added up by  
 13 Waihee. And at the GPAC level, they suggested adding  
 14 some growth in that area. And the Department, again, we  
 15 tried to agree with GPAC whenever we could, for that  
 16 strength of consensus concept, so I -- we supported that  
 17 at that -- in your -- in your draft. The Department's  
 18 recommendation has that.

19 Subsequent to those drafts, the neighborhood  
 20 has expressed some concern. And I believe you've all  
 21 heard that.

22 Subsequent to that, we got some information, I  
 23 believe today, that there's been some consensus  
 24 building. And Dave and John can probably articulate  
 25 that in finer detail than me. So we may want to revisit

1 that. There's some fine-tuning, again, of the Urban  
 2 Growth lines.

3 And those are -- John, you want to add  
 4 anything? That's just kind of an overview to give you  
 5 something to think about. John, anything else?

6 MR. SUMMERS: No. I think you've hit the  
 7 highlights. We did, as you know, do a pretty exhaustive  
 8 analysis of infill opportunities and used some very  
 9 conservative numbers. We came out with potential gross  
 10 unit count through infill and took 30 percent of that as  
 11 our assumption for build-out over the planning horizon.  
 12 So those numbers are reflected in your spreadsheets.

13 MR. HUNT: So any questions at this point,  
 14 kind of global questions? I don't think we want to get  
 15 into anything too specific for five more minutes.

16 CHAIR HEDANI: Any further discussion?  
 17 Commissioner Sablas.

18 COMMISSIONER SABLAS: Are we gonna have public  
 19 testimony for tomorrow?

20 CHAIR HEDANI: No, we won't. We're gonna be  
 21 in recess from this meeting, so we'll go directly into a  
 22 working meeting.

23 Any further discussion? Commissioner  
 24 Hiranaga.

25 COMMISSIONER HIRANAGA: My personal feeling is

1 Waihee. You want to look at the -- the growth areas by  
 2 Waikapu.

3 And is Maalaea considered our Central Maui  
 4 area?

5 MR. SUMMERS: Yes, it is.

6 MR. HUNT: So if you could go south, this is  
 7 an area you should be aware of, again, eyes wide open,  
 8 that the Maalaea area has a Community Plan designation,  
 9 no zoning -- or doesn't have zoning yet or State  
 10 designation. But the Maalaea Mauka project, which is  
 11 this area, the Department did not support that. So even  
 12 though it has a Community Plan designation, we did not  
 13 recommend it. And GPAC, likewise, does not recommend it  
 14 within a growth area for reasons of infrastructure and  
 15 location and -- and the Community Plans that speak to  
 16 having green spaces between Maalaea and Waikapu. But  
 17 that is an area that you should be aware of, that the  
 18 existing Community Plan does call for that; not the  
 19 zoning or the State.

20 The other area, Spreckelsville, is within this  
 21 area. Did we already cover that?

22 MR. SUMMERS: No, we haven't. It is in this  
 23 area, though.

24 MR. HUNT: We'll have to go to Spreckelsville.  
 25 And the GPAC and the Department generally agreed on

1 if an individual has not testified today, they should be  
 2 given an opportunity to testify tomorrow.

3 CHAIR HEDANI: Any objection from the  
 4 Commission? Okay. That'll be noted.  
 5 Any further discussion?  
 6 (Silence.)

7 CHAIR HEDANI: Director Hunt.

8 MR. HUNT: Could we get clarification on that,  
 9 in case the public asks? Or do you want to postpone  
 10 that and decide it tomorrow, or -- or was that clear  
 11 direction?

12 CHAIR HEDANI: If there are people that  
 13 haven't testified today that would like to still  
 14 testify, we'll accept it tomorrow.

15 MR. HUNT: Okay. Thank you.

16 CHAIR HEDANI: Commissioner Mardfin.

17 COMMISSIONER MARDFIN: Could you keep records  
 18 of who testified today?

19 MR. HUNT: Yes, we did.

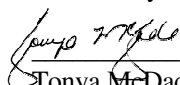
20 CHAIR HEDANI: Any further discussion?  
 21 (Silence.)

22 CHAIR HEDANI: If not, do you want to move on  
 23 to any other items on the agenda?

24 MR. HUNT: Just a reminder of your schedule.  
 25 You should be wrapping up your Land Use Growth Maps

1 tomorrow to allow you to have two full days for  
 2 infrastructure and monitoring. There's been some talk  
 3 that this is a higher priority than the monitoring and  
 4 evaluation part. It's up to you folks, but to stay on  
 5 schedule, we should wrap it up tomorrow.  
 6 I'm going to suggest something. And please  
 7 don't take this out of line if -- if I'm out of order,  
 8 please correct me, after the meeting, maybe. But if  
 9 there -- if there's one map that you disagree with, the  
 10 Staff is taking notes, we can communicate specific  
 11 projects, specific maps where there was discussion where  
 12 there was lack of an overwhelming vote. But once the  
 13 vote is made on one particular project, Staff would  
 14 encourage you to, as a group, say, okay, I guess -- let  
 15 me just say in West Maui, even though somebody was  
 16 against a particular project, once that project got  
 17 approved, perhaps a vote for all three or four of the  
 18 maps would have been fine as -- as that's the group  
 19 order, that's the group decision. And then we would get  
 20 direction. We would have a vote. And we can, again,  
 21 note that, okay, this one project did have some  
 22 dissension, there was some concerns.  
 23 So, again, I would -- I would ask you to set  
 24 aside specific projects and -- and vote on a regional  
 25 basis.

1 CHAIR HEDANI: Any other comments for the good  
 2 of the order? If not, then we're done ahead of time  
 3 today. And when we don't agree on everything, it means  
 4 that the Director's original maps were absolutely  
 5 correct.  
 6 COMMISSIONER SHIBUYA: No. GPAC prevails.  
 7 CHAIR HEDANI: With that, we'll see you folks  
 8 bright and early tomorrow morning.  
 9 COMMISSIONER MARDFIN: Mr. Chairman, do you  
 10 need a motion to recess?  
 11 CHAIR HEDANI: Oh. Commissioner Mardfin.  
 12 COMMISSIONER MARDFIN: I move we recess until  
 13 tomorrow morning.  
 14 COMMISSIONER SHIBUYA: Second.  
 15 CHAIR HEDANI: All those in favor, signify by  
 16 saying "aye."  
 17 (A chorus of ayes.)  
 18 CHAIR HEDANI: Opposed, say "nay."  
 19 (Silence.)  
 20 CHAIR HEDANI: Thank you. We're in recess.  
 21 (Recess, 4:49 p.m.)  
 22  
 23  
 24  
 25

1 CERTIFICATE  
 2 STATE OF HAWAII )  
 ) ss.  
 3 COUNTY OF MAUI )  
 4 I, TONYA MCDADE, Registered Professional  
 5 Reporter, Certified Shorthand Reporter #447, in and for  
 6 the State of Hawaii, do hereby certify:  
 7 That the examination was taken down by me in  
 8 machine shorthand and was thereafter reduced to print by  
 9 me by means of computer-aided transcription; and that  
 10 the foregoing represents, to the best of my ability, a  
 11 true and accurate transcript of the proceedings had in  
 12 the foregoing matter.  
 13 The witness, if applicable, was notified that  
 14 the certified transcript was available for a period of  
 15 (30) thirty days for review, signature and corrections,  
 16 if any. If not signed, the reading and signing of  
 17 transcript was waived. The original has, therefore,  
 18 been sealed and is on file without signature, pursuant  
 19 to court rules.  
 20 I further certify that I am in no way interested  
 21 in the outcome of the cause named in the caption.  
 22 Dated this 14th day of October, 2009.  
 23  
 24   
 Tonya McDade, RPR, CRR, CBC  
 Hawaii CSR #447  
 25