

**MOLOKAI PLANNING COMMISSION
REGULAR MEETING
FEBRUARY 23, 2011**

*** All documents, including written testimony, that was submitted for or at this meeting are filed in the minutes file and are available for public viewing at the Maui County Department of Planning, 250 S. High St., Wailuku, Maui, and at the Planning Commission Office at the Mitchell Pauole Center, Kaunakakai, Molokai. ***

The regular meeting of the Molokai Planning Commission was called to order by Chairperson, Steve Chaikin, at 12:05 p.m., Wednesday, February 23, 2011, at the Mitchell Pauole Center Conference Room, Kaunakakai, Molokai.

A quorum of the Commission was present. (See Record of Attendance.)

A. CALL TO ORDER

Mr. Steve Chaikin: Present here today, we have Commissioner Buchanan, Pescaia, Kelly, Bacon, Kalipi, Sprinzel, and myself, Chaikin. With us from Maui County today, we have Clayton Yoshida, Suzie Esmeralda, and we have Nancy McPherson. Also, sitting to my left, Deputy Corporation Counsel, Mr. Michael Hopper. With that, we'll get started on our agenda.

B. PUBLIC TESTIMONY ON ANY PLANNING OR LAND USE ISSUE

Mr. Chaikin: The first item is public testimony on any planning or land use issue. Does anybody wanna make any testimony at this particular time? Alright, seeing none, we can move on to announcements.

C. ANNOUNCEMENTS

- 1. The Commission would welcome any testimony relating to proposed amendments to its existing rules for its Subcommittee on Rule Changes.**

Mr. Chaikin: And that we are working on rule changes for the Molokai Planning Commission. So if anybody wants to provide testimony on that, they can do that now or at a later date.

D. APPROVAL OF MINUTES OF THE OCTOBER 27, 2010 MEETING

Mr. Chaikin: The next item is the approval of the minutes of October 27, 2010 meeting. Does anybody have any – any Commissioners, comments, any issues with those minutes? If none, I'll entertain a motion to accept those minutes as presented. We have a motion by Vice-Chair Sprinzel to accept. Second by Commissioner Bacon. Any further discussion?

There being no further discussion, the motion was put to a vote.

It was moved by Mr. Sprinzel, seconded by Mr. Bacon, then unanimously

VOTED: To approve the October 27, 2010 minutes are presented.

Mr. Chaikin: And that passes unanimously. Thank you, Commissioners. Okay, we'll move right along to Item E, communications. The Planning Director is acting for this Commission to concur with an exemption for the Goodman power pole installation. I'll let Nancy explain a little bit more about that to us. Nancy?

E. COMMUNICATIONS

- 1. MR. WILLIAM SPENCE, Planning Director, requesting concurrence from the Molokai Planning Commission pursuant to their Special Management Area Rules, as amended, that a Special Management Area (SMA) exemption can be issued for the following:**
 - a. MS. CHRISTINE GOODMAN submitting a Special Management Area Assessment for an electrical power pole installation for an overhead line extension for property situated in the Interim District at 2484 Kamehameha V Highway, TMK: 5-4-017:002, Kawela, Island of Molokai. (SMX 2010/0225) (Valuation: \$2,000) (N. McPherson)**

Ms. Nancy McPherson: Aloha kakou, Commissioners. Nancy McPherson, Staff Planner. I did talk to Luigi Manera yesterday and he did say he was going to be here for this item. So I just gave him a quick call. He may still come by, if you have questions about this item. But this is basically – what happened was the single family dwelling was exempted, approved, by you folks quite a while back. And what ended up happening was that the power pole for an overhead line extension was subsequently requested by Maui Electric. So they were asked to install that. And under your SMA rules, that requires an SMA assessment. And it's – we can exempt it, but it still needs to come to you for concurrence.

So the house is already built. They still have a temporary utility hookup. I believe if you look at Exhibit A– Oh, oh, let me backtrack a little bit. I'm trying a slightly different format in an effort to streamline and become more efficient with paper, and verbiage, and etc., etc. What I'm trying to do now is I do the assessment, I have exhibits, and that all becomes Exhibit A. So your exhibits are now being numbered as A-1, A-2, A-3, A-4. And I do kinda have to probably double check with Mr. Hopper here. And Mr. Yoshida seems to be okay with it. So what then we have is a cover– Oh, here he is. Great. So this is – Mr. Manera's

here, if you have any questions. Thank you, Mr. Manera, for being here for the Goodman power pole. So what I do then is I have this cover memo. And I talk about the application, the purpose of the application, applicable regulations. I believe this is the format that Mikal Torgerson, the former Planner was using, plus, fancy power points, which I haven't gotten there yet. But description of the property, and a reference to cultural and historic resources, a discussion of those. Then what I'm doing is I am under Section 12-202-12(B), I am referring to Exhibit A, which is the assessment itself and the exhibits. So I'm hoping that makes sense to you. Instead of restating basically everything that's in the assessment in the memo, which seemed redundant to me, I'm just going to refer to the assessment and the exhibits as Exhibit A. I think that'll cut down on paper. So we'll try that. If that doesn't work for you, let me know.

And moving forward, we did request comments from SHPD. On page 2 of the memo, I discuss how we did request comments. We didn't get a response. There seems to be some projects that may – are in Kapolei on Oahu, or I'm not really sure. So we're trying to kinda track those down to make sure that the archaeologist on Maui have all of the transmittals that have been sent to her. But because there already was a review by SHPD requested – I'm sorry, issued – the letter was dated May 30th, 2008 stating that the site had been previously disturbed due to grading in the past, and from photos, appears to be fill. That should actually say – well, "fill," yes. Therefore, construction will likely not impact cultural and natural resources.

So based on that previous letter, which technically does not include the proposed action of the power pole installation, just to be clear, which does require a maximum four-foot depth excavation to install the power pole, we went ahead and evaluated it based on that, based on the available information. And we've determined that there is no irrevocable commitment to loss or destruction of any natural or cultural resources. That being said, I think there's a section here that probably should've been included, and that's the standard language that in the event of any inadvertent discovery of human remains, cultural artifacts, etc., etc., SHPD will be immediately notified. And then I'm also adding language, starting to add language, to reflect the discussion between SHPD and the Burial Council that met, but didn't officially meet because they're not officially a Burial Council. And this is a few years ago, but they did say that also DLNR can be called, the DOCARE folks could be called, and the Police Department could be called. So if SHPD is closed, if nobody's there, you know, to answer the phone that those other agencies are willing to assist in case of inadvertent discovery so that that's attended to immediately, which we all know is really important. So what I will do with the approval letter is I will, with your permission, add that language in there to the statement about cultural and historic resources. I apologize for that leaving that statement out.

So that's pretty much it. If you have any questions for myself and/or Mr. Manera who did the original project as well, we'd be happy to answer your questions.

Mr. Chaikin: Commissioners, we have the installation of the power pole. Anybody got any questions, concerns, comments? Go ahead.

Ms. Lori Buchanan: How come MECO is not putting this application forward?

Ms. McPherson: Well, at one point, they were submitting applications. When I was Staff Planner here before, there was a gentleman working for MECO who was submitting those, but they don't seem to be doing that any longer. And I do wanna discuss that with them because what seems to be happening is it goes through SMA. Unless we transmit to MECO, and sometimes even if we do, they will say they have no comment. And then when it goes through for building permit, then they say, oh, you need an overhead line extension. I think what they're trying to do is the poles on Molokai along Kamehameha V Highway are too far apart or something. And then so when dwellings go in, they're trying to – I think they're trying to get the owner to, you know, install another pole to improve so that they can kinda try to bring things up to code. That's my guess. That's – I don't know that for sure. But I do wanna talk to them because what I'd like them to do start doing, and I've discussed this with Mr. Manera also is that what we'd like to do is transmit to them or the applicant request – you know, go ahead and apply, or find out what they need to do in order to get the utility hookup, and make sure that that's part of the SMA assessment for the house. It should all be done at the same time. And so why these are coming in afterward is I'm guessing because the SMA's already done, but they're still trying to get a building permit, and MECO finally gets around to saying, oh, you need a power pole.

Ms. Buchanan: Who's actually digging this hole and putting the pole in?

Ms. McPherson: I believe MECO, but – yes, MECO does the work.

Ms. Buchanan: So they assume the liability of inadvertent finds should they dig down to four feet and find something?

Ms. McPherson: That's a very good question.

Ms. Buchanan: That's what I'm getting at. It's like where is the liability gonna fall? In the past we've seen a lot of MECO applications for installments of poles, and so I know it's there. The burden is on them because it's their permit. So if I'm gonna start seeing homeowners come in asking for installation of poles, then it's gonna be their liability. So they would have to have a contract between the landowner and MECO, if MECO's actually installing the pole. That should be part of the permit as well.

Ms. McPherson: Okay, so, Commissioner Buchanan, what you're saying, if you can confirm this for me, is that there should be an agreement in writing between the homeowner and MECO before this can be approved?

Ms. Buchanan: I'm just saying that if they're not gonna have – in that SMA, if they're gonna be digging down to four feet, then I wanna know where the liability for inadvertent finds of – whose responsibility is it gonna be to call SHPD. It should be the person who's digging that hole. If MECO wants to shrug off their responsibility for installing their poles in the SMA, they don't wanna do SMA permits anymore, and make it the homeowners' liability, then there needs to be that agreement because I just might ask for it one day.

Ms. McPherson: Right. Well, I think – I could discuss this with Mr. Manera, but I think what we could ask – the homeowner isn't here right now, but I think it would be wise to request, and if Mr. Manera concurs with this, we can put it writing in the approval letter that either the owner or Mr. Manera be present when the pole is installed. Would that be acceptable for now?

Ms. Buchanan: That's acceptable. I just saying that if it's gonna start snowballing into homeowners now coming in to do this separate permitting that MECO is supposed to be doing, I think we need to make it their burden again that they come in – if they installing stuff. I just need somebody responsible for this.

Ms. McPherson: Okay, well, I will follow up with MECO personnel and find out what the status is, and what the protocol is, and where the liability lies. And then we'll try to get something in writing, and we'll bring it to the Commission for your information.

Mr. Chaikin: Any other Commissioners? Commissioner Sprinzel?

Mr. John Sprinzel: Yes, Nancy, we have another one on the list for an installed electric pole, and it's the individual, and not the company. So I think this has got to be sorted because otherwise, anybody who builds a house, we're gonna have them traipsing around here—please, can I have an electricity pole?

Ms. McPherson: Well, that one was actually— I just found this out from Mr. Manera yesterday. That one was actually requested by the owner. It's not required by MECO. So instead of running— They have two houses on the lot. Instead of running the power line from the front house to the rear house, they want to run the line along the lot line and put another pole in to connect to the other house. And so that's actually by their own choice. So I'm not sure how we would handle that. But let me discuss it with my Department, and we'll get back to you on that issue, because, yeah, we are trying to get that one to the next meeting.

Mr. Sprinzel: And we had one a little while ago suspiciously like this where they were gonna build a trench to the house.

Ms. McPherson: They were going to underground the utilities?

Mr. Sprinzel: Yeah.

Ms. McPherson: Okay.

Unidentified Speaker: . . . (inaudible) . . .

Ms. McPherson: They didn't want to. Oh, yes. Okay.

Unidentified Speaker: . . . (inaudible) . . .

Ms. McPherson: Right. Well, I would think the four-foot hole would be less impact than the trenching so—

Mr. Joseph Kalipi: Well, just to piggyback on Commissioner Sprinzel is if even if it's the homeowners' choice, whose liability if MECO is doing the job again, if they're gonna install — do the digging of the hole, yeah?

Ms. McPherson: Okay, well, we'll try to get that cleared up by the next meeting since we will have another power pole coming to you for that meeting.

Mr. Chaikin: Okay, anything else, Commissioners? Does the public have any input on this? If not, Commissioners, if there's no further questions or concerns, I'll entertain a motion at this time.

Ms. Buchanan: Chair, I move that we concur with the exemption for the installation of a power pole.

Mr. Chaikin: Okay, we have a motion by Commissioner Buchanan. Any second on that? Commissioner Bacon. Any further discussion?

Mr. Nathaniel Bacon: Okay, do we have to say now that we also wanna add that wording about stopping and who's liable that she's gonna put in, or is that just an automatic thing? Or do we have to say that that has to go in with this?

Ms. Buchanan: I make an amendment to my motion. I move that we concur with the exemption for the power pole with the representations made by Staff Planner McPherson.

Mr. Chaikin: Okay, we have a, I guess, a revised motion on the floor. You wanna second that? And we have — second that by Commissioner Bacon. Any further discussion?

There being no further discussion, the motion was put to a vote.

It was moved by Ms. Buchanan, seconded by Mr. Bacon, then

VOTED: To concur with the exemption for the power pole with the representations made by Staff Planner McPherson.

Mr. Chaikin: Okay, it passes unanimously or almost unanimously. We've got five in favor, so it passes. Thank you, Commissioners.

Ms. McPherson: Thank you, Commissioners.

Mr. Chaikin: Alright, just a note for the people that came in late, and also perhaps, for the Commissioners, we had on our agenda a workshop planned for today on a case law with water issues. And the presenter had some unforeseen issues arise that she's not able to present today, so that's gonna be moved to the next meeting. So with that, we'll move on with our agenda. We have Item B, which is Nat and Anne Bacon. They're submitting an exemption request. And for that, I'll turn the mike back over to Nancy.

- b. NAT and ANNE BACON submitting a Special Management Area Assessment for a 2-lot subdivision, installation of a septic system for existing dwelling and enhancement of an existing water source (Loiloa Spring) which includes installation of a 2.5-gallon per minute (GPM) solar powered water pump, a water storage tank, and water lines for property situated in the RU-0.5 Rural District at 8665 Kamehameha V Highway, TMK: 5-7-007:028, Pukoo, Island of Molokai. (SMX 2010/ 0417) (Valuation: \$8,000) (N. McPherson)**

(Mr. Bacon recused himself from this agenda item.)

Ms. McPherson: Thank you, Chair Chaikin. Nancy McPherson, Staff Planner. Okay, this is for the vacant two-lot subdivision. Installation of a septic system for an existing dwelling and water source – well, I like to use the term, “enhancement,” rather than “development,” because it's a previously existing water source—Loiloa Spring. It was used by the Duvauchelle Family, who were the previous owners of the property. The area was enlarged by the Duvauchelles to create a pond where there was watercress and, I believe – was it opae or—? Yeah, okay, or mullet, mullet.

Ms. Buchanan: What year was this, Nancy?

Ms. McPherson: Ooh, that would've been the '40s and '50s. Maybe Mr. – the Bacons can come up and talk. They can talk in more detail, but what I'll do is I'll just kinda do a quick

rundown of the project. They would like to subdivide the property because their house, if anyone has been to their lovely house, it is way up on the cliff. And as folks age, it can get harder and harder to climb up the cliff. And so they're thinking about aging gracefully in a place that is more on sea level, and in – but just, you know, in back of the spring and the pond. And also eventually, they will be coming back for a single family dwelling. And they will also be enhancing the pond area.

This current action before you is just for the subdivision for the installation of a water pump, water storage tank, and lines so that they can pump the water and store it. Then in order to get the subdivision, the County has requested that they get a – install a septic system to the house, although that's – they've been looking at different options for doing that, but – because the County doesn't want to subdivide and have the septic system on one lot and the house on another lot. And then they are going to sell the upper lot with their house on it in order to finance the building of the house on the lower lot. So I'm not sure how– They can tell you more about how all that's gonna work, but right now, these are the things they have to do. They have to have a water source because Ualapue Water System is – the County will not approve a subdivision that will create another lot that's going to need another connection to the water system. They are hooking up existing lots, but they don't wanna issue a water meter to a new lot. So in order to create a new lot, they have to identify a water source. So they have Loloa Spring there. They're gonna be using that. Then they have to do the septic work. And that's – and there's gonna be a creation of an easement. So the driveway that goes up is going to become an easement for the property, and that's how they're going to get their subdivision. And according to a recent decision, the legal decision, the County will not process subdivisions until the subdivision has passed through SMA review. So they cannot basically, proceed with their subdivision until this is done.

And so with that, I can have the Bacons come up and answer questions, or I can answer questions, or whatever you would like.

Mr. Chaikin: Why don't we have–?

Ms. Buchanan: First, Chair, first, I have a question for staff.

Mr. Chaikin: Oh, okay, go ahead.

Ms. Buchanan: Okay. Nancy, why is this assessment – why is the spring portion of it tied to this SMA assessment?

Ms. McPherson: Because of the installation of the storage tank, the waterlines, and the pump. That's – the pump's gonna be suspended above the spring, but because that's

considered an action under the SMA rules, and under the definition, that triggers SMA assessment. So that's why that's being included.

Ms. Buchanan: So what you're looking for us to review today is that action: the storage tank, the waterline, and the pump for the spring. Also, you're looking for the change for subdivision?

Ms. McPherson: Yes. And then there's also a septic system that needs to be installed.

Ms. Buchanan: And all that is bundled into this one assessment?

Ms. McPherson: Yes.

Ms. Buchanan: Okay, because it – reading through everything, it was very difficult for me to tease out the different actions: the different permittings by the Commission on Water Working Resources; the water management areas, east versus west versus south; and then the actual subdivision itself. So to bundle that all into one assessment is problematic for me. But I guess we can hear from the applicant, and I guess we can go from there, you know. And if we need more information, then we need more information. Okay, thank you.

Mr. Chaikin: Okay, Nat, do you wanna take the mike? And just for the record, Commissioner Bacon is recusing himself from voting on this issue.

Mr. Bacon: Yes, I'm Private Citizen Bacon, Nat Bacon. And sort of to answer your question, Lori, the Department of Public Works, which is the one that issues the subdivision, I've gone through this whole process once before, and they used to be able to let us do the Planning Commission and theirs concurrently. And now, they're asking us to do the SMA first. And to be able to get what I need for them in terms of the information they need to approve a subdivision, those are the three things that I needed to do. I needed to establish a water system, which I got from the State. And the State says, yes, I can take the water. We're taking a thousand gallons a day out of the pond. And we got all those approvals and everything, but the Catch-22 is that I can have the water, but I have to get approval to take the water out of the pump. And basically, all this stuff is gonna be above ground so there wouldn't be any excavation at all anyway. The storage tank is gonna be placed above ground. The pipes are gonna be above ground. The solar unit's gonna be above ground. So we won't be really disturbing anything that way.

The other thing, basically, just the subdivision itself is – needs to go through the SMA process. And so, you know, I could've done this. It's– I'm doing all three things at once. So I put it in there and it's taking over six months now just to get this far. And if I had to do this three times over, it would be, you know, 85 years old already. So I'm trying to get this

all done one time so now I can go to the Department of Public Works with all this information that they need.

And then the other thing was because of the way this land is subdivided, we're taking out like a half acre or so for the existing house, but the septic system for the existing house would be on the other lot. And so we have to either build a new septic system on the existing lot, the existing house lot, the new house lot, or somehow fit in the other one with an easement. And so I'm gonna explore that avenue that with them. But basically, there is gonna have to be another septic system for the new house anyway.

This whole process started because like our in-laws came and couldn't see us at the house, you know. And I've had back problems in the past. And so I can see myself getting a little older, and not being able to navigate the stairs and stuff going up to the house. So what we wanna do is build down below where we'll have – where we plan on building just mauka of the spring, an ADA accessible house. It's gonna be completely off the grid. We have our own water supply. We're gonna do it all solar. So there won't be any further burdens on the, you know, the County's infrastructure or anything. And basically, that's what we're looking at doing. That's our goal.

We also want to restore the pond, which hasn't been used since mid to late '50s I think was the last time anybody's used it at all. And they were raising watercress and mullet was one of the things that they were growing in there. And that had been used pre-consistently since the turn of the century. And there used to be a windmill about the location where we plan on building the house. There used to be a windmill there, which pumped water out of the spring up to a cistern, which is up by the existing house. And then that supply of water to what was the Duvauchelle Inn and Duvauchelle House, which is now down where . . . (inaudible) . . . There's the house down there, and that used to supply the water for that. So that's sort of basically, it, what our intentions are.

Ms. Buchanan: Chair, can I have the applicant come and show me on this paper 'cause I need to have him draw one picture for me of all this stuff because I'm not grasping it and I need to? So I going ask the applicant to just come show me on this map that he gave us.

Mr. Chaikin: Could you maybe hold the map so we could all see what he's—?

Ms. Buchanan: . . . (inaudible) . . . Where's your lot?

Mr. Bacon: This whole thing.

Ms. Buchanan: Ah, okay.

Mr. Bacon: We're gonna take out this—a little over a half acre and have an easement . . . (inaudible) . . .

Ms. Buchanan: . . . (inaudible) . . . Okay.

Mr. Bacon: And then . . . (inaudible) . . . down here . . . (inaudible) . . .

Mr. Chaikin: Commissioner Buchanan, we need to have this on the record. So if we could have Nat please speak into the mike? Thank you.

Ms. Buchanan: . . . (inaudible) . . .

Mr. Bacon: . . . (inaudible) . . .

Ms. Buchanan: Ah, okay.

Mr. Bacon: . . . (inaudible) . . .

Ms. Buchanan: . . . (inaudible) . . .

Mr. Chaikin: Commissioner – I mean, Nat, could you just hold it up and you could explain the whole thing to all of us? And then we could all understand what it is you're trying to get us to understand.

Mr. Bacon: Okay. We're on. Okay. So anyway, the existing lot is this. It's a flag lot. And so what we wanna do is subdivide out this portion, which has the existing house, divide – subdivide out that one. It's a little bit more than a half acre. And to access that, we're putting in an easement here, and that easement is for traffic, and there's also underground utilities that go up there already. So this now is fed off of the water meter that's down here on the road. And the electric comes in off the road and it goes under ground up to the house. So what we wanna do is subdivide out that portion, which is up on the hill, and build just down here above the spring. And this would be a completely off the grid house. All solar-powered. We already have the permission from the State to take a thousand gallons a day out of the spring, and that will all be done with a solar pump. And that will go up into a storage tank, which will be around here some place. And again, the piping will all be above ground, so we won't do any excavation for that. And so that takes care of the water system that we're looking for.

And then the existing septic is down in this area, which comes down from the house. And so we need to have a septic system on the same lot. So we would put another system up here. And, you know, I talked to the contractors and stuff. And it'll be pretty expensive to do it up here. If there's a way that we could extend this easement to include the septic

system, then that would be taken care of. We wouldn't have to do any of that excavation, any of that work, but we would build another septic system for this—the new house. And that would be easier because it's down on a flat area, so we could do that.

So septic, that, and – so that's basically, what we're looking at and what we're asking for is to be able to do the subdivision, which is pretty straightforward. The septic, which would either go up here or be included in this easement, which is sort of to be determined. And then we already have permission from the State to take a thousand gallons a day. And we would put the – essentially, suspend a submersible pump. Put a – There's already a – sort of a concrete, half circle around the spring itself. So we'd put like a 4-by-4 across that, suspend a submersible pump in there, which would be solar-paneled driven, and then the storage tank would be up in this area.

Mr. Sprinzel: Nat, where does the water to your house at the moment come from?

Mr. Bacon: It comes from the County water meter down by the road.

Mr. Sprinzel: So your new development is totally off all that?

Mr. Bacon: Right. So the existing– Yeah, one lot, which would be the one with the house already has the County water system on, so we would not need to add another one because we developed another water system for that extra lot.

Mr. Kalipi: Just a, I guess, the obvious question, and so the subdivision is actually three different parcels, then?

Mr. Bacon: No, it's two. It's two. Originally, we were thinking about three, and that's why it has that configuration. But one of our hardest stuff is just giving up the view. I mean, we just – you know, we get up there and it's a wonderful view. So what we wanna do is I wanna try and keep that other lot up there. And I've already built a little platform up there, . . . (inaudible) . . . platform, with my grandson. And so at least we can get up and look at the view, because that's something that we would really miss. So that's why we kept that. And rather than going with three lots, which would also be harder to develop the water system for, we're comfortable with a thousand gallons a day. But if we had to get more than that, that's – you know, that's why we decided just go for the two.

Mr. Chaikin: Any other Commissioners have any further questions? Commissioner Buchanan?

Ms. Buchanan: Currently, it was kinda hard. The report, I guess, from the staff, which was the Water – Department of Water Supply or whoever did that staff report, they talked about

the well that's adjoining the spring. There's a well, the Duvauchelle Well that was also deeded over to you when you bought the lot.

Mr. Bacon: Okay, that was – what it is, is there – I mentioned that windmill that used to be up where the house is gonna be just mauka of the spring itself, and it was sort of assumed– All of this is existing right now is just a pump that sits on a concrete pedestal. And it was sort of assumed that through a whole bunch of different people during the years that that was a well. And it turns out that, in fact, that was the pump, which was driven by the windmill, but it had a pipe that ran out and into the spring itself. And so the spring was the source of the water, not a dugged well.

Ms. Buchanan: Okay, so the report is in error, then?

Mr. Bacon: Right. And we got that cleared up, and now there is a number which is – we established back in '90 – no. In what? In 2006, we got it all clarified. And there's a distinct number for that which is–

Ms. McPherson: I'm sorry, Commissioners. There were a number of pages left out of your exhibits like every other one. In the water report–

Ms. Buchanan: I kind of went to the end of one and it didn't make sense.

Ms. McPherson: And that's why you're confused, Commissioner Buchanan, because I was doing the staff report on Maui. I was doing it the old-fashioned way because I don't have the same software on Maui that I do on Molokai. So I had to do each page – some of the pages were double-sided and they didn't reproduce it properly. So that is our problem. If you would like, I can print those out for you. You could break and I can go print out the additional pages.

Ms. Buchanan: No. Chair, in light of what we just heard from staff, I'd like to call for this action to be deferred.

Mr. Bacon: What was the question again? I'm sorry. I was running around looking for the piece of paper.

Ms. Buchanan: I mean, I can ask him information now, but in the end, it needs to be deferred because it's a lot of information that I was already having a difficulty trying to grasp. And I could take a break, and whatever, and read it, and come back. But I tell you what, for now, let's continue just questions for the applicant.

Mr. Chaikin: Yeah, I think that if we are going to defer, we need to get as much information now, and as much information to them as what additional information that we need, so

when we come back that we will have all the information that we need to make an informed decision. So let's just continue with questioning. And then we get through this, then we can address the deferral issue.

Ms. Buchanan: Okay, I guess that's your cue, Nancy, to make copies.

Mr. Bacon: What was the question 'cause I probably have the answer?

Ms. Buchanan: Yeah. Well, the overflow of the water from that spring goes where?

Mr. Bacon: It goes under the highway, into the punawai, and then out into the ocean.

Ms. Buchanan: And that – and it's – it goes into the ocean? According to the report, it says that the water was channelized makai under Kam V Highway to a drainage ditch that ran along the perimeter of the property. Whose property?

Mr. Bacon: That's the . . . (inaudible) . . . Foundation property, which is where it used to be the pond.

Ms. Buchanan: Okay, so that's Pukoo development right now?

Mr. Bacon: Right. Right.

Ms. Buchanan: And so when I drive along Kam V Highway, and I see that water in the ditch, that goes – is that coming out of the spring?

Mr. Bacon: Some of that comes out of ours, and there's also a spring in the punawai itself across from Sam's driveway. And there's other up-wellings along the way. And there are other up-wellings in our pond as well, not just the spring. And all that information was fed through the State for – to get the water permit.

Ms. Buchanan: Okay. So, Nat, the last date that I could get out of here that any staff person actually conducted a field investigation on the flow and condition of the spring was August 1999. Is that correct?

Mr. Bacon: I think so. Sorry.

Ms. Anne Bacon: . . . (inaudible) . . .

Ms. McPherson: Anne, you've gotta come up to the mike.

Mr. Chaikin: Yeah, you're welcome to address whatever question the Commissioners have at the mike.

Ms. Bacon: Oh, my name is Anne Bacon. The State has come out periodically to monitor the pond. Both the State and the Federal government have come out, but it wasn't specifically for the water flow. It was to just check the salinity of the water at the point of the spring. The last flow measurement that we have was late 1999, which was just about 2000. So just about ten years ago.

Ms. Buchanan: Right. So, yeah. So over ten years ago, the staff actually conducted a field investigation on the flows. And that flow now – that permit that you have, a recent permit, to collect that water is based on a field investigation that is over ten years old. On top of that, Nat, I see that the spring at that time on the staff report said that it was overrun with California grass. Is that still the same condition?

Mr. Bacon: Right. Yeah.

Ms. Buchanan: Okay. So I have a – I'm having a difficult time trying to validate that 11-year-old or 12-year-old staff report on flow calculations is still relevant to this application. That's what I'm having difficulty trying to determine. For me, had – if – you know, just for anything, is water flow calculations going have to be little bit more recent than this 1999 staff field report, because several things can transpire. And I know we all know what they are, but obviously, because this has been a situation since an unnatural diversion of that spring water was made to flow around properties, and – which wasn't natural anymore. It's now set up a mini ecosystem separate from itself. And based on this report, I cannot see how they can give you a water flow calculation, that permit, that you can use based on a 1999 staff report.

Mr. Bacon: Okay. Is that the water diversion that we're talking about in terms of that punawai? That was back in the '60s. So it's – that system had been established for, you know, 30 years. So it hadn't changed in that period of time. There's, you know, mostly just growth problems and stuff like that in terms of vegetation and that sort of thing. And I also did a home sort of estimated flow for them, which I sent them, and it's probably not in the report, which I think I have in my car, but that's the kinda stuff I can give you more information on. I developed the flow rate based on, you know, damming up the spring, and then pumping out until it stopped flowing, and then figuring out how many gallons, you know, that was an hour, and stuff like that. And they took that into account also. So – so what – I guess what we have to do then is figure out is, you know, Steve was saying, okay, what kind of information do you want me to get so that–?

Ms. Buchanan: Yes. Well, you know, I comment you that, Nat, for one thing: trying to be off the grid. I think that's great. I think it's great. I think everybody should be off the grid.

And trying to find that water source since you already have it. It was deeded to you. It's obviously a water source. All that we gotta figure out because it is in the SMA that there's no adverse effects from changing that water flow from existing now. And definitely, by you starting to draw from that is definitely, going to change.

Mr. Bacon: Well, the State – the State was saying that they call it a minimus or something like that. They say it's less than half a percent or something like that.

Ms. Buchanan: True. That could be very true, but I'm also thinking that how can you increase your water usage if you also not gonna do some mitigation of California grass that has now encumbered that water source.

Mr. Bacon: Well, okay, let me go back one step, okay? The next step in this thing, this is – what we're trying to do now is just establish the information that we need for the Department of Public Works to get the subdivision. Then, I'm gonna come back and I'm gonna get a – for building permit, which would include the house and all that solar stuff. And together with that, also the pond development, which would be the routine dredging, maintenance, whatever it is. And that would be the part of clearing out the pond and then doing – you know, setting up the watercress and doing that kinda stuff. We want to do watercress again and probably prawns rather than mullet in the deeper channel. But we are – the plan is to clear that all out and so that that pond will be productive again. And that's the intention there. Anne said that part of it earlier, but that's the next step after. Because the other thing is, is that if we can't get this subdivision, then it's a moot point. I mean, I can't build another house. I can't afford to build another house down there myself. And so, I wouldn't be able to figure out how to finance it other than selling the whole thing. But that's why we're going this route.

Mr. Chaikin: Any other Commissioners got any other questions or concerns? I'd like to – you know, I got a few different things here that if we are going to defer this, I'd like you to maybe get a little bit more information on. I know that in our list of exemptions, one of the items there is an easement. And I don't know if in practice, that is one of the things that we gotta make sure that it's listed as one of the action items within your – I don't know as a practice, if we're actually doing that or not–actually making people going through an SMA process to create an easement. That would be one thing.

The other thing is I wanted further clarification on the State historical review. We do have a letter in here that's dated 2008. Another issue would be clarification of the eligibility of this for an exemption because I know subdivisions can only be exempt under specific circumstances, and whether or not this particular circumstance qualifies. The rules say that a subdivision of a parcel into four fewer parcels is eligible for an exemption when no associated construction activities are proposed. It goes on further to say provided that any land which is so subdivided shall not thereafter qualify for this exemption with respect to

any subsequent subdivision of any of the resulting parcels. So we have to look at that previous subdivision and see if that was subdivided under this, and whether or not somehow that kicks it out. But if we could get further – you know, look into that a little bit deeper.

Also, I'd like to find out from maybe Clayton or something—is it some kind of a precedent? Is this – is this the way that they normally do subdivisions? Or has this been done before where they do a subdivision, and then group all this stuff in with the subdivision? Or does it normally come separately? Or just kinda get some kind of track record of how this is normally, ordinarily done because we haven't seen very many subdivisions here at the Commission, so I don't know really know how it's normally done in Maui County.

But that's all I have. We should give the public an opportunity to also come up. If anybody's got any comments or anything, let them have an opportunity. Maybe they've got some questions that could be resolved too. Is there anybody from the public wanna make any testimony on this? Okay, you're welcome to come up. Thank you, Ruth.

Ms. Ruth Manu: My name is Ruth Manu. I think we kinda know about that, but you know what? Can you guys defer it? We wanna defer it for a while, 'cause if we not mistaken, there is a lot of people involved in this. And it needs to be looked into because the stream that he's talking about that we know goes to on to Schulz place, Sam Yap. They involved up side. And if I not mistaken, that was . . . (inaudible) . . . Duvauchelle. And apparently, she gave it up, sell it, or whatever, but it has a lotta things to do about all those who live in there. Okay, it's not like say that they not saying the truth, but there are a lot of people are involved in it too, and we need to check it out. And plus, the water is not– It's stale. It stinks. Whatever. It comes down. It's an underwater spring. It is. And actually, it has to go out to the ocean. So the Schulz have whatever, but we just say just defer it so we can find out more information because it's way back behind. We need to get up front. I don't think nothing is wrong with that so we can know what's happening and what's going on. Aloha.

Mr. Chaikin: Thank you. Any questions? Alright, seeing none, is there any other – anybody else that wants to provide any testimony? Alright, seeing none, we'll close the public portion of this. And then did you wanna make any final comments before we move on and figure out what our next move's gonna be?

Mr. Bacon: Yeah, just to address the State historical thing, that covered the lot and nothing historical has been done since 1998. So it should still cover it. And as we know, getting out of SHPD is not easy, so that's why we were relying on that one because it had been done. And–

Mr. Chaikin: Well, I guess my – you know, one of the problems that we have as a Commission is we see the letter coming from SHPD and it says that, yeah, no adverse impacts. We really don't see that – but we don't see what letter went to them saying what was the proposed action that they're actually analyzing. So we can't really figure out– You know, I don't know if that's septic. I mean, that's not something that was proposed probably back then so they maybe didn't review that, you know. So that's one of the things that, you know, we didn't get enough information. Maybe there was more information in our packet that was left out because we did not get every other page, so I don't know.

Mr. Bacon: Okay. Just one little bit more history on this is that when up until the late '50s when they were actually doing watercress and the mullet in there, there was a little house about where we were, you know, where we plan to build. There was a small house there and a farmer who had lived there I guess during the '30s and '40s up until – maybe he lived there until the '50s. I'm not sure exactly when he stopped, but any production in the pond stopped around in the '50s, late '40s and then the '50s. So that's just historically. And then ever since then, we've got the California grass and it's just, you know, been overrun. So – but we do plan on, you know, restoring the pond to making it productive again. That's one of our intentions.

Mr. Chaikin: Okay, any other further questions, Commissioners? Alright, Commissioner Buchanan?

Ms. Buchanan: Did this action trigger notice to neighbors within 500 feet?

Mr. Chaikin: We can check and see if there's any rule on that.

Mr. Michael Hopper: You can check with Nancy, but unless you're doing an SMA major permit, I believe, I don't think they'd have the mailing requirements.

Mr. Bacon: Yeah, and we've talked to all our neighbors about it so they know what our intentions are.

Mr. Chaikin: Okay, any other questions, Commissioners? If none, okay, then we need to either decide whether or not we're gonna defer this, or we're gonna make a motion. I'm open to anybody coming up with any motion that they wanna make at this time. Nancy, before we make a motion, did you wanna say anything?

Ms. McPherson: No.

Mr. Chaikin: Okay.

Ms. Buchanan: Chair, is it possible to have a site inspection on the next scheduled Planning Commission for Mr. Bacon?

Mr. Chaikin: It's really at the will of this Commission. If the Commissioners want to do that, then that's something that we could vote to do. We have the landowner here. So I suppose we could logistically work it out. So I don't know. Is there any other Commissioners feel one way or the other on that?

Mr. Bacon: I mean, that's fine with me. You gotta give me at least a two-day notice so I can mow the lawn, though.

Ms. Buchanan: Chair Chaikin, I am proposing or moving that we have a site inspection at our next Commission meeting for this applicant.

Mr. Bacon: Okay, so we have a motion on the floor. Is there any second on that?

Mr. Kalipi: I'll second, but I think she needs to address the proposal. Maybe throw in the defer in the site inspection.

Ms. Buchanan: Okay. I'll amend my motion. Sorry. I'd like to propose we defer action on this item pending a site inspection to be held at the next Molokai Planning Commission meeting, and to review the missing items within our staff report.

Mr. Kalipi: I'll second the motion.

Mr. Chaikin: Okay, just as part of the motion, do we wanna work out the logistics of the – like what time we wanna meet and all of that? Or is it to be determined? Okay, Corp. Counsel is saying we don't need to make it very specific within the motion. So we can just make the motion. We can vote on whether or not we wanna do that, and then we can work out the specifics. So we have a motion and it was so modified. And so we – you got the second on that?

Mr. Kalipi: Yeah, I second the motion.

Mr. Chaikin: Okay, we got a second by Commissioner Kalipi. And so any further discussion on this? Just before we go on, one more item that I'd like maybe in the event that this does get deferred, when you do make subdivisions, I'm just curious whether or not it's okay to make one lot that's also part of another lot when it's only one little skinny part connecting the two. You know what I'm saying? There's like a box here and box here, and then a little connecting point, if that's – I mean, I guess that's up to the subdivision, Public Works or something whether or not they want – but I just – I'm just curious whether or not they

approve of those types of subdivisions where you have, you know, a lot that has a little tiny point that connects the two. Do you understand what I'm saying?

Ms. McPherson: Well, that's not what's being proposed here, though.

Mr. Chaikin: Well, there's like a flag lot.

Ms. McPherson: Yeah, there's an easement, though.

Mr. Chaikin: Okay.

Ms. McPherson: How wide is it?

Mr. Bacon: There's a 20-foot easement.

Ms. McPherson: There's a 20-foot easement going up the bottom lot. Then there is the— Oh, I see what you're saying. Yeah, then it connects up to— Originally, I think the Bacons wanted to create three lots, but then they changed their minds, and decided to go with two. And I'm — you might wanna ask the Bacons if they have checked with Public Works to make sure that that's permissible.

Mr. Chaikin: Yeah, I'm just curious. Like in a perfect world, you wanna have nice lots. Whether or not, you know, one lot is not connected with another big box of the same lot with another little real tiny piece. So just curious on that. Alright, we do have a motion on the floor. It has been seconded. Any further discussion?

There being no further discussion, the motion was put to a vote.

It was moved by Ms. Buchanan, seconded by Mr. Kalipi, then unanimously

VOTED: To defer action on this item pending a site inspection to be held at the next Molokai Planning Commission meeting, and to review the missing items within our staff report.

(Recused: N. Bacon)

Mr. Chaikin: Okay, it passes unanimously. So we'll do that. So let's discuss at this point when would be a good time for us to go out there. I know you guys are all are coming on a Wednesday. What time does everybody get here?

Ms. McPherson: And I would – Nancy McPherson, I would say that it takes a half an hour to get down there. It's the 18-mile marker. So that's an hour – well, 20, 25 minutes. So that's about an hour travel time.

Mr. Chaikin: I just might make the comment that when we do have a site visit, we need five of the Commissioners present in order to have the site. So it's important that we pick a time that we can all actually be there. So, Clayton, what time do you guys come, and do you see logistically that's working out for next Wednesday?

Mr. Clayton Yoshida: We get in about 7:30.

Mr. Chaikin: Okay, we have – Commissioner Sprinzel is proposing a 10 o'clock arrival at Pukoo. That'll give us an hour to have a look around and then make our way back here for a 12 o'clock meeting. I mean, does anybody have a better idea than that?

Mr. Sprinzel: That would give us time for lunch with . . . (inaudible) . . .

Ms. Buchanan: Lunch at Manae Goods and Grindz.

Mr. Chaikin: That's acceptable. Nobody object to that? Okay. Everybody can actually make it at that time? Is there anybody here that can't make it?

Ms. Pescaia: . . . (inaudible) . . .

Mr. Chaikin: You're a definite maybe? That means all of us have to make it, or we're all gonna get out there and we can't conduct the site visit. So I don't hear anybody else that says they can't make it. So that leaves five of us that can make it for sure. So we can go ahead and put that in stone. But first let's ask Nate. Is that okay with you—that 10 o'clock with – Mr. Bacon?

Ms. McPherson: March 9, two weeks.

Mr. Bacon: Two weeks, two weeks Wednesday. I'll be there.

Ms. McPherson: That would be in two weeks, Wednesday, March 9.

Mr. Bacon: I can do that.

Mr. Chaikin: Okay, so the Bacons – Nate Bacon's agreed to this.

Mr. Bacon: Yeah, we can do that.

Mr. Chaikin: Okay. And the County agreed. The Commissioners agreed that we're gonna be there. So with that, we'll just make it ten o'clock at Pukoo just before our next meeting.

Mr. Bacon: Okay.

Mr. Chaikin: So with that, that concludes this agenda item. So we'll – so, Nancy, you're gonna get us the correct copy of the – of all of our–?

Ms. McPherson: Yes, I'm gonna get the exhibits. I also have some additional – well, I don't know if you need additional photographs since you're going on a site visit now. And I will try to follow up. I'll work with the applicants to follow up on some of your other questions. And so we'll try to get everything for you before the next meeting, but that's gonna be a short turnaround time. Some of it, we might have to present– I would ask our Corp. Counsel. Can we present additional information during the site visit, Mike?

Mr. Hopper: Why do you need to wait until the day of the meeting? I'm not clear.

Ms. McPherson: Well, the packets need to be– I have a week, basically, a little bit less, to give information to our Commission Secretary so that she can include it in the packets. So I'm just saying if I can't get all of that information together by that time, would it be possible to provide it the day of the meeting?

Mr. Hopper: Do Commissioners have e-mail? Could she give you the documents e-mailed? It's less of a legal matter and more of just – I would not expect the Commissioners to be able to basically, grasp what's given to them the day of the meeting. It's kind of difficult to do that. So legally, yeah, I think you could as long as the public has access to it, but I would not advise it. It's – it oftentimes results in a deferral, just from my experience in dealing with different commissions.

Ms. McPherson: Okay, thank you.

Mr. Chaikin: Okay, with that, we're gonna move on with our agenda. It takes us to Item F, which is the workshop on case law of water issues.

F. Workshop No. 3 on Case Law on Water Issues - conducted by Malia Akutagawa, former Molokai Planning Commissioner and Chair of the Molokai Island Burial Council (at approximately 1:00 p.m. or soon thereafter.)

Mr. Chaikin: And that has been postponed until our next meeting. So we're gonna move to Item No. G, the Chairperson's report, which is improvements to the Planning Commission's and Planning Department's service to the community.

G. CHAIRPERSON'S REPORT

- 1. Improvements to the Planning Commission's and Planning Department's service to the community.**

Mr. Chaikin: I don't really have anything right now. Does anybody wanna add anything to that? Seeing none, we'll move on to the Director's Report and ask Clayton to come up.

H. DIRECTOR'S REPORT

- 1. Pending Molokai Applications**
- 2. Closed Molokai Applications**

Mr. Yoshida: Thank you, Mr. Chairman, Members of the Commission. The Department has circulated the list of pending Molokai applications and closed Molokai applications. Any questions on the lists?

Mr. Chaikin: Commissioner Buchanan?

Ms. Buchanan: Clayton, on the Waiele Cinder Pit special use permit for Tri-Isle Construction, someone asked me if a request for service was done, and if a stop work permit was issued for Tri-Isle Construction operating a cinder pit without a permit.

Mr. Yoshida: Request for service, I guess I'd have to check if a request for service was done. We are – well, fairly close to scheduling that for a hearing once we get comments from State Historic Preservation Division.

Ms. Buchanan: Okay, but we don't know if – because they operating, if one stop work permit was issued for that application for that pending permit. This is the Waiele Cinder Pit.

Ms. McPherson: I spoke with the applicants, and they say that they are not mining anything out of that cinder pit. That they have been taking other materials that they have from their main baseyard area out to different areas because Molokai Properties Limited is doing some restoration and mitigation efforts. Based on a recent court decision, they have to fix things up out there: landscaping and that sort of thing, roads. So my – what the applicant told me that – that that's the work they're doing out on the west end, but they're not taking cinder from the cinder pit. And I don't believe – I haven't checked on the RFS situation. I didn't know that there was an RFS, but I will check on the RFS for you.

Mr. Chaikin: Excuse me, Nancy, do you have any update? There's three items here with Kamehameha Schools. Do you have any update on that?

Ms. McPherson: Are you talking about the D&J Ocean Farms?

Mr. Chaikin: That would be correct.

Ms. McPherson: Okay. Yeah, I met with Kalani Foronda and the folks from Munekiyo and Hiraga last week on Maui. And we had a very productive meeting. I gave – passed on some manao from people here on Molokai that I'd heard over the years. This is going to be moving forward very soon and coming to you for SMA minor and exemptions. So the process – you know, you'll be getting a staff report and all of that. And so we're looking pretty good right now. We have – you know, needs some additional information, but they are trying to make things right. And so that should be coming to you fairly shortly in the next month or two, I think.

Mr. Chaikin: You've got them listed as three SMXs. Those are exemptions, right?

Ms. McPherson: These are – you know, I believe they get repeated for each parcel number. And there's three parcel numbers involved.

Mr. Chaikin: Okay, so there's more that have come forward that aren't on this list?

Ms. McPherson: Yeah, it's the same project, but it just has three parcel numbers. And if there is a different way we could do this report, I'll try to get it reformatted.

Mr. Chaikin: Yeah, I was just – I was just asking because you said you were coming forward with an SMA minor permit, and that wasn't on here, right?

Ms. McPherson: No, right now it's an SMA assessment. And when we determine that it requires an SMA minor – And some of the actions can be exempted. And there also is a shoreline assessment that needs to happen. So once we make that determination and send them a letter regarding that, then those will get numbers. And then you'll have those numbers when this comes before you.

Mr. Chaikin: Understand. Thank you. Any other Commissioners? Anything for Clayton? Clayton, seeing none.

3. Agenda Items for the March 9, 2011 meeting

Mr. Yoshida: So, Mr. Chairman, Members of the Commission, our next meeting is scheduled for March 9th. You did schedule a 10 o'clock site inspection of the Bacon two-lot subdivision site. For the meeting, we will be dealing again with the Bacon two-lot subdivision SMA assessment, as well as the SMA assessments for the Liberty Dialysis medical office alteration here at the Molokai Drug Store Building, and also, a power pole

location for Estafania Acoba. The Commission dealt with the SMA assessment for her dwelling, but now, she's being required – or she's been asked to put in a power pole. And we will get together with Malia Akutagawa and try to reschedule that workshop on water issues for that meeting.

Mr. Chaikin: Commissioners, any other requests for agenda items? Not seeing any. So does that conclude your report, Clayton?

Mr. Yoshida: Yes. Oh, oh, I'm sorry, one thing: we were informed – I guess Nina had called around the Commissioners, and Commissioner Williams, I guess, intends to submit a letter of resignation. So with the resignation of Commissioner Leong and Commissioner Williams, we're down to seven Members for the month of March. So again, attendance is important in order to get a quorum because now we only have a pool of seven. We're hoping that within the next week or so, the nominees, the Mayor's nominees to boards and commissions will become public. And so we'll have four vacancies from April 1st because the Chair Chaikin and Joe Kalipi's term ends at the end of March.

Mr. Chaikin: Okay, thank you, Clayton. Commissioners, anything further?

Ms. Pescaia: Sorry. Is there still time for people to submit their names for this Commission?

Mr. Yoshida: Oh, this– I'm sorry, what was the question again?

Ms. Pescaia: Is there still time for people to submit their applications for this Commission?

Mr. Yoshida: Well, I think the initial deadline was December 15th, and it kinda got – we had a changeover in administration at the end of last year, so I believe it got extended to January 15th. Typically, I think the Mayor would submit the names like 60 days before the term ends, but it's always ongoing because, you know, there's always–

Ms. Pescaia: Would you mind checking and having somebody send us an e-mail so we can let people know just because we're looking at four vacancies to fill at the end of next month, and just making sure that we have enough people in that pool of applicants, I guess? We need to have some more people in the community to submit their names.

Mr. Yoshida: Yeah, those are coordinated through the Mayor's Office, but I guess they always accept applications throughout the year because there's always turnover in commissioners.

Mr. Chaikin: Alright, well, thank you, Clayton, and I'd like to thank the public who showed up here today. And thank the Maui County staff and the Commissioners. With that, we'll

see everybody at the next meeting, site visit, on March 9th, and at our regular scheduled meeting on March 9th. And with that, this meeting is adjourned.

I. NEXT MEETING DATE: March 9, 2011

J. ADJOURNMENT

There being no further business to come before the Commission, the meeting adjourned at 1:18 p.m.

Respectfully submitted by,

SUZETTE L. ESMERALDA
Secretary to Boards and Commissions

RECORD OF ATTENDANCE

Present

Steve Chaikin, Chairperson
John Sprinzel, Vice-Chairperson
Nathaniel Bacon
Mikiala Pescaia
Debra Kelly
Joseph Kalipi
Lori Buchanan

Excused

Don Williams

Others

Clayton Yoshida, Planning Program Administrator
Nancy McPherson, Staff Planner
Michael Hopper, Deputy Corporation Counsel