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MAUI ISLAND
GENERAL PLAN ADVISORY COMMITTEE
APRIL 11, 2007

REGULAR MEETING

Held at the Kaunoa Senior Citizens Center Cafeteria, 401
Alakapa Place, Paia, Maui, Hawaii, commencing at 2:19 p.m.
on April 11, 2007.

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

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ATTENDANCE

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MAUI ISLAND GENERAL PLAN ADVISORY COMMITTEE

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APRIL 11, 2007

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5 DEPARTMENT OF PLANNING: Jeffrey Hunt

6

John F. Summers

7

Kathleen Aoki

8

Erin Wade

9

Simone Bosco

10 DEPUTY CORPORATION COUNSEL: James Giroux

11

12 GENERAL PLAN ADVISORY COMMITTEE

13 Thomas Cannon, Chairman

14 Dick Mayer, Vice-Chairman

15 John Arthur Blumer-Buell

Lesley A. Bruce

16 Lisa Hamilton

Carl Lindquist

17 Kennard Kaipo Kekona

Joel Bertram III

18 Lawrence Stanley Franco

Susan A. Moikeha

19 Frank W. Sylva

Hans Michel
20 L. Douglas MacCleur
Warren S. Shibuya
21 Warren Watanabe
Thomas M. Cook
22 Antoinette Lucienne deNaie
Mercer "Chubby" Vicens
23 Renee-May Kehau Filimoeatu
Walette Garcia Pellegrino
24 Warren Suzuki
Jeanne Skog
25 Stacie Thorlakson
Trevor N. Tokishi

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1 MAUI PLANNING COMMISSION
2 MAUI ISLAND GENERAL PLAN ADVISORY COMMITTEE
3 APRIL 11, 2007
4 TRANSCRIPT OF PROCEEDINGS

5 CHAIRMAN CANNON: I'll call the meeting to order
6 and note for the record that we have a quorum and ask if
7 there's any public testimony at this point.

8 MS. PRINCE: Hi. I just wanted to update
9 everyone.

10 CHAIRMAN CANNON: Hans, could you pass her the
11 mic, please? Please mention your name to start.

12 MS. PRINCE: I'm Melissa Prince and I just wanted
13 to update everybody on the videos that I'm giving to Akaku.
14 I turned in the March, I believe it was March 7th meeting
15 here on March 30th, so that's already going through. And
16 then the last big one that you had an all day, which was on
17 a Saturday, I think it was March 10th, I'm still working on
18 that but I should be turning that in sometime this week.
19 And I missed one, the March -- I don't know the date, the

20 28th or something, the last one you had, Wednesday evening,
21 and so I was asking about the minutes but I've been told
22 that you haven't decided as a group yet what kind of minutes
23 you will have.

24 So I just would like to request that whatever you
25 decide on, if you could have a mechanism so that the public

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1 can have access to the verbatim copy, so that if we do want
2 to go back and read the actual statements we can do that.
3 So that's it, thank you.

4 CHAIRMAN CANNON: Thank you, Melissa, and thank
5 you for taking the time to video this for the public's
6 benefit. That's a very wonderful service. Yes, John.

7 MR. BLUMER-BUELL: I have a question for Melissa,
8 and that is, I'd like to know if you're getting any
9 financial support from Akaku or the Planning Department for
10 what you're doing, and who is paying for it?

11 MS. PRINCE: At this time I'm not getting paid for
12 the GPAC meetings. I'll just have a disclosure, though,
13 just to let you know I sometimes do videotape the Maui
14 Planning Commission and when I put on there "Sponsor, Maui
15 Tomorrow" then I let them know I've done that, and they have
16 paid me \$200 per meeting. But I got busy so I got a couple
17 of other producers to help with that. And so once in a
18 while I'll get paid for that, but for the GPAC I haven't
19 received anything. I'm not asking for anything actually,

20 I'm just doing it as a volunteer right now.

21 CHAIRMAN CANNON: Thank you again. Also, just to

22 clarify, I believe at our last meeting or one of our last

23 meetings we decided we would have verbatim minutes continue.

24 Just so you know that. So they will be available for you.

25 Is there any other public testimony?

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1 MR. FRAMPTON: Will there be an opportunity before
2 each item?

3 CHAIRMAN CANNON: There will. Any other public
4 testimony at this point? Okay, moving on to approval of the
5 February 24th meeting minutes. I'd like to ask a question,
6 and I'm not sure of who, either staff or Corp Counsel. When
7 we approve these minutes I think it should be understood
8 that probably nobody has read through the entire minutes.
9 And because they're being taken so well by Jeannette we're
10 assuming it's there, but I don't think anybody has actually
11 read them all the way through. So it's difficult for us to
12 approve them in a sense because we haven't read them all the
13 way through. When you take verbatim minutes is it necessary
14 that we have them approved?

15 MR. GIROUX: I think the process of approving is
16 just so that people know that it's not a draft. Once you do
17 have an opportunity to review it and it is approved, then it
18 is a document that people can go back and say, yeah, this is
19 something that shows, that's convincing that this is what

20 happened at the meeting.

21 The whole ability to approve is that when people

22 review it and they say well, that's not what happened or

23 that's not what I said, it's an opportunity to bring it

24 before the board and actually change it, if indeed that's

25 not what was said. It's not an opportunity to change the

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1 record, "Oh, well, I meant to say this." It's "Did you say
2 this," is the idea of why a board or commission would want
3 to have their minutes be approved. And I think in your
4 rules it does give you the opportunity to do that, to look
5 at your minutes or look at the verbatim happenings. And
6 then what you can do is, you know, that's the opportunity
7 you have. And then people can actually just start relying
8 on, you know, they can at least say, well, if this was
9 discussed at such and such meeting let's go back and see
10 what was said, and they can look through it and have a
11 record of that meeting.

12 So you have a video, you have the minutes, or you
13 have the document, and so it just helps people if they have
14 to do research. Sometimes an attorney as we are asked legal
15 questions we will go back to a meeting when it was discussed
16 and see what people said. Sometimes we're asked what is the
17 intent, and sometimes what I do is I'll go back and actually
18 do legislative research and look at the meetings, look at
19 what members said, look at what people said at the meeting

20 to try to decipher what the intent of something was.

21 CHAIRMAN CANNON: Yes, Walette.

22 MR. PELLEGRINO: Walette Pellegrino. Once again,

23 you do a wonderful job of recording everything that happens.

24 Quite honestly, I did read everything.

25 CHAIRMAN CANNON: Excellent.

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1 MR. PELLEGRINO: However, having said that, I want
2 you to know I don't look at this as minutes, because to me
3 minutes means something else. I see this as being a
4 transcript or a transcription of what occurred at the
5 meeting, and so I don't know that you would approve a
6 transcription. I would say you would accept it, which means
7 that you take it at its face value without making
8 corrections, et cetera. So perhaps we need to distinguish
9 between those terms. I don't know if that's nitpicking, but
10 perhaps legally we need to be sure about what we're saying.

11 The other thing I wanted to mention, I believe at
12 either the last meeting or the meeting before we talked
13 about somehow either putting together a matrix with any
14 actual actions that had occurred so that we would have
15 something to refer to, or perhaps even underlining actions
16 within the transcription, and I hope something like that
17 will be followed through on.

18 CHAIRMAN CANNON: Thank you for that distinction
19 of acceptance versus approval. That was what I was trying

20 to get out also, and I think that you did it very well.
21 Thank you for that. And we might have the Corp Counsel
22 respond a little further as to the distinction between those
23 two. But first I want to allow the staff, John, to answer
24 or respond to your point about the motions and motions made,
25 and how those are going to be written up in the minutes.

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1 MR. SUMMERS: Thank you, Mr. Chairman. At the
2 last meeting there was a request to bold motions that have
3 been made. So starting with the March 21st meeting the
4 transcription of the minutes that you get will have bold,
5 all the motions will be in bold, so that should help.

6 CHAIRMAN CANNON: Now, for Corp Counsel, can we
7 accept these minutes instead of approving them, or accept
8 the transcript rather than approving them as minutes?

9 MR. GIROUX: I think the only distinction is in
10 the language where in your rules it says that the approved
11 written minutes shall be public record. And I think to
12 avoid any confusion I think a motion to approve the
13 transcript as well as any minutes would be appropriate.

14 CHAIRMAN CANNON: Do I hear a motion? Yes, John.

15 MR. BLUMER-BUELL: Well, this is just discussion
16 on the point. At one of our meetings, and I'd have to go
17 back to the transcript, we did talk about the distinction
18 between transcripts and minutes, and my recollection is that
19 we decided that we would have minutes, you know, brief

20 minutes that we're all probably used to getting. And one of
21 the points I think that I made was that when this goes to
22 the Planning Commission or to the Maui County Council
23 they're not going to have the time to go through these
24 transcripts. I think if they have a very concise set of
25 minutes to see what was done that would be helpful in moving

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1 the process forward. Thank you.

2 CHAIRMAN CANNON: Do you want to respond to that?

3 MR. SUMMERS: Thank you, Mr. Chairman. We did

4 consult with our excellent court reporter, and they can do

5 transcriptions as we have been getting and they are willing

6 to bold the motions. They are not capable of doing a

7 summary minutes. At this point with our staffing the way it

8 is it would be very difficult for the department to do that

9 work. So this is a thorough approach, it's an approach

10 that's used throughout with our other boards and

11 commissions. We'd love to do both, but we have major

12 staffing constraints in terms of actually doing summary

13 minutes. We don't have anybody to contract for that work.

14 CHAIRMAN CANNON: Yes, Lucienne.

15 MS. DeNAIE: I was going to offer a motion to

16 accept and approve the minutes of our last meeting.

17 CHAIRMAN CANNON: Okay, it's been moved. Is there

18 a second?

19 MR. LINDQUIST: Second.

20 CHAIRMAN CANNON: Second by Carl. Further

21 discussion? All in favor say "aye."

22 (A chorus of ayes)

23 Opposed say "nay."

24 One nay, Stan. So the minutes are not approved

25 because we have a bare quorum here, I believe. Let me

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1 think. Two more people came in since I counted last. So
2 could I see the hands of those who would like to approve?

3 (A show of hands)

4 I see 13. The minutes are approved.

5 MR. PELLEGRINO: I just want to clarify. We're
6 talking now about the minutes of the last meeting?

7 CHAIRMAN CANNON: February 24th.

8 MR. PELLEGRINO: Because that's not the last
9 meeting.

10 MS. DeNAIE: I amend my motion.

11 CHAIRMAN CANNON: Thank you for clarifying that.

12 So you amend your motion and you amend your second. Is
13 everyone still okay with that? Do I hear any dissent?

14 Okay, thank you. Yes, Hans.

15 MR. MICHEL: Hans Michel. My problem is my eyes
16 are getting bad, but your writing is awfully small with this
17 whatever you call it. Is there a possibility they can make
18 it just a little bit bigger?

19 MR. SUMMERS: Thank you, Mr. Chairman. We will

20 look into that for you.

21 MR. MICHEL: Thank you very much.

22 MR. MAYER: Mr. Chair.

23 CHAIRMAN CANNON: Dick Mayer.

24 MR. MAYER: After the previous meeting the various

25 motions that are made, I think it would be very helpful to

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1 have a list of those separate from everything else. So
2 those are the motions that were made that were adopted.
3 Just as we approve the minutes, that would be the motion
4 made and approved, as opposed to all the suggestions we're
5 making which we are not voting on per se at the time. We're
6 making suggestions and they get into the record and that's
7 fine. When we actually make a motion on some action we
8 take, I think that should be recorded as a separate item, as
9 a separate list. Those are actual actions that we're
10 taking.

11 MR. SUMMERS: Thank you, Mr. Chair. We are
12 committed to bolding those motions and I will look into that
13 again. The issue again comes back to doing summary minutes,
14 and it's a staffing situation at that point. We can't
15 contract it, as we have explored that opportunity. We're
16 very short staffed. But I'll take another look at it.
17 Thank you, Mr. Chairman.

18 CHAIRMAN CANNON: Anything more? Yes, Stan.

19 MR. FRANCO: Stan Franco. I voted "no" because of

20 what Walette was talking about. I looked at our rules of
21 practice and procedure and there is a distinction between
22 minutes and recorded transcript in here. I would approve
23 the minutes, but I think properly -- and I would hope that
24 the Corp Counsel would render a legal opinion next time
25 about accepting recordings of transcriptions instead of

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1 approving audio recordings.

2 CHAIRMAN CANNON: Thank you, Stan. The
3 distinction is in our minutes, in our rules, as I understand
4 what Stan just said. So if you might look at that for us
5 and let us know if we can accept instead of approving.

6 Okay, anything more on that? Is there any public
7 testimony at this point? Then we will move on to report of
8 findings from the Maui GPAC transportation investigative
9 committee. Dick Mayer.

10 MR. MAYER: The group of five, and that was Joe
11 Bertram, Chubby Vicens, Tom Cannon, myself, and Warren
12 Shibuya, five of us met with Erin, and John was there for
13 part of the meetings. Two times, each time for almost three
14 hours. We went through a lot of things. I think it worked
15 very effectively. We covered a lot of material, made a lot
16 of suggestions, and we realized that we still haven't
17 completed the job. So what we'd like to do is wait until
18 the next meeting and make our presentation at that time. So
19 I'm going to ask to defer the report at this time to the

20 next meeting. I think it's going to be very nicely done,

21 and I think you will appreciate it.

22 CHAIRMAN CANNON: If there's no objection, we will

23 defer this item. Is there any objection? Okay, then the

24 item is deferred and we will move on. First I'll ask if

25 there's any public at this point. Dick.

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1 MR. MAYER: Let me make one other comment on that.
2 When we do make the report probably at the next meeting,
3 what we'll actually do is we will be handing you the report
4 or presenting the report. We'll have no discussion at that
5 time because of the rules, but we will have the discussion
6 at a following meeting. It's essentially a presentation
7 first, and then we will have the discussion later. Thank
8 you.

9 CHAIRMAN CANNON: Any questions on that? Yes,
10 Hans.

11 MR. MICHEL: Will that presentation have any maps
12 since it has to do with transportation?

13 MR. MAYER: No. This is the Countywide Policy
14 Plan. There will be no maps at this time, no corridors,
15 nothing of that kind at this stage. That will be part of
16 the islandwide plan. We're trying to set it up in such a
17 way so it will give the ability for the islandwide plan to
18 cover all the various areas of transportation local within a
19 community, ground transportation, sea transportation and air

20 transportation.

21 MR. MICHEL: Thank you very much.

22 CHAIRMAN CANNON: Any other questions on that at

23 this point? Okay, is there any public testimony at this

24 point? Yes, Jocelyn.

25 MS. PERREIRA: I'm not contagious, just residual

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1 effects from an illness. Jocelyn Perreira, Wailuku Main
2 Street Association, Tri-Isle Main Street Resource Center.
3 Good afternoon, everybody. Thank you for being here. I
4 have just arrived, and my question is, is there going to be
5 another opportunity, in light of the fact that we haven't
6 had access to review the documents just placed out there,
7 for public testimony maybe later this afternoon? I think
8 that would be a more meaningful way for the public to
9 participate more fully with you, especially because we're
10 walking in cold turkey right now.

11 CHAIRMAN CANNON: Yes. In answer to your
12 question, there will be public testimony, or an opportunity
13 for public testimony before each agenda item. So right
14 straight through to the end.

15 MS. PERREIRA: So the first agenda item is on the
16 traffic, right?

17 CHAIRMAN CANNON: No, we just passed the
18 transportation investigative committee, noting that the
19 committee is not ready to present their report at this

20 point. So we are going to present that at the next meeting.

21 MS. PERREIRA: So the next agenda item is what?

22 CHAIRMAN CANNON: We're on to item E, or we're

23 just before item E now.

24 MS. PERREIRA: Which is? I'm sorry.

25 CHAIRMAN CANNON: Which is our workshop. And then

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1 after the workshop we will have another opportunity for
2 testimony.

3 MS. PERREIRA: Thank you so much. I will wait.
4 Thank you very, very much.

5 CHAIRMAN CANNON: Anything more at this point?
6 Before we get into the workshop, I want to let everyone
7 know, let the committee know that I got a couple of emails
8 requesting -- and I'm looking for them now -- from our
9 fellow committee members, one from Jeanne Skog and one from
10 Kehau, asking if we could reorder the items in our workshop,
11 which are now education, land use and economic development.

12 Jeanne asked if we could -- she wants to be in on
13 the education discussion and she can't be here until later.
14 So she asked if we could do land use planning first and then
15 economic development and then education. And Kehau asked
16 for a reordering also and wanted us to do land use first.
17 So both of them are asking for land use first, as I
18 understand it anyway. Is that your understanding also?

19 MR. SUMMERS: That's correct.

20 CHAIRMAN CANNON: Yes, Dick.

21 MR. MAYER: Let me make a motion that we reorder
22 the agenda items to take up land use first, followed by
23 economic development, followed by education if we have time
24 today.

25 CHAIRMAN CANNON: Okay, is there a second?

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1 MS. MOIKEHA: Second.

2 CHAIRMAN CANNON: Seconded by Susan. Further
3 discussion? Yes, Stan.

4 MR. FRANCO: I had a chance to talk to Kehau. You
5 might want to read that over again, because I think she was
6 really interested in land use, from what I'm understanding.
7 So if we could take economic development up first, and then
8 we can go to land use and education. She's hoping she will
9 be here by 3:00 this afternoon, Kehau.

10 CHAIRMAN CANNON: Okay. Would you amend your
11 motion?

12 MR. MAYER: I'd like to ask if you could just read
13 her memo. You have it in front of you, I think, and see if
14 that's in fact the case.

15 CHAIRMAN CANNON: I do. Oh, you're right, thank
16 you, Stan. "Aloha, I'm going to be in a similar situation,"
17 and she's referring to Jeanne's email, "I'm on the HGEA
18 negotiation team and will be having to assist" -- it says do
19 assist but "to assist with ratification meetings throughout

20 Maui County starting from the 11th of April. We are on a
21 tight time frame and will be doing day-long meetings. I
22 will have a break from 2:30 to 5:00 and then pau at 6:00.
23 So I was thinking of coming to Kaunoa from 3:00 to 4:30 and
24 then return after 6:00. I'm worried of missing anything, be
25 it education, especially land use stuff." So you're

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1 correct. "And I'm not sure how much public testimonials we
2 will have at 2:00. But prior to the governor coming up with
3 our tentative labor agreement I was all set to be there from
4 2:00. So I will be there so, please order my dinner, for
5 the record, and I'm willing to power out until late.
6 Kehau."

7 MR. MAYER: Actually, we have a little bit of a
8 conflict then, because Jeanne's asked that we take up --
9 she's also the head of MEDB, so she wanted economic
10 development when she was here also, and then education. So
11 I'm not sure what the pleasure of the group is, whether we
12 want to take economic development or land use first.
13 There's a conflict in the requests.

14 CHAIRMAN CANNON: I'm open to suggestions.
15 Warren.

16 MR. SUZUKI: Mr. Chair, I can appreciate
17 everyone's schedule, and as much as possible we can try and
18 accommodate the members as best as we can. But at this
19 point that's two members. I don't know how many members we

20 have here. We're ready to go. So I would suggest we've
21 wasted 10 or 15 minutes on discussion, so let's just go and
22 get it done.

23 CHAIRMAN CANNON: Okay, Hans.

24 MR. MICHEL: I have a question. We mentioned so
25 much about education. Could you specify what part of

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1 education we're talking about?

2 CHAIRMAN CANNON: It's education in general at
3 this point, the category includes education. That's it.

4 MS. MOIKEHA: Okay, thank you.

5 CHAIRMAN CANNON: Yes, Lucienne.

6 MS. DeNAIE: Lucienne deNaie. I suggest that we
7 proceed, because it's almost 3:00 anyway and Kehau will be
8 joining us soon, and it always takes us a little while to
9 sort of work our way into some of the discussions. So I
10 think if we started she'll be here in her time slot for most
11 of the discussion of land use.

12 CHAIRMAN CANNON: There's a motion on the floor.
13 Do you want to withdraw the motion, Dick?

14 MR. MAYER: Let's start with land use and then go
15 to economic development and then education.

16 CHAIRMAN CANNON: Start with land use, move on to
17 economic development and then to education. That's your
18 motion?

19 MR. MAYER: That's my motion.

20 CHAIRMAN CANNON: Is there a second?

21 MS. MOIKEHA: I second.

22 CHAIRMAN CANNON: Seconded by Susan. Any further

23 discussion? All in favor say "aye."

24 (A chorus of ayes)

25 Opposed say "nay."

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1 (None).

2 Motion carries, thank you. Erin, do you want to
3 help us with this?

4 MS. WADE: Before we get started talking about the
5 workshop, I just wanted to let you know that when you
6 arrived, sitting at your place was a series of matrix's and
7 they're complete. So there's five tables there. We've
8 given you natural features, social services, public
9 facilities, local culture and good governance. So all of
10 those have been revised and incorporated, the comments of
11 all three islands. So you will have a little bit of reading
12 now.

13 We appreciated the week off that we got because we
14 did get to crank right through and get quite a bit done, so
15 that was really helpful. So the land use section starts on
16 page 8 and it is goal letter G. Statement number 149 is the
17 goal. It states, "Community lifestyles will be preserved by
18 limiting and managing growth, using land and resources
19 efficiently, and by developing in accordance with the

20 individual character of the various communities and regions
21 of the county."

22 There are four objectives in this section. The
23 first relates to land use development strategy, the second
24 relates to resident and visitor growth and population, the
25 third relates to design, and the fourth relates to land use

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1 form.

2 So if we focus on the first one, which is
3 statement 150, I'll read through that statement and then
4 I'll read through those policies related to growth strategy.
5 Statement number 150, "Implement a directed land use growth
6 strategy which will improve the management of our county's
7 land, water and natural resources for the benefit of current
8 and future Maui County residents."

9 151, "Define and enforce urban and rural growth
10 limits in the island and community plans."

11 152, "Develop programs that preserve lands well
12 suited for agricultural uses, recognizing that the
13 agricultural lands of the county contribute to the islands'
14 rural identities and economies."

15 153, "Enable future communities to be
16 self-sufficient through compact, mixed-use neighborhood
17 design which reduces the average vehicle trips per
18 household."

19 154, "Allow for auto-free communities and

20 traditional Hawaiian villages."

21 155, "Limit and define the boundaries of resort
22 destination areas to prevent the overflow of visitors into
23 neighboring residential communities."

24 156, "Encourage the redevelopment and infill of
25 existing communities, and allow for mixed land uses."

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1 157, "Prevent the subdivision of agricultural
2 lands into lots too small to farm economically."

3 158, "Utilize transfer of development rights to
4 concentrate new development around existing infrastructure
5 and services, and protect natural, scenic, shoreline and
6 cultural resources."

7 159, "Discourage the establishment of
8 pseudo-agricultural subdivisions on agriculturally zoned
9 lands."

10 And 160, "Support the right to farm."

11 Any discussion? Joe Bertram.

12 MR. BERTRAM: Joe Bertram. Just actually the
13 first in the goal. I was wondering if we could put in the
14 goal instead of community lifestyles, "island lifestyles,"
15 because this is an island we're not just a community.

16 MS. WADE: Joe, I'm sorry, I can't hear you.

17 MR. BERTRAM: That would be island lifestyles.

18 And in here instead of land and resources efficiently,
19 utilizing the ahupua'a and a had you no can you concepts,

20 and developing in accordance with those. I think it's real
21 important that we re-establish. This is where we talk about
22 efficient land and resource efficiently, and that is it.
23 This is where we're at. So it just seems reasonable and
24 rational that in our general plan we should go back, and
25 that should be stated right up front that it's the ahupua'a

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1 and a had you no can you that we will be developing all of
2 this on. I don't know if that language helps or however you
3 want to do that in here.

4 MS. WADE: In the goals statement.

5 MR. BERTRAM: In the goals statement, right.

6 MS. WADE: I had Stan, and Warren Suzuki next.

7 MR. FRANCO: I apologize to the GPAC, I did write
8 to Tom and I think to Dick, and I didn't get it to the
9 Planning Department. I tried to do some simplification on
10 this entire section. So for instance on goal number 149 I
11 have, Preserve our community's lifestyles by limiting and
12 managing growth to benefit those who call Maui County their
13 home. And I'm okay with what Joe has suggested. If we want
14 to take one at a time, if you want to go on that goal and
15 then do you want me to work on 150, or however you want to
16 do it.

17 MS. WADE: Could you repeat what you stated?

18 MR. FRANCO: I said on 149, Preserve our
19 community's lifestyles by limiting and managing growth to

20 benefit those who call Maui County their home.

21 MS. WADE: Okay, thank you. Anything else on the

22 goal? Tom.

23 CHAIRMAN CANNON: I agree with both Stan and Joe.

24 I had a slightly different wording which says, The cultures,

25 lifestyles and traditions of Maui Nui shall be perpetuated

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1 by limiting and managing growth using neo-traditional
2 planning principles that retain the individual character of
3 each small town and region, while insuring significant open
4 space between distinct communities to maintain our rural
5 sense of place.

6 MS. WADE: Okay, thank you. Susan, then Hans.

7 MS. MOIKEHA: Susan Moikeha. You know, I'm kind
8 of confused by 149 because it's saying a lot of things.

9 It's saying that community lifestyles will be preserved by
10 limiting and managing growth. Does that mean there will be
11 no new towns or communities in the event that we feel too
12 many communities are going too fast and we might want to
13 create a new town. I don't think preserving lifestyles of a
14 community is based solely on limiting and managing growth.
15 I mean there's other things. That's one thing.

16 Then you are talking about land and resources
17 efficiently, and then the individual character of the
18 community. So for me it's like there's so much in this, and
19 I'm not really sure what you want to say. Is it that you

20 just want to preserve communities? I'm not getting what
21 you're trying to say here. So maybe if we could have some
22 clarification as to what that's saying.

23 MS. WADE: I think you make a good point about the
24 lifestyles piece. It's difficult to lump that in. We did
25 talk about it a lot, both in local culture and in the social

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1 services piece. It may be better to lop that out and then
2 talk about land as a resource, and the resources of the land
3 in terms of communities being unique and diverse. This is
4 the part of the plan where we get to talk about individual
5 communities remaining unique.

6 I'm sorry, Hans and then Lucienne.

7 MR. MICHEL: Hans Michel. We're talking about
8 growth. How much growth do we need for the infrastructure
9 we have present on Maui? I know the water is very limited
10 to the time. As we all know, we had a dry winter and we
11 also had a dry spring. And if you people don't believe it
12 you can go in the watersheds and look what comes out of the
13 water. We are talking the fresh water. And that guaranteed
14 will affect the aquifer in the future. So we have to figure
15 water on the plan. How much more growth do we really need
16 at this present time so we don't end up in a problem.

17 MS. WADE: Lucienne.

18 MS. DeNAIE: Lucienne deNaie. I'm kind of with
19 Susan here. So to clarify, really what we're saying in this

20 first goal is that we want to make sure that our existing
21 communities keep their character and definition as we plan
22 for future growth. Is that more or less what we're trying
23 to say? That we're not turning them into just a
24 continuation of endless housing tracks instead of the
25 original communities that they were intended to be or that

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1 they were historically. Is that more or less the intention?

2 MS. WADE: You're here to define the intention.

3 You can't put it all back on me. I think you're getting it.

4 I think part of Joe's idea about making sure that the land

5 is used efficiently. Making sure that it's defined and

6 unique is important. Making sure that it's used

7 efficiently. Maybe we have to marry those two concepts into

8 a goal statement that's concise.

9 MS. DeNAIE: I think this creates kind of a circle

10 around the thing that's actually in the middle, and what we

11 need to do is just address the thing that's in the middle of

12 that circle. I'm sorry I don't have any words right off the

13 top of my head. I wish Jeanne were here, she'd have it all

14 written out by now.

15 Then one other comment on number 153, enable

16 future communities to be self-sufficient through compact,

17 mixed-use, design and so on. So does that mean they'll be

18 self-sufficient in food, in energy, in walkability? I don't

19 think that's a clear sense that's defined in

20 self-sufficiency. And if we want to promote
21 self-sufficiency we maybe need to describe specifically in
22 what areas it's going to be self-sufficient.

23 MS. WADE: Let's talk about that once we get past
24 the goal and the objective. Susan.

25 MS. MOIKEHA: I would agree with Lucienne. The

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1 first part of that goal and the second part could actually
2 be worked into a policy, and then maybe we need to focus on
3 the middle part of that. It is promote sustainable land use
4 and development. I don't have any words either.

5 MR. SUMMERS: Mr. Chair, we will take a crack
6 before the next meeting at simplifying this statement and
7 focusing on the end state. And then we can take the front
8 and back of it and create policies out of that. So we will
9 do that as part of this process, capture the nugget, if you
10 will, and focus on the end state. Thank you, Mr. Chairman.

11 MS. WADE: Joe, then Stan.

12 MR. BERTRAM: Okay, to finish up on that, just as
13 long as that end, our goal, that the basis is the ahupua'a
14 and the ahumoku concepts, because that does use land and
15 resources efficiently. Basically they did it, so if we can
16 go back to it then we're doing it. So I think if we put
17 that at the core of this goal then we will be in the right
18 direction.

19 MS. WADE: Stan.

20 MR. FRANCO: Stan Franco. I believe that this
21 goal probably came from Focus Maui Nui. When I was
22 participating in Focus Maui Nui this was very much a concern
23 of the general population. I also informed you that the
24 Hawaii Tourism Authority took a survey, and this is really a
25 strong concern of the community, especially people that were

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1 born and raised here. The concern is that tourism is
2 over-running the local communities, and that we've got to
3 take a step back and limit the growth so that we don't
4 become just like any place in the United States, Los Angeles
5 or Honolulu or anyplace else. So I think this is a very
6 strong issue for our local population, and we should try to
7 preserve the language as much as possible.

8 MS. WADE: Lucienne, and then Doug.

9 MS. DeNAIE: Lucienne deNaie. One more comment on
10 the concept of limiting and managing growth. It's my
11 understanding that communities that actually limit growth
12 set a certain percentage that they grow each year. Are we
13 anyplace in this document or in the future going to be
14 looking at that road, or is this just a broad concept like
15 we've always had in our general plan that we are going to
16 manage growth somehow by some mysterious set of
17 circumstances?

18 MS. WADE: The policy plan is going to continue to
19 be fairly general, but each island will have its own

20 opportunity to define a rate of growth if you so choose, or
21 a methodology by which we may approve development. Doug,
22 and then Chubby.

23 MR. MacCLUER: Doug MacCluer. I too have a
24 question on 153 on "self-sufficient." What is
25 self-sufficient? The reason we have the Costco's and the

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1 Wal*Mart's now and they've pushed out the mom and pops is
2 because they are more efficient. So I don't know how we can
3 go backwards to make our communities more self-sufficient.
4 Also, I think that the ahupua'a concept, while it was
5 wonderful for the Hawaiian community, I think the same thing
6 happens for the ahupua'a. When people walked and rode
7 horses from place to place the ahupua'a was a more natural
8 thing than it is now. There's more demand for the Costco's
9 and we all buy stuff from the Costco's. So I think we need
10 to be concerned about that.

11 On the other items I really do think that we need
12 to protect our ag land, and I think I'd like to commend
13 whoever put that together, because you guys hit the nail on
14 the head. If the farm isn't big enough it's not going to
15 survive. And being a farmer, you've got to have a niche.
16 So thanks for the hard work on that.

17 MS. WADE: All right. Let's stick to the goal.
18 We have Chubby and Walette, and then we will try to move on
19 and summaries.

20 MR. VICENS: Chubby Vicens. My comment is that
21 eventually in the island plan there will be development of
22 bubbles where urban growth will take place, where rural will
23 take place, where ag would continue. And I think that that
24 in itself will determine the limitation of growth for the
25 island. And I think we can't jump ahead of it. We can

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1 think about it, but let's not jump ahead. There were
2 reasons that rural became a big part of the conversation at
3 the council level, because when they passed the ag bill in
4 1998 they made a big mistake, and they in fact created
5 gentleman's estates by that legislation.

6 The administration right behind them in the
7 planning side when John Min was there, their plan was to
8 come up with a rural designation of one-half, one, two-acre
9 and five to replace the ag lots that were being sold. So
10 you can have a clear definition between what could go on
11 rural lands, such as residential, and what could go on ag
12 lands, such as developing future growth of the farmers.

13 So I think that there are a bunch of inner plays
14 going on here, but we can't jump ahead. I think when we get
15 there and we can separate urban, rural, ag, we will have a
16 natural progression for defining where the growth areas and
17 the control of growth will come. Thank you.

18 MS. WADE: Thank you. Walette.

19 MR. PELLEGRINO: Walette Pellegrino. First, I'd

20 like to say that I agree with Susan and Lucienne in their
21 opinion that 149 tries to pack too much in there, and it
22 really needs to be spread out and some can fall into the
23 implementation phase. I'm going to say something that's
24 going to sound like it's heresy coming from a Hawaiian, but
25 I really think that we need to be cautious as a group when

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1 we keep throwing around the idea of ahupua'a and ahumoku.
2 Do we truly understand what we are asking for? Because I'm
3 guessing that if you asked every one of us here we'd all
4 come up with a different definition. So it may be the
5 romantic thing to do, it may be the nice thing to do, but I
6 think we really need to understand what we are saying when
7 we ask that plans, land use, et cetera be designed using
8 those concepts. I'm not saying I am against them, but I
9 think we really need to understand what it is we are asking
10 for when we include them as the model.

11 MS. WADE: Joe, then Lucienne.

12 MR. BERTRAM: I guess I have got to respond. I
13 understand. The ahupua'a concept is not saying we're going
14 to go back to growing taro and we're only going to have
15 thatched roofs. We're going to have Costco's, we're going
16 to have cars, we're going to have all those things. But
17 it's taking us away from this whole concept of land uses by
18 designation, rural, urban, residential. All this has been
19 an invention of western thought and it hasn't turned out

20 very well. It's only been in the last 30 or 40 years,
21 around 1960, that they've started divvying up the land into
22 those zones. As a result, we have sprawl and we have a lot
23 of development where we don't want it.

24 The ahupua'a concept looked at we needed
25 agricultural lands, we needed it in places where food could

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1 be grown. We needed to put the actual population down
2 pretty much along the coast, but they did have people up in
3 the upper regions too. It was divvied out according to the
4 land, how the land received you, not how we came up with a
5 concept of commercial or rural or urban, in that sense.

6 So you start with that and you start to see how
7 the land dictates where you want people to live and what you
8 are going to do with that land. So it isn't going back in
9 the sense of trying to recreate a Hawaiian village. What it
10 is is seeing how they listened to the land. They looked at
11 where the rivers went and said this is where you put your
12 farms, next to the water. They looked at the coast, and
13 this is where you can put your people. They can either fish
14 or recreate nowadays. This is where the people like to be,
15 they like it along the coast.

16 So again, it isn't going back, it's going forward,
17 but it's using the concepts and the framework of thought or
18 I guess even in classifying land along the old style.
19 Because we are in Hawaii and this is the underlying land

20 that we're on. So if you start with that then we can move
21 forward into the future using all the new things that we
22 have, using the Costco's and things that we need to keep I
23 guess as part of it, I'll never know. But let's start,
24 let's start with what was here before and then move forward.
25 MS. WADE: Lucienne, and then John.

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1 MS. DeNAIE: Thank you. Lucienne deNaie. I agree
2 with Joe that the ahupua'a system really is more than just
3 about what was done in ancient times, it is a recognition of
4 the fact that the entirety of a watershed, for lack of a
5 better word, operates together. And that when you do one
6 thing in the upper areas that's going to be very detrimental
7 down below, but the zoning permits it. That's not good
8 zoning and yet we do have zoning that can allow that to take
9 place.

10 So I think by asking ourselves can we look at this
11 as the fact that we are an island and everything that
12 happens on the mountain connects to the reef may be a very,
13 very useful strategy. And within that we also need to
14 include the traditional communities that have grown up that
15 aren't mountains to the sea, they're in their own little
16 niches, wherever they are, but they do relate in different
17 ways to the higher elevations and the lower elevations.

18 So this is going to be a challenge. It's going to
19 be a new paradigm, but I think there are many folks that

20 actually have been thinking this way for awhile. I think
21 farmers have to think this way because what happens above
22 them affects them, and what they do affects what happens
23 below them. So there's probably some wisdom that we can
24 garner from our community members here. It would be a big
25 shift to not just see things in little strips and see them

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1 as connected from the mountain to the sea. It would admit
2 that we're an island and we are not a suburb of California.

3 MS. WADE: It seems like we're getting specific
4 enough here that we're kind of developing a policy
5 statement. I've been writing down a lot of this. I think
6 we should maybe hint to this idea in the goals statement as
7 well as some of the other things that we talked about, and
8 then be sure that we get a policy that encompasses this
9 whole discussion as well. John, then Kehau, then Warren
10 Shibuya.

11 MR. BLUMER-BUELL: John Blumer-Buell. I think we
12 should leave in the language that says limiting and managing
13 growth. I think that's good language. That is ahupua'a
14 thinking. In the ahupua'a system you had areas of kapu
15 where you wouldn't do anything. We're talking about trying
16 to preserve as much of the shoreline as possible for
17 traditional use. For example, that would be a kapu and we
18 would be limiting growth there. Now, I agree with Chubby
19 that we will be getting to the very specifics of growth

20 through the mapping. I mean that's where that's going to
21 go. But I think we need to have something in the language
22 that we can't just have a map and expect people to draw a
23 conclusion that we are trying to limit and manage growth
24 with just a map. I think we have to have that somewhere in
25 the language.

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1 MS. WADE: Kehau.

2 MS. FILIMOEATU: Kehau from Kahului. We're
3 looking at land use and we're always looking at best use,
4 that's the thing that comes up, best use. You know, for
5 some people best use is driven by need. That's the best
6 use. If you need it, that's the best use. We've come to
7 the time now, I think, that best use has been driven by
8 profit and money, and that's how everything is used. If you
9 get the best profit, that's the best use. The best use for
10 this is to go get it out so you get the most for your buck.

11 If we can go back to thinking of best use as being
12 driven by need. Do we really need this. Why do we need it.
13 That's where, to me, you know I look at the first 148, 149
14 and 150. I don't mind that it encompasses so much in one
15 block because I want to be able to have those communities,
16 their lifestyles, whichever community that is, to be
17 self-sufficient unto themselves and that's where we're
18 looking at too on the bottom. I'm fine with the two blocks,
19 I mean it has a lot of that in.

20 What do we mean by limit and manage? Well, it's
21 going to be up to that community to know what they mean, and
22 what they want to do, and how they want to do it, and what
23 they feel is the best use of their resources. It may not be
24 the same for another community. But my vote is that's okay.
25 These two are all right. But if we can just think about

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1 best use, it's just like how we have to think too. What
2 price, at what cost.

3 MS. WADE: Thank you. Warren Shibuya and then
4 Hans.

5 MR. SHIBUYA: Thank you, Erin. I was just
6 thinking in terms of applying some of the concepts that Joe
7 mentioned in terms of starting out with a concept of
8 ahupua'a, but in a more subtle way. I feel that the water
9 area, and I think many of us do, that this is the key
10 element and should be the first objective. And if we can
11 say something to this effect, and it doesn't have to be
12 exactly what I say, Identify, map to protect, develop and
13 effectively control harvesting watershed resource to
14 maintain and balance life of watershed and aquifer system to
15 support agricultural communities.

16 The underlying aspects here is that I don't want
17 water to be pumped uphill, and any water that is used and
18 collected in these higher aquifers or restored forests, the
19 water in these reservoirs can be drawn out downhill and can

20 be reused in generating electricity and thereby
21 self-sustaining or helping sustain our communities down
22 below. That's the basic thought here. So if we can think
23 that way, it would be consistent with what I'm trying to
24 propose. Thank you.

25 MS. WADE: It sounds like we're starting to

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1 formulate some policy statements. So we'll go to Hans, and
2 then why don't we move on from the goal, address the
3 objective, and move on through the policies.

4 MR. MICHEL: Hans Michel. Just to follow up on
5 what Joe was talking about, ahupua'as, maybe that works in
6 Hana, maybe in Kahakuloa. How can it work in Lahaina? We
7 have houses all the way up to Lahainaluna High School, and
8 water is pumped for those houses to be used. And if anybody
9 wants to go into the river near Kanaha Valley or Kahoma, the
10 flood channel down by Safeway, I don't think there's
11 anything you could grow over there. And water is so
12 limited, I mean I'm not supposed to tell you guys that, but
13 right now we have about 2 and a half million coming in a day
14 for fresh water for up in Lahainaluna. That's all we have.
15 If there's no rain we suck finger. So how can people make a
16 living?

17 I've been farming for 40 years and I know what
18 farming is all about. So we have to be specific where you
19 want to put these ahupua'a. If Hana or Ke'anae or someplace

20 I don't know, but definitely not in Lahaina. There's no

21 water.

22 MS. WADE: Okay. I think that strategy, like

23 Kehau was saying, is going to be applied at the community

24 plan level. Let's definitely define growth areas within the

25 island plans, and then the community plan you will be able

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1 to pick up with whatever we put in this text and run with it
2 to the extent that you really feel the communities want to.
3 So I think we will address it then.

4 Is there anything on the objective that people
5 would like to contribute at this point? We're kind of
6 talking about both, I think. I'm sorry Stan, go ahead.

7 MR. FRANCO: Again, it's the same idea but some
8 simplification of the language. I have, Implement a land
9 use and growth strategy to manage our county's land, water
10 and natural resources.

11 MS. WADE: Much more simple. Can you repeat that
12 for me, please, Stan.

13 MR. FRANCO: Sorry, my colleague was asking me a
14 question. Stan Franco again. Implement a land use and
15 growth strategy to manage our county's land, water and
16 natural resources.

17 MS. WADE: Thank you. Susan.

18 MS. MOIKEHA: Susan Moikeha. Do we have to say
19 county? Because the way it's stated it seems like the

20 county owns this and it's a possession of the county, and
21 not really. So maybe make it more general, land, water and
22 natural resources.

23 MS. WADE: That's a very good point. I think we
24 had this come up in another setting too where people felt
25 are we only regulating then what the county owns? No, we

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1 want to regulate all the lands within the county, right.

2 Joe.

3 MR. BERTRAM: Joe Bertram. I always get concerned

4 when we only talk about the residents and not the land

5 itself. I'm hoping we can put in here something that would

6 not only benefit current and future Maui residents, but the

7 island as well. So as Kehau was bringing up, so much is

8 driven by what we want. How many more Costco's can this

9 island hold? We have to look at the land itself because we

10 are finite, and if it doesn't survive then we don't.

11 MS. WADE: Okay, great comments. Dick.

12 MR. MAYER: Dick Mayer. When Stan read it he left

13 out the last phrase of it "for the benefit of current and

14 future Maui residents." I think it's absolutely critical to

15 include future generations. Too often we think of this

16 generation and the next 20 years. We are stewards of a very

17 valuable place that has to be there for many generations,

18 so I urge us not to delete that. And the word "residents"

19 should be a small r.

20 MS. WADE: Lucienne.

21 MS. DeNAIE: Building on what Joe just said, I

22 don't know if it would be incorporated in this objective or

23 in one of the policies, but maybe we want to link our

24 directed land use and growth strategies to actual carrying

25 capacity of our natural resources here, whether they're

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1 ocean resources, fresh water resources that Hans was
2 referring to, forest resources, just so that we're giving a
3 blueprint to someone that says hey, we want to live within
4 our means.

5 MS. WADE: Joe.

6 MR. BERTRAM: Just to follow up on that, I really
7 do want to see more than the residents being benefitted, I
8 want to see the land benefitted. So I want to put it in
9 there somehow that Maui survives, besides the residents that
10 are living on her. We get to live together. So I think
11 it's real important we just don't talk about the residents,
12 because the residents could live off of this and kill it.

13 MS. WADE: Noted, thank you. Okay, should we go
14 onto the policy statements? Yes, all right.

15 151, "Define and encourage urban and rural growth
16 limits in the island and community plans."

17 MS. DeNAIE: Enforce, not encourage.

18 MS. WADE: Sorry about that, enforce. Any
19 comments? Stan.

20 MR. FRANCO: I would just take out the first part
21 of that. I think the definition will come in the island and
22 community plans. So it's a matter of enforcement.

23 MS. WADE: Just enforce urban and rural growth
24 limits period. All right. Any comments? Joe.

25 MR. BERTRAM: Just the one that I think you mean

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1 growth boundaries or I'm not sure. I know that was part of
2 the law, was that we were to define urban growth boundaries.
3 Is that the same as limits?

4 MS. WADE: Well, an urban growth boundary is a
5 tool, and I think we're trying to keep it general here to
6 enable us to be able to use whatever tool, whether it be an
7 urban growth boundary or a conservation tool of some kind.

8 MR. BERTRAM: The only reason I ask is because I
9 seem to recall that it was one of the listed things, the
10 urban growth boundary, and I just want to make sure.

11 MR. SUMMERS: I think a more appropriate term
12 would be boundaries in this case, because it is listed in
13 the ordinance.

14 MR. MAYER: Dick Mayer. There may be other ways
15 besides boundaries. We may want to put limits in the form
16 of densities at times. We might want to say a certain
17 number of people can live in this valley or this hill or
18 this town or whatever. It may not always be in the form of
19 a boundary line. There are many tools, densities. So

20 "limits" is a more general term. Boundaries would be one of
21 the techniques.

22 MS. WADE: Counsel is saying it states growth
23 areas in the law. Doug.

24 MR. MacCLUER: I think I disagree with Dick on
25 numbers. Having watched Hali'imaile, which was started as a

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1 small little village, and everybody put on an ohana and
2 additions, and I don't know how you limit that kind of
3 growth. And there you had one sewer system that is taxed
4 right now because you keep adding more and more people. You
5 can't limit people, but you can do boundaries.

6 CHAIRMAN CANNON: Susan.

7 MS. MOIKEHA: Susan Moikeha. I would agree with
8 that. I have a hard time putting numbers. I mean a lot of
9 communities grew by generations, and a lot of families still
10 have grandparents and children and grandchildren living in
11 the same area or even in the same home. So I find it real
12 difficult to say we should put a number.

13 MS. WADE: Warren.

14 MR. SUZUKI: I mentioned to James I was going to
15 be quiet tonight, but I can't. This issue of limit has
16 always been a very touchy issue for me, because when you
17 look at it if you place a limit as far as on growth
18 population, and let's say for example we achieve our limit,
19 and let's say for myself I have both kids living on the

20 mainland and all of a sudden they want to relocate to Maui.

21 Are we saying now that because we achieved our limit that my

22 kids can't come back home? To me, that's totally wrong. If

23 we are going to do that and say a lot of kids who came back

24 home, whoever came in last you have to leave the island.

25 It's something that you have to be very careful on how you

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1 describe it, because you can put yourself in a situation
2 where you don't want to be there when that occurs.

3 MS. WADE: Thank you. We do start to hedge in the
4 social engineering question when we start to talk about
5 people and limiting population. So it is a discussion we
6 need to be careful about. Joe.

7 MR. BERTRAM: When I reread this it seems to me
8 that we are not really talking about people, we are talking
9 about the actual urban and rural growth in the sense of the
10 way it spreads.

11 MS. WADE: Development.

12 MR. BERTRAM: Development. So the idea I think,
13 even though it didn't come out I guess during discussion, I
14 remember was the whole idea of urban growth boundaries which
15 have been used successfully in different parts of the
16 mainland. So you are not limiting the growth of the
17 population, you're just saying that this town will not go
18 beyond here. That Wailuku will not grow into Waikapu into
19 Ma'alaea and so forth. We're trying to identify and keep

20 the character of our individual towns by making sure there
21 is space between them.

22 So I know in Oregon and other places urban growth
23 boundaries have been used quite successfully, even though
24 they're controversial. So it didn't say the numbers, it
25 didn't say that you can only have so many people. It said

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1 once this town gets to this limit that we will either have
2 to build a new town or go out a little bit more, but we'll
3 make those decisions at that time. But we're going to have
4 a definite edge to that town.

5 MS. WADE: Good. Warren Shibuya, then Hans.

6 MR. SHIBUYA: I love pictures, so therefore I'd
7 like to propose that we strike the word "define" and replace
8 it with "map." Map and enforce urban and growth boundaries.

9 MS. WADE: I think that is what we meant, so is
10 there any objection to that? Good idea, thank you. 152,
11 any comments? Hans, go ahead.

12 MR. MICHEL: Hans Michel. I believe we should
13 leave all subdivisions, all towns, and all what they have in
14 Hana as is. But I would like to see new subdivisions have
15 circulation, not the guy who built the house and two weeks
16 later he makes an ohana already. That's when we get things
17 neat and tight. But on all Maui we should leave them be
18 because there's not much we can change already.

19 MS. WADE: Stan.

20 MR. FRANCO: Are we on 152?

21 MS. WADE: I think we are.

22 MR. FRANCO: Stan Franco. My language here for

23 152, Preserve prime agricultural lands to maintain the

24 islands' rural identities and economies.

25 MS. WADE: Thank you. I'll just state that the

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1 only reason we didn't put "prime" in there is because,
2 again, that does have a defined term. Sometimes unique like
3 a lo'i is a really unique condition, but it's not
4 necessarily prime because it's defined really to sugarcane.
5 So if we can adjust that term a little bit, I really liked
6 your statement. Important agricultural, how would that be?
7 Warren suggested "important." Okay, Lucienne.

8 MS. DeNAIE: The idea that we develop programs
9 then, are those programs defined somewhere, I mean was there
10 a reference to that? I mean is that like a farm trust? I'm
11 not debating that we need programs, I'm just wondering if
12 this is something that has some specifics to it further on
13 down the divisioning process here.

14 MS. WADE: In the end it may be programs and
15 tools, like a transfer of development rights kind of a
16 thing, where there are important ag lands defined. We could
17 create a program in which there were sending and receiving
18 ones for different land rights. That might be an example of
19 a program. But I think to Stan's point, what it does is it

20 preserves lands. So maybe it's unnecessary, and it happens
21 anyway in the implementation of that policy. So maybe we
22 just start it with "preserve."

23 MS. DeNAIE: But we are going to add some
24 discussion in the implementation? Because we have an
25 attempt to preserve lands now, but I'm not sure it's that

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1 effective. We don't have that wide of a range of tools to
2 do it.

3 MS. WADE: Doug MacCluer.

4 MR. MacCLUER: I think prime ag lands, how do we
5 define it? Really the way ag lands have been defined, the
6 only prime ag lands were basically under the state
7 classification, those on Oahu, because it also took into
8 consideration how close you were to market. So I would
9 rather have us use important ag lands.

10 MS. WADE: Thank you. Carl?

11 MR. LINDQUIST: I agree, but I also have a problem
12 with the word "important" because now you're talking about
13 definition. Who is going to define what is important and
14 what isn't important? There are some ag lands, you talk
15 about lo'i, and there are other uses that may not seem
16 important to somebody, but they are important.

17 MS. WADE: The legislature has grouped prime,
18 unique and there's a third, there's three categories. Prime
19 unique and other that are important ag. Warren?

20 MR. SUZUKI: Warren Suzuki. Let me add some
21 clarification, Carl. A couple of years ago the legislature
22 passed Act 182 that put into place important agricultural
23 land legislation, and as part of that act they provide a
24 definition for important agricultural lands and what
25 criteria would have to be satisfied in order to qualify as

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1 important agricultural lands.

2 MR. MAYER: Dick Mayer. I think there's a value
3 to preserving not just quote-unquote the prime important
4 lands, but all ag lands because lands, for example pastures,
5 are agricultural lands. They may not be good for growing
6 lettuce, but they could be growing animals. I'd like to be
7 able at this stage to try to keep the rural environment, to
8 be able to preserve those pasture lands as well as the lands
9 that can grow crops. So I wouldn't even use a modifier. I
10 would like to say, as you have here, the agricultural lands
11 for agricultural uses. And at some implementation stage say
12 certain things may be done on certain lands, but at this
13 stage as a policy that we want to preserve agricultural
14 lands.

15 MR. SUMMERS: Mr. Chair, if I may, there is some
16 value to leaving it broad at this stage. With the current
17 language, "preserve lands well suited for agricultural
18 uses," we do provide the flexibility at the island planning
19 level to operationalize and define what that means, and it

20 may vary by island and by the community.

21 MS. WADE: Okay, Warren Shibuya, John, Lucienne,

22 Joe.

23 MR. SHIBUYA: Warren Shibuya. I just wanted to

24 throw in this. We're preserving the lands, but not only for

25 agriculture, but also looking at conservation. Because we

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1 he need to have an aquifer, we need to have our watershed
2 areas, and these are your conservation lands. Thank you.

3 MS. WADE: Next was John Blumer-Buell.

4 MR. BLUMER-BUELL: I don't see it mentioned in any
5 of the other policies, so I think 152 might be a place to
6 insert it or possibly somewhere else, I'd like to see a
7 recognition of lands and their value for self-sufficiency or
8 subsistence. You know, these aren't necessarily ag lands,
9 there's rural lands, rural designated lands in Hana that are
10 very good for subsistence and self-sufficiency. And when I
11 think about the broader picture of ag lands and everyone's
12 goal to be self-sufficient, if you have a lot of people with
13 small farms in a neighborhood of two to three acres, at some
14 point they're self-sufficient as a community, and that's
15 kind of what we're trying to achieve on a local level.

16 So the point is that we need to recognize smaller
17 pieces of lands that are good for self-sufficiency and
18 subsistence somewhere in here, wherever you think it should
19 go. Thank you.

20 MS. WADE: So smaller pieces of land that

21 collectively could be self-sufficient.

22 MR. BLUMER-BUELL: Even with what Carl mentioned

23 too, I know of some specific areas in Hana where they have

24 good access to water. They're very small in area but

25 they're very unique and extraordinary in terms of

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1 subsistence and/or self-sufficiency. So I'm just saying
2 that I think we could lose site of the value of the small
3 pieces of land that add up to a big picture at some point.
4 I mean if we have a real problem with shipping or a dock
5 strike or something, people are going to be looking to our
6 immediate neighborhoods for food. And I know that where I
7 live I'm thinking about what am I doing that's going to help
8 the neighborhood if we have a big storm or we get cut off,
9 or something like that. So I'm just saying there's a
10 cumulative value of all these small, self-sufficient
11 subsistence parcels. Thank you.

12 MS. WADE: That's a great point. That's probably
13 worthy of its own policy, I think. Next is Lucienne, then
14 Joe.

15 MS. DeNAIE: John just stole my idea, but I have a
16 policy wording for it perhaps. Where we live we are doing
17 this in our neighborhood. Different people are planting
18 different things so they will be available to share for
19 everybody. I think we need -- we are not encouraged to do

20 this. We're under the same sort of subdivision rules and
21 whatever that everybody else is. So my suggested wording,
22 and this would be I think a separate policy, would be to
23 modify land use policies as necessary to help promote
24 self-sufficient homesteads on ag lands. And what's the word
25 they used for it? It's not self-sufficient, it's

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1 subsistence homesteads. Because it's actually hard for the
2 little guy to just farm your own land because everything is
3 set up for the big guy, from water use on down.

4 I'd also like to speak to Act 182 that Warren
5 mentioned. I don't know if many of you have tracked this,
6 but over the next few years each county is supposed to
7 evaluate all of their lands that are now in ag, which are a
8 huge amount of land in ag in Maui County, and decide what
9 should be transferred to rural, what should be urbanized,
10 and what should remain in ag based on its suitability for
11 agricultural use, as Warren brought up.

12 But as Warren number two brought up, some of this
13 land that may not be the best for growing a particular crop
14 is really valuable for conservation purposes. And there is
15 nothing really in the language of this bill that promotes
16 that. The intent of this bill is to move land from ag to
17 rural so that it can be developed into smaller house lots.
18 Well, certainly some of that should happen.

19 But I would like to see us have a policy in here

20 that addresses this important change and is kind of flown
21 below the radar screen unless you're just a wonk that goes
22 to the legislature or have been following ag policy. But
23 it's potentially another huge mahele here where a great deal
24 of land that is now in large chunks will be in considerably
25 smaller chunks. So I think that our policy needs to

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1 identify that, to guide the county in this. And I'm sorry I
2 don't have the language right off the top of my head, but
3 the intent would be that land is evaluated not only for its
4 crop potential but for other beneficial conservation or
5 preservation uses. And it may be that land is also actually
6 very culturally significant but ain't too good to grow
7 crops. Not much for crops, but very culturally significant.
8 So we don't want to just like lump everything into oh, it's
9 no good for crops. Okay, it goes in a different category.
10 Thank you.

11 MS. WADE: Great point. Thanks, Lucienne. Joe is
12 next.

13 MR. BERTRAM: The last couple of speakers kind of
14 points out the absurdity of our land use laws now. Because
15 it's rural you can't grow food there because it's the wrong
16 classification. How they got it based on that and where
17 they put these things, they were not based on any rational
18 thing that really related to the land itself.

19 What I was really concerned with and what's been

20 brought up a couple of times is that it's not just
21 agriculture, but if we're really looking to be self
22 sufficient, it's food. I think we need to make it a strong
23 statement just because if you preserve it all in agriculture
24 but it's continued to be grown for fuel or for something
25 like sugar that, as we're saying, we have I think a 10 day

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1 supply of food here if we're cut off. And if we're not
2 starting to grow our own food in a way that we can actually
3 support the population that's here, we have got to start
4 directing our agricultural lands towards food production.
5 So I don't know if it would be in this one or in subsequent
6 policies, but I think it's real important that we start
7 shifting our focus from just a profit to actually making a
8 profit off of food.

9 MS. WADE: Thank you. Do you want to move to 153
10 then? Sorry, Warren Watanabe.

11 MR. WATANABE: Warren number three. Just to
12 correct Lucienne, actually it's act 183 is the correct
13 number. On this important ag lands bill what we in the
14 agricultural industry try to do is we don't look at it as a
15 land use bill per se but an economic development bill. It's
16 to make agriculture viable in the State of Hawaii, and
17 that's why we provided these incentives.

18 As far as Dick's concern about Upcountry, I am
19 concerned about the Upcountry area also, but I'm looking at

20 that as unique agricultural lands. And it is up to the
21 landowner. Say like Ulupalakua Ranch, they wanted to take
22 advantage of the IAL. They would designate their lands as
23 important ag lands. So even if it's just lands for
24 ranching, you can qualify for IAL designation.
25 MS. WADE: Hans, and then Doug.

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1 MR. MICHEL: Lucienne said almost all the story.
2 The thing we're talking about here is kuleana land. Every
3 kuleana has a different tax map key, and the county opens
4 the open hand and sends you a bill. In other words, some
5 kuleanas are only half an acre, three quarter acre, or acre
6 and a half. And for every kuleana they have an extra tax
7 bill for you. And it's pretty hard to pay all the bills at
8 the end of the year, because on top of that you also need
9 liability insurance just in case somebody hops through there
10 and breaks a leg. So farming is not exactly a cheap item.

11 MS. WADE: Doug.

12 MR. MacCLUER: I agree with Dick Mayer --
13 sometimes we agree, sometimes we don't -- in that maybe we
14 shouldn't necessarily tie this down to important ag lands
15 but leave it more loose and preserve lands that are in ag.
16 You may be growing goats on it because you have limited
17 water, but your goats may be important for controlling
18 invasive species, such as fire weed. So I don't think we
19 ought to be too tight on this one.

20 MS. WADE: Okay, thank you. Should we move to

21 153? Tom Cannon.

22 CHAIRMAN CANNON: On 153 I would add the words

23 "existing and" so it would say, Enable existing and future

24 communities to be self-sufficient through compact,

25 mixed-use. And I added a couple of words here to make it

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1 more specific, small town and neighborhood design. So it
2 would read, Enable existing and future communities to be
3 self-sufficient through compact, mixed-use, small town and
4 neighborhood design which is pedestrian friendly and reduces
5 reliance on the automobile.

6 MS. WADE: Go ahead, Joe.

7 MR. BERTRAM: Well, that sounds good. It just
8 seemed just to say the average vehicle trips per household
9 doesn't really excite you. It's supposed to be an inspiring
10 kind of development. So maybe what he says, I like
11 pedestrian orientation and people oriented is also a better
12 way to put it. Or if you want to use the more current lingo
13 that encourages or incorporates multi-modal transportation
14 so that we can incorporate all of it, the transit and the
15 walking and the biking as well.

16 MS. WADE: Susan.

17 MS. MOIKEHA: Susan Moikeha. Again, I'm having
18 trouble trying to understand this, because it's saying
19 future communities to be self-sufficient. Is just not using

20 your car the only way to become self-sufficient? So I'm
21 having difficulty with trying to grasp that. But I'm
22 totally in favor of the mixed-use neighborhood design. I
23 promote walking and I walk, but I have a hard time with like
24 this being such a priority that you would design a whole
25 neighborhood around just accommodating non-walking. I think

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1 it's an important aspect and I think it needs to be
2 addressed, and it might be better under transportation
3 because we did discuss it at that level too. But when I
4 look at the objective it's implementation of a growth
5 strategy, improving that implementation. So I think maybe
6 this might be a little too specific going along the lines of
7 encouraging mixed-use neighborhood design so that you grasp
8 more than just not using your vehicle.

9 These are all things we talk about for future
10 development, but you have to look at what's already here. I
11 mean people on this island have a certain lifestyle. When
12 you are a mother and you have four kids and they're in
13 school and they're in extracurricular activities and you're
14 traveling from one end of the community to the other side of
15 the island to accommodate them, you're going to use your
16 car. You don't have time to walk home to go to the
17 neighbor's store to get a loaf of bread or something that
18 you need for dinner.

19 So a lot of times these are like real ideal

20 concepts, and they're not wrong and they should be
21 encouraged, but you have to look at peoples' lifestyles,
22 especially families. And so encouraging mixed-use
23 neighborhoods, that's fine, but I shop at Costco and I am
24 going to drive to Costco maybe once a month or twice a month
25 and I'm going to get everything I need. And if I miss

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1 something I am not going to go to my neighborhood store,
2 I'll go to Star Market, because it's cheaper. You have to
3 get out of that concept of thinking that these are
4 principles of growth and design, and whatever, and what's
5 real. I mean it's not real.

6 I had to drive my kids everywhere. There was
7 nothing close by just because of the types of activities
8 they were in. They went to school in Kahului. You know, we
9 don't have a high school so they traveled to Baldwin. So it
10 incorporates the use of a car because it was more efficient
11 for time. And I think you have to look at that and not miss
12 that point that this is what we are talking about, real
13 people that work two or three jobs sometimes. So the use of
14 your vehicle is efficient timewise. So anyway, you know, I
15 support mixed-use neighborhood design.

16 The other thing I wanted to say is shouldn't it be
17 more about sustainability? I read in the paper about
18 legislation, a piece of legislation that's going through,
19 and I don't know where it is at this time and maybe Joe

20 does, but it talked about giving priority for more
21 sustainable communities to be built first. Sustainability
22 in the way of energy use or whatever it is. So maybe that
23 might be something we want to put in here. It's not just
24 about self-sufficiency or the use of a car, I think it's
25 more.

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1 MS. WADE: Lucienne, and then Joe.

2 MS. DeNAIE: I agree with Susan that one model

3 does not fit all in our communities or our lifestyles.

4 Although it's nice if you spent time in places that are

5 older where they grew up without cars, like Europe and so

6 forth, or Asia, and where people can walk to many of their

7 daily activities. Older people especially who lose the

8 ability to drive. We need to try to design that into our

9 system, because many of us will not be driving in 20 years.

10 I'm probably on that edge myself.

11 I want to address the self-sufficiency. There is

12 something that's being proposed by Maui Electric in their

13 Integrated Resource Plan, and that is strongly supported by

14 most people who are into sustainable development, which is

15 called distributed energy models where you have facilities

16 in the region that they're going to serve, rather than one

17 facility at Ma'alaea that covers everything from Hana to

18 Makena. And if we could have a policy in here that

19 encourages this. We don't have to mandate it. If we could

20 just start encouraging this kind of thinking. MECO has
21 already got it in their possibilities, list but it needs to
22 be in our boundaries when we plan. We need to look at
23 places that would treat our water, places that would
24 distribute or generate our energy. All these are going to
25 have to be in our planning model later, so it would be nice

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1 to think now that if we can set up regional ways to deal
2 with all of the core level services that people have come to
3 expect in areas where there's significant population, that
4 that would be part of this idea of self-sufficient
5 communities, not just what kind of streets we have or how
6 near the corner store is or anything like that. And that
7 that could eventually also give us more of this small town
8 feel. I think we're looking for the small town feel. We're
9 looking for the idea that we are not in some big city that
10 got out of control here. Also, I think that when things
11 break down then you have -- not everybody loses power, for
12 instance. Sometimes you can have redundancy.

13 MS. WADE: Joe.

14 MR. BERTRAM: I think the last few we actually
15 talked about is correct in the sense of when we're looking
16 at self-sufficiency there are so many components to it. And
17 what Lucienne brought up is real important too, that when
18 you're talking about self-sufficiency basically you provide
19 for everything within that community. So you have your own

20 electrical generation, whether it's rooftop stuff or
21 whatever it is, even your own windmills. You have your own
22 sewage system, which basically you do right there. And many
23 times people use ponds that they can use for aeration, those
24 types of things. Even your own recycling programs. You
25 determine within your community how you are going to deal

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1 with all the basic things that you need. This is a movement
2 that's going across mainly Canada, but other parts of the
3 world too, to look at individual communities being
4 self-sufficient in all the various things. Each home even
5 would have these things all incorporated already.

6 On the subject of walkability, we just had a
7 walkability workshop. Stan Franco was there. It is more
8 than just being able to walk to the corner store, it's
9 talking about the way that you design a community so it
10 isn't designed around an automobile. At the current time
11 right now, yes, you can't get away without having an
12 automobile because that's the way we're designed. But do we
13 want to continue to design ourselves around the automobile
14 so that we do have to travel all these distances by car to
15 get just the basic things in life? The idea behind
16 walkability is we start designing now so people can get to
17 these things by walking, but more importantly that the
18 community itself is designed in a way that you are not just
19 thinking of moving cars through it but you're moving people.

20 People actually are in it and they're on the sidewalks and

21 they're at the plazas and they're wherever they're going.

22 It's all around them, it's not around parking lots.

23 If there was a streets cape maybe people would

24 feel more inclined. And it's true people do feel more

25 inclined, if not only their walk is inviting and attractive

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1 and shady, but when they get there it's attractive and shady
2 and interesting. So it's a whole different way that we
3 design our communities so people feel encouraged not only to
4 walk but to take transit or to bike. It's not just the auto
5 that we're accommodating. That's the way we are now. So
6 think of the future. Where do you want to be, do you still
7 want to be in a parking lot having to drive all these
8 places, or do you want to be able to walk and be in
9 communities that are designed around people.

10 MS. WADE: The design we get into a lot in the
11 third objective. Did you have something, Stan? Okay,
12 Stacie.

13 MR. THORLAKSON: Stacie Thorlakson. I would also
14 like to add that we look at redevelopment or revitalize.
15 And granted, we hear about the cars and the walking and the
16 bike paths, but we live in a golf environment. And as
17 Lucienne said, one day we are going to be getting older.
18 What about like Catalina Island -- and I hate to refer to
19 the mainland -- but having it where we can jump in our golf

20 car and zip down to the store. Because a lot of people when
21 you come here you don't want to go any more than five
22 minutes.

23 I live in Kihei, and it would be perfect just to
24 zip down to the store. And they do that up in Kaanapali. I
25 would like to have us make a policy statement that says

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1 redevelopment. And maybe we have to realign the roads
2 because they're county roads or state roads, but I think
3 that would be very self-sufficient as well.

4 MS. WADE: Stacie, I need to clarify just a
5 second. Do you mean redevelop the land uses or redevelop
6 the road system?

7 MR. THORLAKSON: Either or both. I think they go
8 hand-in-hand. You might have to look at both.

9 MS. WADE: We do get to that a little bit at 156,
10 so when we get there let's make sure we hit that. Hans?

11 MR. MICHEL: Maybe once we have a mass transit
12 that can come over to Kahului, but as of now I have to use
13 my truck which I use on my farm, which is the only vehicle I
14 have. My wife has a truck, I have a truck. We never had a
15 car. I never had a car in my entire life, I always had a
16 truck so I can haul my things around.

17 Anyway, the way that Lucienne was talking about
18 where they live and how the people live, I'd like to come
19 back to Honokohau Valley. People need trucks to go in and

20 out of the valley. Cars would bottom out. And the county
21 is not maintaining the road because they call it private
22 property, but they're paying property taxes. So it's the
23 kind of places we have to look into. The county collect
24 money from the people but they do not provide services.
25 And so on my part in my farm I have a similar

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1 thing, except the water department is pumping water out of
2 my land for 30 years and I still pay the property tax. Now
3 we finally get things squared away with our new Water Board
4 director. You can see the direction we're going. Everybody
5 wants to collect something and the landowner has to
6 sacrifice for the goal many times, and it's not easy.

7 So for my part, if I didn't have to come here
8 today I could have stayed home. So you see there is no
9 problem, I only go out to Lahaina when I need something or I
10 come to Kahului. Other than that you wouldn't see me
11 nowhere, not even walking on the sidewalk with Joe.

12 MS. WADE: All right, should we move to 154?
13 "Allow for auto-free communities and traditional Hawaiian
14 villages." Any comments? Susan.

15 MS. MOIKEHA: First of all, the two don't even
16 mix, so can we take out the auto-free community? And if you
17 are going to incorporate it in 153, I think it can be
18 addressed there, if necessary. Traditional Hawaiian
19 villages. I think what Walette said earlier is absolutely

20 true, you are not going to duplicate exactly a traditional
21 Hawaiian village today, not in the technical lifestyle that
22 we have. And I'm not saying that you can't have something
23 from that. And what I've heard from others today is the
24 values or the concepts of the Hawaiian planning and
25 development system of the lands that they care for.

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1 And I liked what Kehau said before, and I think
2 this needs to be addressed. And I don't know if it's going
3 to be in this policy or not, and that's the need. I can
4 tell you through five years that I sat on the commission and
5 reviewed projects there was only one project in the report
6 that stated need, and that project was denied or recommended
7 to be denied by the department, and we supported it. In
8 five years there was only one project that addressed need,
9 and the need was based on the capacity for that particular
10 development, which happened to be commercial, in Kihei. And
11 when you looked at the carrying capacity in that area we had
12 enough lands designated for commercial and we didn't need
13 another shopping center or whatever it was.

14 So I think this really needs to be addressed when
15 you are looking at growth strategies and management of land
16 and our resources, going back to the need. And maybe we
17 start to use those carrying capacities for all these
18 communities, which we have and are never addressed, and use
19 that as the basis for planning. Do we really need another

20 shopping center in Kihei or commercial land? At least make
21 us stop and think not if we have enough already designated.
22 So I'd like to see maybe, instead of saying
23 traditional Hawaiian villages, let's adopt the idea or the
24 principles of balance where you take from one, you give back
25 to the other, and make sure it's in balance. This concept

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1 of looking from mauka to makai when you're planning I think
2 is an excellent idea.

3 When we looked at projects we looked at how it
4 affected the immediate area and not how it affected water
5 coming from Upcountry to South Maui. So even if it doesn't
6 become a main principle of analysis, at least it's something
7 to think about. So maybe within an implementation, within
8 the entitlements you can at least give that something to
9 think about, how does it affect the mauka-makai impacts.
10 Because we're so busy focusing on the project and the
11 immediate surroundings that we're not thinking regionally.

12 So in this 154 if we get rid of auto-free
13 communities, focus on the principles of balance and need as
14 part of growth strategy and using it as a management tool.

15 MS. WADE: I think those suggestions make it a
16 much more meaningful statement. I feel like I've got a lot
17 more direction based on what you said. If we can use that
18 to tailor the statement related to those values, asking from
19 a demonstration of need. Suggesting that as developers come

20 in they look mauka-makai, that they assess the impacts. I

21 think that's a really good idea.

22 MR. BERTRAM: I feel that maybe auto-free

23 neighborhoods would be a better way to put it, because

24 that's what we're looking for. I don't think there are any

25 communities that are completely auto free. And whether or

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1 not it should be in 154, it could be moved out of 154. But
2 I think we need to keep that in. Denver has 16th Street
3 Mall, Boulder has the Pearl Street Mall, San Diego has the
4 3rd Avenue. It's just it's a wonderful thing that gives
5 communities a place where people can be free of the
6 automobile. So again, we're thinking in the future, but
7 people are doing this already. If it's not appropriate
8 mixing it in with the traditional Hawaiian communities,
9 that's fine, we can do it separately.

10 The other part is I like what you were saying
11 about that. I had some language here, Re-establish
12 traditional Hawaiian and multi-cultural villages, because I
13 think we also have a history of multi-cultural villages as
14 well, whether it's the Filipino or the Chinese or various
15 others, and that's a really deep tradition as well, and I
16 think we also want to preserve that. So I would like to
17 maybe clean it up, as Susan was saying. Take the auto-free
18 neighborhoods and put it into 161 or whatever, and then just
19 really focus in on the whole idea of re-establishing. And I

20 think we need to put re-establish so that we understand

21 that's what we're trying to do.

22 MS. WADE: John?

23 MR. BLUMER-BUELL: John Blumer-Buell. I agree

24 strongly with Joe's points about the multi-cultural

25 communities. As we go through this process I've got my Hana

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1 Community Plan, and I go through each of the things that we
2 already have. There are two things here, and I believe we
3 are the only community that put anything like this in our
4 community plan, and I think I would strongly recommend that
5 we put it in the general plan, and they have specifically to
6 do with Hawaiians and culture. So it could be set up as a
7 separate policy, but there's two of them. The first is,
8 consider alternative regulatory frameworks to facilitate
9 family residential use of Hawaiian hui and kuleana lands.
10 And I would say more than consider, I would make it a
11 mandate. Develop alternative regulatory frameworks to
12 facilitate family residential use of hui and kuleana lands.

13 Now, just as a point of information, in the Hana
14 district there are hundreds and hundreds and probably more
15 than a thousand, maybe thousands of acres that are Hawaiian
16 hui and kuleana lands, and right now there's Hawaiians that
17 are being kept off of property that is in their families'
18 names because it's hui or kuleana land. So I can tell you
19 that in Hana it is an issue that has to do with affordable

20 housing. And my feeling is that we really need to set up
21 alternative regulatory frameworks, and I will be happy to
22 send you the language from the Hana plan.

23 The other one, again, directly from the Hana
24 Community Plan is, explore alternative land use and overlay
25 zoning designations that recognize and preserve unique

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1 natural and cultural characteristics of each community
2 within the Hana region. And I would say on the island. At
3 the last two meetings ago I believe I handed out the
4 cultural overlay study for Ke'anae/Wailuanui, and this is
5 the kind of document that would be anticipated with that
6 language. This is not just abstract language.

7 In Hana I believe we have the largest amount of
8 rural designated land in the community, but only part of
9 that is actually zoned rural. So we have a large amount of
10 interim rural zoned property, and it's in very culturally
11 sensitive areas. And there is great support to recognize
12 the cultural overlays before we move forward with zoning and
13 so forth. So that's why, again, I think it's a recognition
14 of the importance of our host culture.

15 And in Hana it's wonderful, we have lineal
16 descendants of most of the families still living in Hana.
17 So these are not just abstract statements, they're very
18 real. And I hear about these things quite often when I talk
19 to people, particularly about the Hawaiian hui and kuleana

20 lands. They need to be able to do what they need to do to

21 survive. So mahalo.

22 MS. WADE: Lucienne, then Dick.

23 MS. DeNAIE: I appreciate Joe's suggestion about

24 redefining the multi-cultural, the re-establishment of

25 multi-cultural villages, because I too talk to many folks

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1 that just yearn for a sense of community that comes from
2 cultural identity, you know, whatever particular culture it
3 might be. And actually some of the people who are working
4 on kind of more the traditional Hawaiian type villages
5 aren't even Hawaiians. We have people out our way that are
6 living along streams and little haies and no permanent
7 structures, and they have their big gardens and farms and so
8 forth and so on. And I would like to see somewhere that our
9 county eventually wakes up and realizes that there are some
10 nontraditional land uses that don't harm anybody, but they
11 fall between the cracks right now.

12 And so we talk about traditional villages, but
13 then there are some and they're not based on the traditions
14 of the people who may be living in them. They may be young
15 people who have just enough money to pitch a tent on their
16 land. They're not hurting anybody by living on their land
17 and trying to establish good sanitary systems and off the
18 grid. And meanwhile they're taxed at the same rate as
19 everybody else who has roads and sewers and all these other

20 amenities, and they're hounded by the county sometimes too
21 because they don't fit into any picture.

22 Also the kuleana lands, I think that would be very
23 important for folks on Moloka'i as well, so I hope this does
24 go into the island-wide plan that we have some discussion of
25 this. I hear about this all the time in my neighborhood as

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1 well. When I've gone out to Hana it's something where it's
2 the clash between the western and the Hawaiian system, and
3 we just really haven't found a bridge. Thanks.

4 MR. MAYER: Dick Mayer. I'm going to pick up with
5 what Lucienne was just saying and others have said. I think
6 what we really want to do is map out overlays on each of the
7 islands where nontraditional home sites and homes, and
8 communities for that matter, can be built off the grid
9 areas. And I'm thinking particularly of East Maui, East
10 Moloka'i, and maybe other areas certainly where we may not
11 want to use the normal county standards and we may want to
12 have a set of standards in the county that would allow
13 certain types of construction to go on. These people may
14 not be insured by fire insurance, but they may recognize
15 that just as some people may not want -- well, let me just
16 leave it at that. What I'm really saying is to create
17 overlays on the maps of each of the islands where
18 nontraditional homes and home sites may be designated.

19 MR. SUMMERS: If I may carry on with that, we do

20 have some budget in this year's budget to develop a
21 traditional overlay district in Hana as well as Moloka'i.
22 So that's something that we will be working on. Hopefully
23 we can piggy-back on this effort in terms of developing some
24 model ordinances to accomplish that.
25 I would like to say in terms of the kuleana

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1 exemptions we did have some language inserted into our ag
2 zoning ordinance related to that, and I think it's an
3 excellent concept, but we have to be really careful with
4 that. Just speaking from experience, I would say nine out
5 of ten phone calls I get regarding that language is real
6 estate companies looking at it as a loophole around the
7 zoning ordinance. So it's great in concept, but it really
8 has to be thought out, because it could provide an excellent
9 loophole for the development of mansions and other things in
10 rural areas.

11 MS. WADE: Hans?

12 MR. MICHEL: Hans Michel. I believe kuleana land
13 is also something where we get water with the land, and
14 that's what is called kuleana, because that comes back from
15 the King's time. And so I do believe the plantations have
16 kuleana lands for their water rights and that's how they put
17 it all together. The more land they had in the valley the
18 more kuleana they could require at that time. I see him
19 shaking his head "no." But I believe the Pioneer Mill, all

20 the kuleana land was in the valley.

21 In '88 they went sign up when the State of Hawaii

22 went ask if you had kuleana water rights, and I remember the

23 plantation signed up all their kuleanas. I don't know what

24 Maui Pine did. But they have a different way, because I

25 believe old man Baldwin had land bought from way back, yeah,

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1 if you look at the history. So they have a different
2 kuleana system in Honokohau. But in Lahaina side they said
3 it was all the lands from the valleys as kuleana.

4 MS. WADE: It seems a lot of people are getting up
5 and needing to get drinks and using the restroom and things.
6 Would this be an okay time to take a break and come back and
7 go to 155? Okay, 10 minute break. Thank you.

8 (Whereupon a brief recess was had)

9 CHAIRMAN CANNON: I'm going to call the meeting
10 back to order everyone. If you can just move to your seats
11 we will get started again. It's been asked, suggested that
12 we try to keep our comments shorter if possible and more
13 succinct, and actually directed to the policy or objective
14 that we're working on. If we can do that, that would be
15 wonderful, and we will get through more today. Okay, Erin.

16 MS. WADE: Okay, let's get going. 155 is where we
17 are, "Limit and define the boundaries of resort destination
18 areas to prevent the overflow of visitors into neighboring
19 residential communities." That is a carry-over from the

20 1990 plan. Dick, Joe, then Stan.

21 MR. MAYER: I think it might be improper so say
22 that we want to keep the visitors out. We're really talking
23 about the overflow of visitor accommodations and activities
24 into neighboring residential communities. The visitors can
25 go where they want, but I really don't think we want the

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1 hotels and visitor activities. So take off the S in
2 visitors and make it visitor accommodations and activities.

3 MS. WADE: And activities, got it. Joe.

4 MR. BERTRAM: I have a suggestion for maybe
5 changing the language. I'd like to see eliminate resort
6 destination areas to encourage the in-flow of people or
7 neighbors into those places. In other words, I would like
8 to see people on the island that live here, residents,
9 living everywhere. If we are really talking about mixed use
10 we have to look at our resort areas as well. And if people
11 can live behind the hotels that they work at, then they can
12 walk to their work.

13 The whole idea and concept to me of having areas
14 where people who live on this island cannot live is so
15 foreign and so odious that I think it was the worst thing we
16 could have done back in the sixties when we designated
17 resort areas and said this is set aside only for visitors,
18 and only visitors can be here. So I would rather see us get
19 rid of resort destinations, get rid of that whole idea, and

20 go back to the ideas of hotels in communities.

21 The Boulderado Hotel in downtown Boulder, one of

22 the most famous hotels there is, it's a high class hotel.

23 Hotels that are in towns and cities, they exist co-exist

24 with people living right there. We need to have people

25 living everywhere. If we are going to accommodate the

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1 population that is growing, they've got to be living
2 everywhere. And the destinations now, people are looking
3 for real places, they're not looking for fake ones that just
4 have a fake person in a fake uniform, but actually real
5 towns and real places that are authentic, and right now we
6 don't have that.

7 MS. WADE: Stan, then Lucienne.

8 MR. FRANCO: Stan Franco. I don't know, I want to
9 say this and it's directly opposed to what Joe just said,
10 limit the construction of hotels, time shares and like
11 structures to the current resort destination areas of
12 Wailea, Kaanapali and Kapalua. And going back to what Joe
13 said, back in the fifties and sixties when we were planning
14 our tourist destination areas, these were the areas
15 designated for our tourists. But I agree with what he said,
16 that when we separate people out and we only put certain
17 people in one place, that's foreign to my concept too.

18 I was looking at the language in 155 and trying to
19 make sense out of it. From my perspective, this is the kind

20 of wording that I came out with. Did you get the wording?

21 Limit the construction of hotels, time shares and like

22 structures to the current resort destination areas of

23 Wailea, Kaanapali and Kapalua.

24 MS. WADE: I think we have to cut off that end

25 part because it's countywide at this point, so we'll have

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1 Manele and the other islands as well. But that first part
2 makes some sense. Lucienne.

3 MS. DeNAIE: I think all of us can observe that
4 limiting resort accommodations to certain areas is kind of
5 an ideal, but it's not exactly what happens. I mean, for
6 instance, we have a large resort zone in Spreckelsville, not
7 large compared to Kaanapali, but large compared to the rest
8 of the folks that live in Pa'ia and Kuau. I think these
9 things kind of push where there's a demand. So I'm more for
10 what Joe says, let's make sure that we have real communities
11 and not just walled off pleasure lands that none of us can
12 go to. I don't have a language suggestion here, but the
13 intent is I think we should finally admit that we really
14 have not just sort of limited resort growth to particular
15 areas, and figure out what we're going to do with the
16 situation we have now.

17 MS. WADE: Okay. Dick, go ahead.

18 MR. MAYER: Dick Mayer. I'm not sure that by
19 defining it this way we keep out local residents. I am

20 saying that we have boundaries around these areas, and it
21 doesn't have to be limited to the three that were mentioned,
22 it could be some smaller areas for example around the Hana
23 Hotel, for example, that are resort areas and local
24 residents could live within that area. More likely as it is
25 right now we have these super rich people coming in and

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1 buying the areas around the hotels, not the workers at the
2 hotel.

3 So I have no problem with a lot of residential
4 areas in proximity, but I really have a problem with
5 allowing these resort areas to spread everywhere around the
6 island. If we want to be specific and say time shares and
7 hotels, or if we just want to say resorts or visitor
8 accommodations, I think that would be appropriate.

9 MS. WADE: I just saw a lot of nodding with that
10 comment. Basically, in summary, saying let's limit visitor
11 accommodation areas, but maybe integrate residential uses
12 within them with actual local people. Lucienne.

13 MS. DeNAIE: You know, when the Hawaii Tourism
14 Authority had a strategic planning session I brought up the
15 fact that a lot of our resort areas now have more
16 resort-oriented housing than actual hotels anymore. So how
17 are we going to define this? Resort-oriented housing, like
18 the condos in Kaanapali or the condos in Wailea, are those
19 considered part of the resort or are those just a different

20 class of housing, because I think how we define this is sort
21 of important too.

22 MS. WADE: Doug, then Joe, then Dick.

23 MR. MacCLUER: Doug MacCluer. I think the concept
24 is great, having workers live close to the hotels, but the
25 problem is that the hotel areas are taxed so high that a

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1 working man or lady can't afford to live in that kind of
2 place. And so what we have done is, as we've all seen in
3 Wailea, we end up with high priced housing and urban sprawl.
4 So somehow I think we have to limit the resort area. And of
5 course you can allow housing in there, but the people can't
6 afford it.

7 MS. WADE: Joe.

8 MR. BERTRAM: I think it seems like the basic
9 underlying theme that we're trying to get at in this whole
10 plan is neighborhoods and communities and small towns.
11 Well, the resort destination goes directly against that
12 because it breaks it out. It creates this hybrid thing out
13 there that somehow is something different. So that's my
14 intent with this, is to bring it back as a village, as a
15 town, as a neighborhood, and that means all types. So
16 currently right now the taxes are so high because that's our
17 land use laws. The idea in this document is to think in the
18 future, where we want to be in 20 years, and do we want to
19 see these as towns where people live. That we can live on

20 every part of our island, that we all deserve that, and that
21 instead of resorts we have towns. They have big hotels in
22 them, but it's an actual town.

23 They're already starting to do that. Wailea has a
24 Wailea town center that they've developed. And right now it
25 is for rich people, but as we continue to do this if we

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1 direct them in that direction we will actually have a Wailea
2 town probably with a school and everything.

3 MS. WADE: Dick is next.

4 MR. MAYER: I don't think it's our role at this
5 point with the Countywide Policy Plan to define those
6 things. But I think when we get to the islandwide and then
7 eventually certainly in the community plans as well we would
8 be able to designate that. For example, if a new hotel were
9 to go into Makena next to the Prince Hotel, the workforce
10 housing not only can but should be built not somewhere in
11 South Maui but in the vicinity of the area. And that's the
12 requirement I think that goes into the actual islandwide
13 plan.

14 Moloka'i may have its own ideas, but it doesn't
15 belong here. We want the policy that the resorts cannot
16 just expand everywhere, and that they will be designated,
17 and the island plan should designate where those are and put
18 the conditions on that community.

19 MS. WADE: Hans.

20 MR. MICHEL: We worry so much about the hotel.
21 Well, let's say the hotel brings the bread to our table.
22 That's good. Everybody can work, everybody has a job in
23 Lahaina, and everybody has a car and can drive wherever they
24 want to go. They can go on vacation. People on Maui live
25 actually pretty good. My idea is if you have a house nearby

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1 the Honokowai and you are coming now with the time-share
2 units coming closer and closer, why isn't the county
3 charging the people who have a residential house with a
4 three bedroom house or a Hick's house, charge them the
5 property tax what it's worth, not because it's a hotel zoned
6 area. That's where the county has to come in and start to
7 separate the goats from the sheep, but all they do is they
8 want money. That's all they're up to. I believe that is
9 mistreating the people. That way if you pay what your place
10 is worth nobody has to sell out their lot unless they want
11 to.

12 MS. WADE: Lucienne.

13 MS. DeNAIE: One last comment about resort areas.
14 It's very interesting what Joe brings up, because it's quite
15 possible that within 20 years we will have very few
16 conventional hotels left. Most of them are moving into
17 developing the quote-unquote new product of time shares or
18 interval ownerships, and so forth and so on. They kind of
19 contribute to a faceless community, because at least with

20 the hotel you sort of have the staff, the management, the
21 people that give prizes for things and there's a whole
22 community involvement. So maybe what we really do want to
23 do is make sure that any of these resort-oriented types of
24 establishments that come in the future are part of an actual
25 community and that there's someone to make decisions in that

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1 community. It's very hard to get community input from
2 places like Kapalua because there are very few full-time
3 residents. The same thing in Wailea, there's a handful.
4 But it's more the corporations, pardon my saying this, that
5 are making the decisions, the large landowners.

6 So in order to really have I think a robust
7 community involvement and a real ongoing democracy we need
8 to look at maybe villagizing our resort somehow. I agree
9 with Dick that that should be further down the line, but
10 I'll just bring it up as a concept.

11 MS. WADE: Okay, everyone is fairly in consensus.
12 There's a couple of outlying ideas, but I think we can
13 develop some language that's a lot closer. Can we move to
14 the next one, 156? Stan, go ahead.

15 MR. FRANCO: I'll be first and then they can rip
16 my comments apart. Stan Franco. I have here, allow infill
17 development of existing developments and mixed land uses of
18 new developments.

19 MS. WADE: One more time.

20 MR. FRANCO: Allow infill development of existing
21 developments and mixed land uses of new developments.

22 MS. WADE: Any comments? Lucienne.

23 MS. DeNAIE: Are we going to recognize that there
24 needs to be buffers between communities? Because you can
25 consider infill just filling up everything between Waikapu

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1 and Wailuku or Waikapu and Kahului and that would be infill,
2 but do we want to have any sense of community built into
3 this concept of independent communities and their own
4 flavors which would require the concept of that, that
5 there's something that separates them.

6 MS. WADE: Great point, thank you. Joe, and then
7 Stan.

8 MR. BERTRAM: You know, I'm going to get in
9 trouble for this, but it gets back to again what type of
10 infill are we looking for. And even though you did put
11 mixed us in there or mixed land uses, it's very important,
12 but we also have to look at the way that these buildings are
13 set. Are we going to get more industrial areas, do we want
14 to infill our empty lands? I think what we're looking at is
15 infilling what's built now, similar to what they're doing
16 with old Kahului Shopping Center, and they're actually
17 putting in a town center. So if that's what we are trying
18 to do, I think we have to be a little bit more specific in
19 this.

20 As much as it's divided, I do think walkability
21 basically says it, and it says it all in one word by saying
22 you need the buildings up on the street, you need an actual
23 streets cape, you need towns. Maybe that's a better way of
24 putting it. But I don't want to just say put an infill,
25 because right now the way our land use is it won't be pretty

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1 and it's going to be sprawl and it's still not going to be
2 in the sense of a walkable community that actually is not
3 built around parking lots but around people being able to
4 get around.

5 MS. WADE: Generally infill is vacant or
6 underdeveloped properties being redeveloped, and
7 redevelopment is currently developed property being enhanced
8 in terms of use.

9 MR. BERTRAM: I'm just looking, do you need to
10 direct that enhancement? Because some people think enhance
11 means you just put more stories or more use, but we have to
12 actually look at the way that this is all developed in a way
13 that actually makes for liveable communities, and not just
14 more.

15 MS. WADE: Stan.

16 MR. FRANCO: An example of what I'm talking about
17 here is that HELP, the organization that I belong to, has
18 suggested to the Council, and now Councilman Molina has
19 proposed a bill for accessory dwellings on 6,000 square foot

20 lots allowing a 500 square foot dwelling. Hopefully what we
21 will do is because it's so expensive for the lands that we
22 have, that people will then be able to have their children
23 or parents or whatever live on the property. Right now a
24 6,000 square foot lot is not allowed to have an accessory
25 dwelling. That's the thought I had going along with what

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1 Erin was talking about.

2 MR. MICHEL: Excuse me. What do you mean by
3 "accessory dwelling"?

4 MS. WADE: It could be an ohana. His question was
5 what is an accessory dwelling. It could be a detached
6 ohana, it could be an attached unit. It's an accessory use
7 to the primary use, which is your principle residence. So
8 there may be an accessory dwelling related to that. Dick?

9 MR. MAYER: Stan used the word that would allow,
10 and I really want to encourage -- I don't want to just have
11 a passive allowing something to happen, I want some
12 proactive policy, whether it be a bonus or whatever it might
13 be that's necessary before we start sprawling.

14 MS. WADE: Good. Susan.

15 MS. MOIKEHA: I'm just thinking about what Joe
16 said. Maybe what we need to look at is something like,
17 encourage redevelopment and infill of existing communities
18 and address something that is compatible with where you
19 already are existing.

20 MR. SUMMERS: Thank you, Mr. Chairman. Oftentimes
21 we use the term "revitalization" rather than redevelopment,
22 which is a term that was commonly used in the 1950's and
23 1960's. Would there be any objections to using
24 revitalization rather than redevelopment?

25 MS. WADE: Joe.

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1 MR. BERTRAM: Just going on what Dick said, I
2 think to say establish mixed land uses rather than allow
3 for, because I think really we have to go in that direction.
4 So no more of this single use, whether it's resort or
5 commercial or anything else. We establish mixed land uses.

6 MS. WADE: Tom Cannon.

7 CHAIRMAN CANNON: I want to second what Susan
8 said. Just having the term mixed land uses without
9 compatible could open some major problems. I mean if you
10 have a butcher right next door to you in a tight situation,
11 or if you have a car scrap yard or something like that,
12 that's a mixed use that might not be or probably isn't
13 compatible. So the word compatible is important, I believe.

14 MS. WADE: Lana'i City is probably the best most
15 walkable example of a town we have in the county actually
16 had a problem with that statement for the same reason Susan
17 brought up, their concern of diverging with great intensity
18 within their community that would not be compatible within
19 the town. So I think that's a great suggestion. Shall we

20 go to 157? John Blumer-Buell.

21 MR. BLUMER-BUELL: Just a brief comment. I

22 understand what infill is supposed to mean, but there's

23 something about that that I look at Hana where the community

24 has expressed a desire to retain a lot of the open space.

25 Now if we come in and change the ag zoning to some sort of

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1 rural zoning, at some point we could end up with a rural
2 sprawl from Hana town all the way to Wailua Valley. So I'm
3 not sure how you address that. Certainly we must have a
4 public hearing process. But the word infill, you know, in
5 Kahului it may sound good, but if it's not what the
6 community wants that's the main thing.

7 MS. WADE: Well, essentially this is going to be a
8 two-part program. In 151 we said we were going to define
9 some boundaries, and now we're saying infill basically
10 within those boundaries would be encouraged. And as
11 Lucienne was saying, we want to keep open space between. So
12 I think this is all going to collectively help each island
13 to define how these land use patterns would occur. Dick.

14 MR. MAYER: Along with what you just said, I'd
15 like to add another policy here and that is, establish green
16 belts between adjoining communities, between Makawao and
17 Pukalani and between whatever. It should be actually a
18 policy statement. And that would be probably when you put
19 the boundary lines there it may have a quarter mile, a half

20 mile, whatever might be the appropriate designation, and
21 that is a greenbelt. If in the future there's going to be a
22 community, it will be out beyond that so we keep communities
23 community sized.

24 MS. WADE: Real good, thank you. All right, the
25 next one, 157, "Prevent the subdivision of agricultural

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1 lands into lots too small to farm economically." Warren.

2 MR. SUZUKI: On this particular policy the County
3 of Maui already has in place an ordinance which establishes
4 the minimum lot size for agricultural lots. So to put in
5 language to this effect, "prevent the subdivision of
6 agricultural lands into lots too small to farm
7 economically," at this point two acres is the minimum. And
8 as far as farmers are concerned, two acres is large enough
9 to sustain certain types of agriculture. Not large ag, but
10 certain ag. So I don't think it's necessary to have this
11 language if there's an ordinance already in place that
12 establishes the minimum lot size for agricultural lots.

13 MS. WADE: Thank you. Any comments? John
14 Blumer-Buell.

15 MR. BLUMER-BUELL: Just as a point of
16 consideration, I believe the Planning Committee, the County
17 Council Planning Committee will be looking at the ag bill in
18 the near future after the budget. I mean I don't disagree
19 with what Warren said, and I understand the current ag bill,

20 but it's not a good bill. The current ordinance is not a
21 good ordinance, in my opinion. A big part of that is that
22 it's all administrative approvals. You don't even have a
23 public hearing process. So somehow we need to get back to
24 the public hearing process.

25 And just as a point of information, back in 1998

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1 the Hana Community Association was the only community that
2 opposed the ag bill. And I am going to give people a copy
3 of that letter, because we identified 18 different concerns.
4 Every one of them has turned into a nightmare on this
5 island. Just a point of information.

6 MS. WADE: Just a comment in terms of process.
7 You're absolutely welcome to make comments that are not
8 consistent with current law, because this will set forth the
9 framework by which we make amendments and change the County
10 Code. So the consistency isn't critical at this point
11 because it does provide us an opportunity to make some
12 changes. Go ahead, Doug.

13 MR. MacCLUER: I've been involved in trying to do
14 an ag definition with the former administration and with the
15 County Council. The problem with this is trying to define
16 what is a farm and what is economically viable. And sure,
17 you can have a quarter acre farm that's growing certain
18 types of crops that is economically viable, and another 500
19 acre farm that is not economically viable. That's the

20 problem. That's the crux of this whole problem that we are

21 facing today.

22 MS. WADE: Hans?

23 MR. MICHEL: If ag lots are two acres, that's

24 wonderful, but we have to make something where people no can

25 subdivide them into smaller lots as time goes by. So we

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1 should keep them as two acre farm lands.

2 MR. SUMMERS: Thank you, Mr. Chairman. Currently
3 the way the law is structured you can't take a two acre lot
4 and further subdivide that lot without a change in the
5 zoning. I would like to say that obviously there's been a
6 long history of debate in this county about what is a farm
7 and what the appropriate lot size would be, and we are going
8 to continue to have that debate probably for many decades.
9 But I think the important point to note is that we do have a
10 range of different farming activities that do well on
11 different lot sizes. Having a policy that talks to that
12 issue about providing lots that are of an appropriate size
13 to provide commercial farming I think is a reasonable thing,
14 but that would be determined in the development of an
15 ordinance.

16 So, for instance, if there is an effort to modify
17 the ag zoning ordinance, you have a policy structure that
18 will help decision makers determine what the appropriate lot
19 size is or what the mix of lot sizes should be if they

20 determine we should have a mix of small, medium and large
21 lots, which many communities do. So I think the policy is
22 important. Determining the actual minimum lot size is
23 really done through an implementing ordinance at a different
24 time and date.

25 MS. WADE: Hans?

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1 MR. MICHEL: I'm not quite satisfied yet, because
2 Makawao Avenue remember back in the sixties or towards the
3 seventies all had two acre agricultural lots, and later on
4 they went change the ordinance, and by golly they get more
5 houses than you can handle. So I don't want to see that
6 happen anywhere else where they have two acre agriculture.
7 If they want to farm, let them farm, and maybe for the next
8 generation to come. Because not everybody who has a farm
9 lot likes to farm today, but maybe their kids will farm in
10 the future. But if that is changed to smaller lots that is
11 going to be more difficult.

12 MS. WADE: Lucienne.

13 MS. DeNAIE: I like what John just said about the
14 fact that we don't really know the perfect formula right
15 now. There's a range of farming that goes on. There is
16 this subsistence farming, of which I am one. I'm not
17 interested in selling a lot of farm products, but I'm
18 interested in growing and exchanging and trading, and there
19 are people who really want to grow on a small scale

20 professionally. There are people who it is their whole
21 family business. One size does not fit all. A person with
22 goats needs a different amount of land than a person who is
23 trying to raise a field crop.

24 So I think that the idea that we decide more about
25 this in detail later and just leave it so that it's the

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1 viable size, and then we define these different ranges of
2 farming. I think the Mayor supports this too, she talked
3 about it in some of her speeches, that we have some
4 different categories of farming, and if we just acknowledge
5 that one size does not fit every farm.

6 MS. WADE: Joe.

7 MR. BERTRAM: Can we go back? Dick had brought up
8 something about the green belts and putting that in between
9 the communities, and I know we didn't have anything and I
10 guess you are going to make a new one. Just to say that
11 we'd also want to look at basically a green infrastructure
12 for this so it's not just between the communities, but a
13 green infrastructure for the communities themselves so that
14 important natural resources within the communities are
15 preserved in a systematic way in the sense that they all
16 interconnect. That creates the type of quality life that
17 we're looking for. So I think with that together that would
18 make one good extra one.

19 MS. WADE: Great. So 157, are we comfortable

20 leaving it basically as is for now and then adjusting it at
21 each community level then? Okay, 158, "Utilize transfer of
22 development rights to concentrate new development around
23 existing infrastructure and services, and protect natural,
24 scenic, shoreline and cultural resources." Lucienne, and
25 then Stan.

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1 MS. DeNAIE: Well, I think it's important to
2 realize that existing infrastructure may be completely
3 overwhelmed and not be able to accommodate any new
4 development even though it exists. In other words, there's
5 a sewage treatment plant in Lahaina, but it's pretty much at
6 capacity. So I don't think that that's quite enough to just
7 say put it where you have existing infrastructure. It's a
8 good start, but we might want to clarify something to
9 indicate that it should be directed in phases that would be
10 compatible with the capacity of the infrastructure.

11 MS. WADE: Thank you. Joe?

12 MR. BERTRAM: I understand the concept you're
13 dealing with here, trying to direct that, and these TDI's
14 can be very useful. But I think getting back to our
15 discussions about trying to break up our utilities to get
16 away from these concentrated things that we have in Kahului
17 and Lahaina or whatever. So I'm not sure the whole idea of
18 using these TDI's is great. Whether we want to put in
19 existing infrastructure or not, other than roads. I think

20 you know that's just in the sense of we're trying to create
21 these new communities that are self-sufficient. Whatever
22 you want to say, maybe to use these, I don't know. I'm not
23 quite sure what to put other than the TIF's, which are the
24 tax incentive financing, which we could also throw in there
25 maybe just to say that people could pay for their own new

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1 infrastructure by these TIF's.

2 MS. WADE: That financing structure, generally
3 when we've come up with financing like a TIF program we've
4 left it for later. So do you mind if we put that in our
5 implementation piece? Okay, great. Anything else on that?
6 Warren Shibuya.

7 MR. SHIBUYA: Thank you. I just wanted to get a
8 definition of this word "transfer" of development rights.
9 I'm not too sure I fully understand what that means.
10 Somebody explain that to me, please.

11 MS. WADE: It's a program that would be defined
12 basically by the community which adopts it. So the County
13 of Maui would have to adopt legislation that first enables
14 us to use that as a tool, and then we would define the tool.
15 But in general it would be identifying areas where
16 development is preferred and areas where development should
17 be discouraged, and then enable those property owners to
18 either buy or sell the rights to develop that property.

19 So you would have an ascending zone to send

20 development rights to, or you could have more density and
21 capacity. I'm sorry, the receiving zone. An ascending zone
22 is where you would eliminate or basically down zone the
23 ability to build.

24 MR. SHIBUYA: I was thinking in terms of this one
25 proposal here, and I'm sure I am going to get rocks thrown

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1 at me, All Maui Nui lands for sale shall be offered first to
2 Maui County government and community before being offered to
3 non-Maui Nui residents to purchase. This is outside the
4 box.

5 MR. MAYER: Read that again, please.

6 MR. SHIBUYA: Okay. All Maui Nui lands for sale
7 shall be offered first to Maui County government and
8 community before being offered to non-Maui Nui residents to
9 purchase.

10 And I go on some more. It says, Maui County
11 government may add land use covenants and restrictions
12 before being sold to community and later to non-Maui Nui
13 residents.

14 The other one is, The Maui County review and
15 determine process shall not exceed 360 days. That means
16 when they're reviewing this land or parcel to be sold, they
17 cannot take more than a year or the property can be sold
18 without any county covenants and restrictions. So there's a
19 time limit here.

20 The next one is, Requirement covers all state,
21 county, corporate and privately owned properties within Maui
22 Nui borders, including Kahoolawe, Molokini and closely
23 aligned islands and land masses.
24 MR. SUZUKI: Question, Warren, or clarification.
25 So are you saying that if I wanted to sell my lot I would

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1 have to first offer it to county government and then
2 subsequently to a Maui Nui resident?

3 MR. SHIBUYA: No. It would be first, you had it
4 correct, submit it to the Maui County and they have the
5 first option to purchase it and/or place restrictions or
6 covenants on that development. And this is the way we
7 control the development or growth.

8 MR. SUZUKI: Why don't you volunteer your land
9 first and we'll see how that goes.

10 MR. SHIBUYA: As long as I get the water meter
11 first. (Laughter)

12 MS. WADE: Do you want to email those to me,
13 Warren?

14 MR. SHIBUYA: I will email them to you, thanks.

15 MS. WADE: Thank you. All right, John
16 Blumer-Buell.

17 MR. BLUMER-BUELL: I don't want to put Chubby on
18 the spot, but he introduced I think an interesting idea a
19 meeting or two ago, and that was the idea of expiration of

20 entitlements. Is that a fair characterization to that?

21 Just right off the bat, do you see any way that the transfer

22 of development rights and that meshes together to maybe come

23 up with some workable policy?

24 MR. SHIBUYA: Yes, that was the intent, that's

25 right, and then the county would have to determine that.

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1 MR. BLUMER-BUELL: I mean this is for if Chubby
2 has any comments. Just as a point of information, in Hana
3 we've had a few controversies over the years where there
4 have been designations given to recognize old camps, for
5 example. At the time the community plan was done it was
6 given a designation that the community didn't want at all.
7 So we need to deal with these things. Thanks.

8 MS. WADE: Thank you. Chubby, would you like to
9 respond?

10 MR. VICENS: Chubby Vicens. I think my concept of
11 transfer of development rights, and I used a very specific
12 example I think, and we were talking about the land that
13 borders any oceanfront. I said that if the county were
14 interested in preserving land that was on the beach, rather
15 than get into an argument like they're having right now with
16 the Montana Beach mess, they could entertain a transfer of
17 development rights to a mauka property. And it's undefined
18 in my mind at this point. But I think that would be a way
19 of the county taking lands that would meet the goals and

20 objectives that they have of being able to have setback
21 areas, have areas for recreation, have areas for camping, et
22 cetera, et cetera.
23 I look at it a little bit differently than Warren
24 in that it's an agreement between us and the county. Not I
25 think trying to pin down a land owner, whether it's a big

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1 landowner or a very small one, that might have property
2 along a beach and say, "When you sell that, you have got to
3 sell to it me first." I mean that flies in the face of our
4 democratic system. But if the county were willing and able
5 to be able to come up with the price, I see no reason for
6 doing that. But we are talking about transfer of
7 development rights, the ability to develop that land
8 someplace else and having a win-win situation occur. Thank
9 you.

10 MS. WADE: The other thing that John brought up
11 was that use it or lose it concept with the community plan.
12 And I think Dick brought that up at the last meeting as well
13 as Chubby. Did you want to comment on that?

14 MR. VICENS: Yes, I think that it's something
15 that's very sensitive. You have got to take a real hard
16 look at it. I remember back in 1994 when we were relooking
17 at the Makena/Kihei plan. I mean there were some
18 subdivisions that were 10, 14 years in the making. I think
19 some of them still haven't been developed.

20 So I think that concept has to be looked at with a
21 jaundiced eye. Take a look at it, and if someone is waiting
22 to make a killing at some point because everybody is
23 building around them, then you put a sunset. Maybe the
24 community decides we are going to put a sunset on this,
25 that, or the other thing. Give them five years after the

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1 plan, seven years, and say, if you are not moving your
2 project forward then we are going to rezone the land or down
3 zone the land. That's what I was talking about. I think
4 it's fair, especially if you are talking about projects that
5 by themselves are 20 years old. I'm not talking about a
6 project like Wailea that's been delayed at the
7 administrative level for a long period of time, but rather
8 one that has not moved forward because the owner chose not
9 to move it forward.

10 MS. WADE: I think this would be an appropriate
11 place to put a policy like that that John was suggesting
12 too, only because if you don't do something like that we get
13 development leapfrogging beyond where there is entitlement.
14 And if we're trying to contain it within a boundary, the use
15 it or lose it with triggers, obviously might be a good
16 policy to incorporate. Were you suggesting to do that,
17 John, to create a new policy?

18 MR. BLUMER-BUELL: If it makes sense to everybody.
19 I mean it sounds like a good planning tool to me. The one

20 thing with the use it or lose it, I'm assuming we are not
21 talking about family residential property, for our families.
22 We hopefully plan for our kids and so forth. We wouldn't
23 want it to apply to that. But if there's a workable
24 language that includes all this and is agreeable to
25 everybody, yes.

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1 MS. WADE: Great. We will work on that, thank
2 you. Joe is next, then Stan.

3 MR. BERTRAM: I just wanted to also encourage what
4 Chubby was talking about in the sense of using the TDI.
5 There was a fellow who did a research project for Kihei,
6 looking at all the land that was developed for hotels along
7 makai of South Kihei Road. His proposal was these buildings
8 basically last about 20 to 40 years at the most. I mean
9 that's a real old building when we're talking 40 years.
10 When they come to the end of their useful life, instead of
11 just letting them tear that down and build a new one, that
12 they be given credits to build someplace else. So that then
13 the land along the coast makai of the highway would be
14 opened up then to really plan it that way. So if we put
15 this into place now we can see in 20 years maybe all of a
16 sudden we've open up all our coastal lands again, instead of
17 just letting the building stay forever, even though it was a
18 mistake to put them there. Actually planning for moving
19 them back. So I think that would be a great thing to put in

20 here.

21 MS. WADE: Excellent point. Great, thank you.

22 Are we at 159? Lucienne.

23 MS. DeNAIE: Thank you. I was going to suggest

24 another new policy. I'm in support of the development

25 sunset, but I gave a caveat before when we discussed it and

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1 I think it needs be incorporated in your language, and that
2 is that there is an appeal process. Because sometimes not
3 just individual homes but family can own property. Like you
4 look at a family that has had property for a number of years
5 and they may have zoning to develop it but there's no desire
6 within the family to develop it. They shouldn't just lose
7 that chance to advance their family's needs simply because
8 they weren't in a position to afford all of the sewers or
9 whatever and it took them awhile to get to that position.
10 So there should be a chance for the folks to tell their
11 story if there's a good reason why they didn't develop it.

12 MS. WADE: Stan?

13 MR. FRANCO: I'm with Chubby, I think a five year
14 limitation on entitlements should be made as a part of the
15 policy. And I think it's always a situation that somebody
16 can appeal. There's an appeal process already in the county
17 if they don't like the loss of their entitlements.

18 MS. WADE: This will be creating additional
19 legislation by doing this. There's nothing that exists

20 today that takes away the entitlements. So we will have to
21 research that.

22 MR. SUMMERS: We can craft a policy on this
23 particular issue, but it would be operationalized as we
24 develop the ordinance, and that's where we would do the
25 research and have the extensive public outreach effort to

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1 set a specific sunset, whether it's five years or seven
2 years or ten years. So there would have to be some research
3 that would go into that determination.

4 MS. WADE: Chubby, then Warren.

5 MR. VICENS: Chubby Vicens again. Let me be very
6 clear. Let's remember that the community plan is a twenty
7 year vision with a ten year revisit, so they've
8 automatically got ten years. What I was speaking of was
9 someone did not take advantage of that period of time and
10 came in and you highlighted it. And maybe the guy that
11 didn't do it in the first ten years but was moving in that
12 direction you treat a little differently. Somebody that was
13 there for two or three or four community plans you would
14 question it. I'm not saying you are going to strip him of
15 it, but you try to develop a win-win situation. Because if
16 someone is not going to develop the property, that opens the
17 door for somebody else.

18 I remember Linda Lingle in the upcountry saying
19 that the inventory of homes in the plan was too great

20 already, and yet there were a lot of them that were exactly
21 in this category. They weren't built, they probably weren't
22 going to be built because they're family lots and they
23 couldn't agree on what to do. So let me correct that.

24 MR. SUZUKI: I can understand the points that are
25 being raised by the members of the advisory committee, but

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1 the caution I want to just kind of bring forward is once you
2 get into that arena it's going to be very difficult to come
3 up with all the different categories and figure out from
4 there who would be exempt and who would not be exempt. And
5 that's something that I wouldn't want to be part of that
6 group that would do that because you are going to deal with
7 so many different situations, families. How do you
8 differentiate between a family and let's say a business
9 that's owned by the family? You have got so many variables
10 that it's going to be very difficult.

11 MS. WADE: Any more on the use it or lose it? All
12 right, 159. Okay, Tom Cannon.

13 CHAIRMAN CANNON: Just in our previous discussion
14 it was mentioned that if they don't do it within the ten
15 years of the community plan then they would lose it, and
16 that seems appropriate to me. Maybe not five years, as Stan
17 mentioned, but at least within that community plan period.
18 If it's not done within that amount of time they'd lose it,
19 and they would have to go through it again with the next

20 community plan. That would be my thought, my vote.

21 MS. WADE: Susan.

22 MS. MOIKEHA: So let me understand. What are they

23 losing, are they losing designation in the community plan or

24 are they losing zoning, what are they losing?

25 CHAIRMAN CANNON: Entitlements.

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1 MS. MOIKEHA: Well, both of those are an
2 entitlement process. Zoning is. So are they losing
3 community plan designation?

4 MR. SUMMERS: Typically it's community plan
5 designation. It's a lot more difficult to take away zoning
6 entitlements.

7 MS. WADE: John.

8 MR. BLUMER-BUELL: Just on the last issue, it
9 happened a few times in Hana during the last community plan,
10 it's my understanding it happened an awful lot in Kihei, and
11 that's that people were able to get community plan
12 designations changed. And we are seeing some problems in
13 Hana where we changed designation of a few places, and
14 because the designation was changed it made for a no EIS
15 kind of project, no EA. So the community really lost the
16 chance to review it in a significant way.

17 So personally I think that re-designations during
18 the community plan are not really a good idea because it
19 really by-passes a lot of the public hearing and community

20 input sort of things. So people have the opportunity to
21 rezone their property and then it becomes a public process
22 and the information is there for the community. That's just
23 a comment. Thanks.

24 MR. SUZUKI: I don't want to get into more detail
25 than we need to, but we're already in that arena. Assuming

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1 let's say a family owns a five acre parcel that is totally
2 surrounded by lands that are zoned residential development
3 and zoned residential. So that family, they didn't go in
4 for the rezoning, so are you going to tell that family that
5 because you didn't go in for your zoning with the community
6 plan designation that you had that it's going to have to
7 remain ag, when all of it is totally surrounded by
8 residential? That doesn't make a whole lot of sense.
9 That's the reason why you are going to get into discussions
10 with so many scenarios that it's going to become a
11 nightmare.

12 MS. WADE: You all have made a great point. It's
13 going to take a lot of research for us to create some
14 legislation. If there's a feeling we should maybe create a
15 time frame or time limit under certain situations, we will
16 create a general policy that enables us to create that type
17 of legislation at a later time. But obviously around the
18 table we are not going to solve this tonight.

19 Your food has arrived, so let's finish this

20 section and then take a dinner break. We will get through

21 160. 159, "Discourage the establishment of

22 pseudo-agricultural subdivisions on agriculturally zoned

23 lands." This was directly out of the 1990 plan. Dick.

24 MR. MAYER: Dick Mayer. Do you want to say

25 agriculturally zoned or agricultural land use designation?

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1 I think it's not the zoning there in ag, I think it's lands
2 that are designated by the State Land Use Commission as
3 agricultural lands. What are you trying to get at here?

4 MR. SUMMERS: Thank you, Mr. Chair. I would stick
5 with county zoning. There will be instances where the
6 county wants to exercise its authority, its zoning authority
7 pursuant to Hawaii Revised Statutes 46, and may zone areas
8 agricultural use even though it is in a state urban
9 district. So I wouldn't necessarily limit it to the state
10 ag.

11 MR. MAYER: You have agriculturally zoned land in
12 urban districts?

13 MR. SUMMERS: There may be instances. For
14 instance, Spreckelsville is state urban and it's county ag
15 zoned. So we wouldn't want to limit ourselves.

16 MR. MAYER: I didn't know the county had zoning
17 for ag.

18 MS. WADE: Lucienne, Hans, and Stan.

19 MS. DeNAIE: Thank you. I'm just wondering if the

20 staff has any ideas about implementing strategy here. I
21 mean I know that this is a good goal, and I've testified
22 many times about pseudo-agricultural subdivisions, and I've
23 sat through many hearings at which subdivisions told how
24 agricultural they are. So how are we going to decide who is
25 agricultural and who isn't? You don't have to tell me all

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1 the details, but are there some implementing strategies that
2 have come up that might work beyond what we've already
3 tried?

4 MR. SUMMERS: Thank you, Mr. Chairman. This type
5 of issue would be defined in the zoning ordinance, so that
6 would be one area to look. There has been a real healthy
7 conversation about taxation policy, and it can be addressed
8 through those mechanisms as well.

9 MS. WADE: I have Hans, Stan and Susan.

10 MR. MICHEL: Over here you call
11 pseudo-agriculture. Why don't they put down shibai, we
12 might understand that better. I would like to mention the
13 people have to farm 75 percent of their land, not 50
14 percent, or what they have in the past was 51 percent farm.
15 Let them farm 75 percent, then even a blind man can see if
16 they farm or no farm, because it's 75 percent. And if they
17 don't like it then you pay residential tax on two acres and
18 you stick them to it, and then they might open up their eyes
19 and start farming. So there is a law where you can tell the

20 people what to do in certain ways.

21 MS. WADE: Stan?

22 MR. FRANCO: Stan Franco. The wording that I had

23 for 159, establish legal requirements that all farms and

24 ranches must be used for that purpose and not for

25 residential purposes only.

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1 MS. WADE: Your last word was "only"?

2 MR. FRANCO: Only.

3 MS. WADE: Okay. Susan is next.

4 MS. MOIKEHA: Isn't it current policy that in
5 order to, when you have these types of subdivisions that
6 when they build their first structure they have to submit a
7 farm plan? And then it's not implemented until the second
8 structure is built, is that correct?

9 MR. SUMMERS: That's correct.

10 MS. MOIKEHA: So wouldn't that help eliminate some
11 of the problem, if they truly are building a dwelling that
12 is on farm land and they should be farming at the same time
13 that they build these structures?

14 MR. SUMMERS: I think the current procedure has
15 helped. It obviously hasn't solved the problem, but it is a
16 tool that's actively being looked at. The state actually
17 has a law that's pending in this section to further
18 strengthen state statutes, if you are interested in that.
19 That is one approach that can be looked at, and it has been

20 used in other communities successfully. And we are actually
21 at the forefront statewide with that program.

22 MS. MOIKEHA: Because I guess then I'd like to see
23 something worked into here that would address that and use
24 it. Address it generally but then go further into
25 implementing it, use it also as an implementation tool.

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1 MS. WADE: An enforcement kind of an issue?

2 MS. MOIKEHA: Yes. And I think it should be done
3 at the time you build your first structure. What's the big
4 deal about waiting until the second structure, what good
5 does that do? If you are going to build on ag land and it's
6 an ag subdivision it's all for the purpose of farming, and
7 you need a nice house to live in, I'm okay with that, but
8 then farm at the same time that you're building this nice
9 house.

10 MS. WADE: Chubby, then Lucienne.

11 MR. VICENS: Chubby Vicens. I think one of the
12 solutions, possible solutions is to work on the rural lots,
13 the zoning for rural lands. Right now you have got half an
14 acre and one acre. There was a thought by one of the former
15 planning directors of including in the rural designation a
16 two acre and a five acre parcel also, and the reasoning
17 there is that you could separate out where the residential
18 people would be versus a farmer. And the ag bill of 1998
19 certainly didn't help it. But I think it could be worked

20 where if you can work the rural zoning to include a half, a
21 one, a two, and possibly a five, you can separate the two of
22 them out. Thank you.

23 MS. WADE: Okay, I'm sorry, the Planning Director
24 had a comment. Jeff?

25 MR. HUNT: I can wait my turn. In response to

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1 Lucienne's question earlier, Oregon has been very
2 progressive in protecting farm land, and they've done it in
3 two general ways. One is to have a large minimum lot size.
4 I believe they have an 80 acre minimum lot size on the
5 higher productivity land and then a 40 acre on the less
6 productive land. So that's one tool that's commonly used.

7 Then the second tool you see in a lot of
8 agricultural areas is a test in order to approve a dwelling.
9 Sometimes it can be a farm plan that has to be implemented.
10 In Oregon they actually have an income test, and you have to
11 show that you are actually creating so much income from an
12 actual farm product.

13 So my suggestion would be rather than spell out
14 exactly what we want, I think the language as it's proposed
15 leaves it vague at least that we have a policy that we
16 should come up with something specific and leave the
17 specifics up to the future. It will be a very heated and a
18 long analysis in coming up with what we actually want in
19 terms of a minimum lot size or some kind of test.

20 MS. WADE: Joe.

21 MR. BERTRAM: All this talk about farming makes me

22 think about food, and I know it just arrived. While it's

23 still hot I was wondering if we could actually eat it.

24 MS. WADE: Okay, we will break now, thank you.

25 CHAIRMAN CANNON: So we will have what, half an

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1 hour recess.

2 (Whereupon a recess was taken)

3 CHAIRMAN CANNON: Okay, I'll call the meeting to
4 order, and we are on 159, I believe. Erin.

5 MS. WADE: Stan, do you have a comment?

6 MR. FRANCO: Stan Franco. I wanted to suggest
7 something to the GPAC members. We have a lot of work to do,
8 and we don't seem to be moving as quickly as I had hoped we
9 would have on this issue of land use, and there's a lot to
10 be discussed. If we could keep ourselves or discipline
11 ourselves to speak only once on any of these policies at any
12 given time, and just present your mana'o and not comment on
13 somebody else's mana'o, maybe we can start moving this, and
14 hopefully we can finish this topic area tonight. We have
15 still other topic areas to finish, and we are in April and
16 we're supposed to be finished sometime in May.

17 So if I could encourage my fellow members to use
18 that method of speaking once and just sharing, and not
19 commenting on somebody else's comment, I would appreciate

20 it.

21 MS. WADE: All right. 159, is there any more
22 comment on that? Can we move on? We did get a lot already.
23 How about 160, "Support the right to farm." Lucienne, then
24 Tom.

25 MS. DeNAIE: Well, I'm not going to be popular for

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1 saying this, but the way we farm right now uses a lot of
2 poisons, and I just think that this has an impact for
3 generations way, way down the line. And right now when it
4 says the right to farm it really means the right to spray a
5 bunch of poisons and do whatever it takes. So I would like
6 to add, at the very least say the right to farm and
7 encourage Maui farming to move towards sustainable organic
8 standards, something like that, organic standards where you
9 don't use pesticides and other soil fumigants.

10 MS. WADE: Tom.

11 CHAIRMAN CANNON: I suggest a slightly different
12 wording that would say, Support subsistence farming as well
13 as commercial farming on agriculturally zoned property. I
14 want to make sure we include both subsistence and commercial
15 farming.

16 MS. WADE: Warren Watanabe.

17 MR. WATANABE: As far as, you know, I understand
18 where Lucienne is going, and I won't say most, but all
19 farmers have to abide by regulations. Any violation you do

20 not do according to what is printed on the label is a
21 violation, and you can be prosecuted. I would like to
22 change support to aggressively defend, and the reason I
23 point that out is because the right to farm has never been
24 tested in a court of law yet. And so, you know, we are
25 afraid of a precedence, and I would hope the state and the

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1 county would support and defend the right to farm. And
2 again, the right to farm, again, if the farmer knowingly
3 violates he's not protected by the right to farm.

4 MR. SUZUKI: I'd like to kind of add on to what
5 Warren said. What he said is exactly correct. The language
6 here, as far as I understand, is just to provide a statement
7 there that I'm assuming whoever is on agricultural lands has
8 the right to farm. There's a certain definition for right
9 to farm, and this is just to support that particular
10 definition.

11 MS. WADE: Any other comment? Dick Mayer, then
12 Lucienne.

13 MR. MAYER: I'm going to ask for some help on this
14 one. The right to farm, one of the farms we have on Maui
15 now is GMO farming. I'm thinking particularly of the things
16 that are going on in Kihei and on Molokai where various
17 things are used and we don't know what's being used. And
18 I'm particularly concerned that with various crops they can
19 be putting on pharmaceuticals and all kinds of things. And

20 yes, the final product might be tested and approved by the
21 federal government or some lab somewhere, but the testing is
22 being done in open fields exposing the community to things.

23 And something to the effect that restrict the use
24 of GMO field testing of crops that utilize non-plant
25 materials. Because I think there are some non-plant and

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1 animal products and some viruses and various bacterias and
2 other things that are potentially dangerous, and I don't
3 know what the danger is, I don't think anybody is letting us
4 know what the dangers are. So I want to see that we have a
5 GMO testing.

6 Now, my feeling is if they want to do stuff with
7 plants they should do it indoors and in a controlled lab
8 setting, not out in the open area where the birds pick up
9 the seeds and distribute them into your crops, my crops, and
10 your garden. So I would like -- I'm not sure what the
11 wording would be, but something to the effect of restrict
12 the use of GMO field testing of crops that utilize non-plant
13 materials.

14 MS. WADE: Got that, thank you. Lucienne.

15 MS. DeNAIE: Well, I'm violating Stan's rule, but
16 I want to re-clarify about how poisons get into the soil.
17 They don't get into the soil because people use them
18 improperly, they get into the soil because we didn't realize
19 at the time that we permitted them and set up the rules for

20 their use that they would migrate into the soil, that they
21 would have the effect on our water supply that they would.
22 All these things were perfectly legal. They were later
23 banned.
24 So it just seems that if we are moving towards a
25 more sustainable set of practices that we take more

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1 precautions than is currently mandated under law. I'm not
2 saying that people don't follow the law, they probably do
3 follow the law, but the law doesn't know everything. The
4 laws are always catching up. And we have a number of
5 different substances now that are being used on our fields
6 that are in the process of being phased out by the EPA. And
7 this is always the case, there's always a few things and
8 then they're replaced with other ones. Meanwhile, our soil
9 and our water is exposed to these things, and our people.
10 That's the only point I would like to end with. Thank you.

11 MS. WADE: All right, great. Go ahead, Walette.

12 MR. PELLEGRINO: This is before we go into the
13 next section. I'd like to go back to number 155. During
14 the break there was a conversation regarding whether we were
15 also including stand-alone hotels in this particular policy
16 here as opposed to just resort destinations. And perhaps
17 that should be considered, because stand-alone hotels, like
18 the Maui Beach, are quite different from resort areas.

19 MS. WADE: There may be areas where we would allow

20 that kind of a thing, but we'll probably determine that at
21 an island level. Okay, should be move on to the second
22 objective, or does Jeanne have a comment first? Jeanne.

23 MS. SKOG: Yes, on the right to farm, I support
24 what Warren has said in terms of aggressively defend. And
25 my concern in adding on the statement that Lucienne had to

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1 that is that it would water down the right to farm portion
2 of that. And if we want to have anything that deals with
3 the use of certain chemicals or whatever, I think that
4 probably should be addressed separately because I want to
5 preserve the main core of that, which is I think under
6 tremendous pressure now for a lot of different reasons, you
7 know, making the economics work for farming, et cetera. But
8 I'd like to keep that to the point about aggressively defend
9 the right to farm in keeping again with the overall push for
10 reviving agriculture and agribusiness.

11 MS. WADE: In the economic development section, if
12 we get to that tonight, you will see there's a whole section
13 on farming. And maybe business practices is something that
14 is addressed there, and maybe that's a better place to
15 address Lucienne's issue. And here because it's just land
16 use we can put in the support the right to farm. Okay, Dick
17 Mayer.

18 MR. MAYER: This is another policy that I think
19 needs to be included. I hope that doesn't break your rule,

20 Stan.

21 MR. FRANCO: Here we go.

22 MR. MAYER: It's another policy, it's not the same

23 one. We say nothing here about conservation lands. We have

24 rural, urban and ag lands considered. And just to throw a

25 filler in at this point, which should be refined later, just

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1 recognize the value of conservation lands as being important
2 to the community or to society. It should be elaborated on
3 later, I don't have the exact wording, but I don't think we
4 should have a land use policy that totally ignores over half
5 the island.

6 MS. WADE: Absolutely. Good point. All right,
7 should we move to the second objective? 161, "Plan the
8 growth of resident and visitor population through a directed
9 and managed growth plan which provides for social, economic
10 and environmental prosperity."

11 There are several policies. 162, "Maintain a
12 balance between resident and visitor population by
13 controlling the growth of visitor accommodation units."

14 163, "Develop programs to encourage local families
15 to remain in Maui County."

16 164, "Require the public dedication of land which
17 provides for continuous lateral access parallel with the
18 shoreline."

19 165, "Require new developments to contribute their

20 fair share to infrastructure costs."

21 And 166, "Encourage landowners and the development

22 community to collaborate with government agencies,

23 non-profits and land trusts to preserve lands of importance

24 and develop housing to meet the demands of local residents."

25 Susan, would you like to start?

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1 MS. MOIKEHA: So when you say a balance between
2 resident and visitor population, and this has to do with
3 accommodations, what are you saying? Are you saying one for
4 one?

5 MS. WADE: You are on 162, is that right?

6 MS. MOIKEHA: Yes, 162. I'm sorry, are we on 161,
7 the goal? I'll wait, sorry.

8 MR. LINDQUIST: For 161 I'd like to see the word
9 cultural inserted.

10 MS. WADE: 161 to include the cultural, so social,
11 cultural and economic. Got that. Stan.

12 MR. FRANCO: The wording that I have, I'll add
13 Carl's wording in here, direct a managed growth plan which
14 provides for the social, economic, cultural and
15 environmental prosperity of resident and visitor alike.

16 MS. WADE: Dick Mayer.

17 MR. MAYER: I'm concerned about us saying here
18 that as an objective we are going to have a directed and
19 managed growth plan. I think what we're doing should be the

20 plan. In other words, I'm not sure that we should say that
21 in the future there's going to be a whole other process to
22 planned growth. I think that's what the whole basis of this
23 general plan is about. What we should be doing in here is
24 developing the tools and the policies in the islandwide
25 plans, the actual tools to manage growth. It shouldn't be a

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1 separate document from this.

2 So I would urge us to say, plan the growth of
3 residential and visitor population to provide for, et
4 cetera, et cetera. Leave out, I don't know if anybody else
5 agrees, but I think this should be the plan. That's what
6 we're assigned to do.

7 MS. WADE: Got that. Any other comments? Tom
8 Cannon.

9 CHAIRMAN CANNON: I had the same concerns, but
10 worded it slightly differently such that it would read,
11 provide for paced growth or maintenance of resident and
12 visitor population through a directed and managed growth
13 plan which perpetuates and enhances our native environment
14 and provides for social, cultural and economic prosperity
15 for the wide spectrum of long-time local residents.

16 MS. WADE: You're kind of all saying really
17 similar things. That's good, we're on the same track. Joe.

18 MR. BERTRAM: I just thought I'd read from the
19 current plan, which I think is really clean. It says, to

20 control the development of visitor facilities so that it
21 does not infringe upon the traditional, social, cultural,
22 economic and environmental values of our community.

23 The only thing I don't like about this is that it
24 doesn't mention its deleterious affects. It just says for
25 prosperity and the environment, but prosperity can be

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1 measured in various ways. Are we successful if it just is
2 more money or do we actually make sure that what we have is
3 not degraded?

4 MS. WADE: Jeanne.

5 MS. SKOG: I'm having a hard time distinguishing
6 between the objective in 150 and the objective in 161.

7 MS. WADE: I was thinking that as I read it,
8 actually.

9 MS. SKOG: Because first I thought I understood
10 it, but then there are items, based on what my understanding
11 was in the first section that could easily fit in the second
12 section. So that obviously didn't work.

13 MS. WADE: I think the point of 161 was maybe to
14 get at that resident/visitor mix. And there is at least one
15 up in the objective above that would then fit down below.
16 But the policies underneath this 161 don't seem to be
17 consistent either, relative to visitor and resident. So
18 maybe what we can do is determine, well, just in reflection,
19 the 1990 plan has a segment specifically related to the

20 visitor industry under land use, and I think the intention
21 was to do that same thing here. I think Joe actually read
22 that objective statement. Jeff?

23 MR. HUNT: We've had some preliminary discussions
24 with counsel regarding the socio economic projections, and
25 there was a very strong opinion that we need to focus some

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1 efforts on addressing the mix of visitor versus resident
2 population, particularly the growth. So I'm not saying that
3 this particular objective doesn't need revision, but I'm
4 thinking that perhaps we should at least make some kind of
5 separate objective that addresses this, and try and work on
6 that.

7 MS. WADE: So is it all right if we keep the
8 intent to balance resident and visitor population? I know
9 we need to define balance. But to read something more like
10 maybe the 1990 general plan or what Stan and Dick have
11 contributed also as language.

12 Okay, so that's our intent with this objective
13 statement. And then let's be sure that the policies that we
14 read support that, and if they don't we will find a place to
15 relocate them. We'll work on modifying that language on
16 161. Susan, did you want to reiterate your comment on 162?

17 MS. MOIKEHA: Just like you said, you're going to
18 look at how you define balance. But you know what I'm
19 finding more and more, and it's not just what I experience,

20 but I know other people that live here locally experience as
21 residents working in this type of industry, the visitor
22 industry, is how people are treated. I have some specific
23 examples of that where it seems like there's this great
24 emphasis for the visitor experience at the expense of the
25 local resident. It's with people that are employed in this

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1 industry that experience that. It's when you go to the
2 beaches and you are doing your thing and you have this
3 conflict with the visitor experience that is just insulting.

4 I mean we had an experience last week where we
5 were at a beach and this company that has a contract with a
6 certain hotel and takes this visitor experience for these
7 visitors out into the ocean. There was a crew member in
8 there making inappropriate gestures to us in the water, and
9 it became a big issue. But I'm finding that there is this
10 emphasis on the experience for the visitor at the expense of
11 local residents, and I think that needs to be addressed.

12 And I don't know if that's where Jeff was going with that,
13 but I think it needs be addressed. I think there needs to
14 be a priority for the local residents that work here, live
15 here, raise their families here. That's important, and I
16 think it's often forgotten.

17 MS. WADE: That's a great point. Lucienne.

18 MS. DeNAIE: I was rereading the socio economic
19 forecast recently, and I noticed that we're at like 40,000

20 to 50,000 visitors a day coming up in our near-future
21 projection. I'm wondering if there's such a thing as a real
22 carrying capacity. Could we cap the number of visitors that
23 we receive each year and just become a lottery sort of
24 destination where you don't have to be rich, you just have
25 to get the right lottery number to get here. You could save

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1 a lot of money on the Hawaii Visitor Bureau. They wouldn't
2 have to spend all that money. It's like we would just
3 become the place to go by becoming more limited. I hear the
4 same thing that Susan does, and I experience it sometimes
5 myself. It's not that the visitors are bad, there's just
6 too many of them trying to be in too little of a space.

7 MS. WADE: Stan.

8 MR. FRANCO: Stan Franco. My wording for 162,
9 limit the number of visitor accommodation units constructed
10 each year.

11 MS. WADE: That perhaps gets more to our point in
12 that statement. Tom Cannon.

13 CHAIRMAN CANNON: This is my wording for 162,
14 maintain a proper balance between resident and visitor
15 population by controlling the growth of visitor
16 accommodation units so as not to degrade the environment,
17 crowd local residents, or overburden island infrastructure
18 and resources.

19 MS. WADE: Joe.

20 MR. BERTRAM: I like Stan's because it's kind of
21 clean. But I would also think maybe to add in and explore
22 the possibility of a cap. We did have, you know, we had no
23 more hotels being built, and that was actually in the
24 current general plan, no more hotels will be built. So now
25 there's other things of course, there's other types of

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1 facilities. But we can put in his language and explore the
2 possibility of a cap.

3 MS. WADE: Of residential units or visitors?

4 MR. BERTRAM: Visitor units. So it's not just per
5 year. That we actually do, as Lucienne was saying,
6 recognize that there is a limit and we set it.

7 MS. WADE: Hans.

8 MR. MICHEL: My wife works in the tourist industry
9 since 1963. She's a small little Hawaiian like this little
10 Chinese lady over here. And the tourists can make her cry
11 because they are rude. Some people are so bad you don't
12 understand why, it's because they over pay. In other words,
13 they pay too much for their room, and six bucks for a cup of
14 coffee and a crescent wrench -- I mean a croissant, and
15 they're already wild. So that adds up why some of them
16 can't stand the prices, and then they're rude to the
17 employees of the hotel. And there's nothing they can do
18 because the hotel tells them you have to serve your guests
19 the best you know how.

20 MS. WADE: I think a lot of this is going to be
21 related to the business practice piece of the economic
22 development. Once we get into that there will be a lot more
23 opportunity. There's a whole visitor industry section in
24 the economic development which we should save these comments
25 for there. That would be really appropriate. Jeanne.

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1 MS. SKOG: In terms of that objective, maybe
2 another way to get at it is some of us were part of the
3 tourism strategic planning group, and one of the things that
4 was striking in the discussions -- and there were a number
5 of people from the visitor industry included in that
6 discussion -- was the amount of emphasis that went to making
7 sure we're taking care of our residents, because if we take
8 care of our residents we will naturally take care of our
9 visitors, and that's the way the plan went.

10 There's an excerpt from the report that basically
11 talks to finding a sustainable balance. And that would be
12 my recommendation, is to say that, because sustainable ends
13 up capturing so many things in terms of how we feel about
14 the visitor, how the visitor feels about us. But you have
15 got to take care of everything to sustain that relationship
16 in a positive way. So I think by saying "sustainable" you
17 capture all that without saying we're going to limit
18 inventory or we're going to do this or that. You're setting
19 a policy that you have got to hit a sustainable balance.

20 MS. WADE: Great. Let me take all those comments

21 and see if we can craft something a little bit better for

22 162.

23 163 states, "Develop programs to encourage local

24 families to remain in Maui County." Any comments on that?

25 Warren.

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1 MR. SUZUKI: I have a question with regards to
2 when you say develop programs. What sort of programs are
3 you thinking about?

4 MS. WADE: I can't think of any right now off the
5 top of my head. Dick.

6 MR. MAYER: I was going to say develop housing and
7 employment programs. That could be everything from
8 training, upgrading skills so people can get a good job here
9 and go up the ladder, and housing programs so they can
10 afford to be here. Both of those would go a long way to
11 keep young people particularly from having to move away. So
12 I would suggest inserting the words housing and employment.
13 If other programs come along, fine, but at least those two I
14 think are critical.

15 MS. WADE: Stan.

16 MR. FRANCO: Stan Franco. For 163 I have, create
17 incentives for landowners to develop housing for local
18 families.

19 MS. WADE: You guys are headed along the same

20 lines. We have almost that exact same objective in housing
21 right now. So maybe adding the employment gets us closer to
22 land use too. Joe?

23 MR. BERTRAM: Also parks and recreation.

24 MS. WADE: That's a great one, parks and rec.

25 Trevor?

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1 MR. TOKISHI: Trevor Tokishi. I think maybe we
2 shouldn't specify housing or education or parks because
3 maybe there will be other programs that come up. So maybe
4 it's good as it is, it's more general.

5 MS. WADE: Okay, great. 164, "Require the public
6 dedication of land which provides for continuous lateral
7 access parallel with the shoreline." I think this is here
8 because probably the visitor industry is one of the greatest
9 offenders in not allowing this to happen.

10 MR. MAYER: How would you say it without being
11 redundant?

12 MS. WADE: You could say continuous lateral access
13 along the shoreline. Joe.

14 MR. BERTRAM: I would suggest we say require the
15 public dedication of land which provides for a continuous
16 pathway parallel to the shoreline, because that's what you
17 really want, is a pathway. We don't want to just say people
18 are allowed to go there, you have got to put a pathway. A
19 lot of the land we have right now that are state lands,

20 there's no way to access it. I mean it's there, it's
21 supposedly accessible, but it's all overgrown and there's
22 nothing that you can actually access. So if we say it's a
23 pathway then it's very clear that the access is that path.
24 And then it's understandable you don't just provide an area,
25 you actually have a pathway going there.

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1 MS. WADE: Stan?

2 MR. FRANCO: My wording for 164, require lands
3 along all shorelines to be open for fishing, swimming,
4 surfing and other public uses.

5 MS. WADE: Okay, Lucienne, then Susan.

6 MS. DeNAIE: I think Stan's idea is good, but I
7 think it should actually be a separate policy. And I just
8 have to point out I'm a big fan of paths along the
9 shoreline, but in the Hamakua area it's like there's big
10 gulches so you are not going to necessarily have a path
11 that's right along the shoreline, it's not like the beach in
12 South Maui or even West Maui. So I think we just need to
13 have language that accommodates that, that you might need to
14 have loop trails or things like that that go along the shore
15 break and come back out around gulches. But the access for
16 fishing, the access for surfing, that's really what you're
17 trying to get at, the access for walking along the shoreline
18 and watching the whales, that's really where we want to go
19 here.

20 MS. WADE: Susan.

21 MS. MOIKEHA: When you say require public

22 dedication of land, are you talking about transfer of

23 ownership?

24 MS. WADE: Probably an easement.

25 MS. MOIKEHA: So easements. And we kind of I mean

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1 we already have that established in state law, we also have
2 that established through the SMA entitlement where there is
3 that access guaranteed. And of course that's probably mauka
4 to makai and now you're talking about lateral. I think
5 what's more important to me, and if you have ever walked
6 along these pathways where a development is, whether it be a
7 hotel or even residential, it's how inviting it is for
8 anyone in the public to walk through there. And if you do
9 take walks through there you can see some ways of how to
10 design or the path it takes or intimidating signage that can
11 lead you to believe that you don't have a right to go
12 through there. In other words, you're trespassing.

13 So maybe it's more of those types of things, and
14 that might be an enforcement implementation type thing,
15 where when these conditions are placed, whether it's through
16 state law or entitlements under SMA that they are enforced
17 and that it's inviting to the public to be able to access
18 what is their right to access, instead of trying to make it
19 difficult.

20 MS. WADE: Tom, Hans, and then Warren.

21 CHAIRMAN CANNON: This may be addressed, as Susan

22 said already, by state law, but I just wanted to make sure

23 so I wrote 164 such that it reads, require public dedication

24 of land which provides for a continuous lateral pathway

25 parallel to the shoreline as well as perpendicular access to

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1 the ocean and mountains at regular intervals and at
2 traditional access points.

3 MS. WADE: Hans?

4 MS. MOIKEHA: Out in Kaanapali every hotel has put
5 aside a half a dozen parking lots for local people to park
6 their cars and go to the beach. Naturally they don't like
7 it. You can raise hell, you know, and that's the problem
8 why they're grumbling, but if they behave you're all
9 welcome, you know. It doesn't mean when you go to the beach
10 you break up everything, you have to act descent. When we
11 go to the beach we park over there and we go down, we've got
12 no problem.

13 MS. WADE: Warren.

14 MR. SUZUKI: You have the language in there that
15 states to require public dedication, but my past experiences
16 have shown that the county is not willing to accept a
17 dedication because along with the dedication there's a
18 liability that goes along with it. They want you to create
19 the shoreline access but they want you to keep it private.

20 So if you are going to require public dedication, require
21 government acceptance of the dedication. Don't just require
22 it from one side and not require it from the other side.

23 MS. WADE: Thank you for that. Warren Shibuya,
24 then Jeanne.

25 MR. SHIBUYA: I just want to leave the provision

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1 open so that we can allow for the installation of a few
2 renewable energy systems, such as wave and tidal generating
3 systems. Thank you.

4 MS. WADE: Thank you. Jeanne.

5 MS. SKOG: To that, well, I have two questions.

6 So do we need to specify public dedication, those who know
7 this better, or can we just say provide welcoming access or
8 something like that, just an over-arching statement on
9 access? Is it better to say public dedication?

10 MR. BERTRAM: I can give a quick idea. What Susan
11 brought up is it's in the law but as Warren was saying, so
12 often when they try to implement the law it's blocked by the
13 non-taking of it. So I'm thinking if we just say require a
14 public dedication of a pathway parallel. That way we
15 understand this has to go in, and then how we implement it
16 or how it's done, this will be welcoming. It wouldn't be
17 just a big piece of lawn that you have to figure out. So if
18 we're specific about that then we can leave it to the
19 implementation. We could say maybe as required to be

20 accepted, a pathway that's required to be accepted by.

21 MS. SKOG: Then the second comment was saying

22 access and parking, because I've been to spots where you

23 have got the access but you have got to park three blocks

24 away, so it kind of takes away from the experience.

25 MS. WADE: Carl?

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1 MR. LINDQUIST: I'd like to speak to Warren's
2 concern about liability, because in Hana we've had several
3 instances where the state -- there's a family subdivision
4 going on near my home right now where in order to get the
5 subdivision through, the state is requiring a 15 foot wide
6 pathway from the road to the ocean but no liability
7 protection. So if you are going to require it you really
8 have to protect the landowner somehow.

9 MS. WADE: Excellent point, thank you.

10 MR. SUMMERS: Thank you, Mr. Chairman. If I may
11 add to this discussion. I think the public dedication is
12 one important tool, but there may be many other approaches
13 to achieve this policy. So I would tend to recommend that
14 we need not be so specific in terms of the language here.
15 That there really should be a comprehensive discussion about
16 how best to implement this, and it's going to depend upon
17 the situation site specifically. So I would encourage
18 language that broadens it out a little bit, something to the
19 effect of require public access along the shoreline. We can

20 work with the words, but basically requiring the access not
21 necessarily specifying the tool to achieve it. It would be
22 similar to what Jeanne Skog suggested.

23 MS. WADE: Lucienne.

24 MS. DeNAIE: Add one word, perpetual public

25 access.

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1 MS. WADE: Perpetual public access. 165, "Require
2 new developments to contribute their fair share to
3 infrastructure costs." Comments? Dick Mayer.

4 MR. MAYER: Dick Mayer. This one I think is
5 extremely important not to burden existing residents, tax
6 payers with new development costs. I believe that 165
7 should probably be in the upper half with the previous
8 objective, not with the visitor housing, visitor resident
9 thing.

10 MS. WADE: I think we agree, yes.

11 MR. MAYER: I'd like to add quite a bit to this
12 sentence, if you can bear with me, require new developments
13 to contribute their fair share of state, county and public
14 utility infrastructure costs so that it will not be a burden
15 on existing residents resulting from the increased costs or
16 inconvenience. In other words, I really want to clarify.
17 Let's say a development is going to go in and add a thousand
18 units, or whatever it might be, to an area. Why should
19 existing residents of Maui pay for a road that goes out to

20 that place, a utility line that goes out to that place,
21 parks that would be put out there? It's essentially for the
22 benefit of those people. They should pay for all of their
23 infrastructure costs and not expect existing residents to
24 pay for that.
25 Right now we have a fair share process which

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1 doesn't work. We have a trivial one that's being put
2 through the Council now for highways. We have a trivial one
3 at the state level for schools. And the existing tax payers
4 are paying for all this new development coming to Maui,
5 because the existing taxpayers paid for what's there today.
6 Why should they also pay for the new development that's
7 resulting from that development?

8 I'll give you the wording to that, but the concept
9 is I really think that's very important as a policy. And
10 right now we have so many of the costs being borne by the
11 state, and there's no tool really to get the developer to
12 get the state funds, to get the money to pay for those state
13 facilities. That's why we have no hospital in South and
14 West Maui.

15 MS. WADE: Susan.

16 MS. MOIKEHA: I think in number 165 you're just
17 saying fair share of infrastructure costs, but you are not
18 -- I mean you're opening this up to local as well as
19 regional infrastructure? I just need to clarify that.

20 MS. WADE: Let's say, for example, someone is
21 going to build a residential community and they're going to
22 contribute 75 students to an elementary school. They
23 shouldn't have to pay for the whole elementary school
24 necessarily, but they should pay for their fair share of
25 what they're going to need to support their neighborhood.

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1 That might be an example.

2 MS. MOIKEHA: I see some things for infrastructure
3 are controlled by the state, and particularly roadways has
4 no impact fee for that or assessment. And when projects
5 have come through and they've made this exact statement, you
6 should contribute to your fair share of infrastructure on a
7 regional basis, and yet they give no criteria for that. So
8 it's up to the developer within the entitlement process to
9 determine what is their fair share. So they're the ones
10 that are coming up with it based on an approval by a
11 commission or whatever agency they're before.

12 I guess my problem with development is that, well,
13 first of all, they do take care of their immediate
14 infrastructural needs. And I agree with Dick that they
15 should take care of their infrastructure that leads into
16 their subdivision, connecting roads to a main roadway, all
17 of the things that go inside. I agree they should. But
18 they should also contribute to the regional impacts, and
19 that's a roadway that's used by everybody, so everybody

20 should pay for it. So I don't think it's necessarily true
21 that new development, that other people existing aren't
22 going to pay for the regional roadway. It's a pro rata
23 share thing through our taxes. That's supposed to pay for
24 it. And we drive that road from one part of the island to
25 the other.

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1 So I think on this one I think they take care of
2 their immediate needs, but it's the regional things that go
3 unaddressed. And I don't know how it's going to be
4 implemented, what process is going to implement that if the
5 state doesn't even have that. I mean even the fees that are
6 assessed on projects for schools was never meant to build
7 new schools. \$1,500 a unit, I mean that's not going to
8 build new schools. They said that. They did a workshop for
9 us, and they said that. But yet we have a high priority for
10 parks, so we will charge \$28,000 per unit to build parks in
11 West Maui. I mean there's something wrong with that. So
12 it's not just saying contribute your fair share because
13 there has to be some kind of way to implement what is your
14 fair share.

15 MR. SUMMERS: Thank you, Mr. Chairman. Typically
16 this is done through an impact fee ordinance. The county is
17 working on an impact fee ordinance for roadways, and we do
18 have a budget in this fiscal year to develop impact fees for
19 other public facilities and infrastructure systems. So the

20 program is moving forward. Primarily these are regional
21 systems, and the local infrastructure, the site-specific
22 infrastructure, the intersection improvements and the like
23 would be handled through the development entitlement
24 process. But this is an area that the county is very
25 interested in upgrading and working aggressively to do that.

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1 MS. WADE: Are there comments on 156? Tom Cannon.

2 CHAIRMAN CANNON: I had similar concerns to the
3 others who have spoken on this policy, and I came up with
4 the following wording, require new developments to
5 contribute their fair share of local and regional
6 infrastructure costs such that existing residents only pay
7 for improvements that directly benefit them and only pay in
8 proportion to the benefits received.

9 MS. WADE: Hans, then Kaipo.

10 MS. MOIKEHA: Ever since Mahinahina got built in
11 Lahaina back of Kilauea Mauka, the state said they were
12 going to relocate the road and put it through the
13 intermediate school. That never did happen. And the
14 Pioneer Mill had to pay for the entire of the road. You
15 guys all pay taxes, so why doesn't the state pay a little
16 bit tax and pay for infrastructure as well?

17 MS. WADE: I don't have answers to any of those
18 questions. Maybe as we get to the Maui island plan I will
19 be able to address that a little better.

20 MS. MOIKEHA: Please find out because I don't like
21 to give the State of Hawaii not a free ride forever.

22 MS. WADE: Kaipo.

23 MS. KEKONA: Hello, my name is Kaipo. I think
24 mine is kind of a question. If we are going to require like
25 the housing or plan or whatever, the construction to kick in

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1 their fair share as far as infrastructure and like, to me,
2 that's just going to really boom up the price of housing,
3 yeah. So maybe we can stipulate some kind of way like if
4 it's affordable housing, to a certain number the state kicks
5 in or something for the infrastructure, so then maybe costs
6 will even jump down lower. If we have got to pay for our
7 own infrastructure and somebody like me that can't even
8 afford a house now, won't be affording any house in the
9 future if we're paying for that kind of stuff. So if maybe
10 we can try and see a number or a way to divide that up to
11 make it more fair or reasonable. Thank you.

12 MS. WADE: That's a great comment. Thanks, Kaipo.
13 Chubby.

14 MR. VICENS: I just want to echo what he just
15 said, and have us remember that every time we add an impact
16 fee or we add costs to a development you're doing the same
17 thing to an affordable home. The HUD guidelines don't
18 change but the costs to whoever is doing it is increasing by
19 the fees that are impacted. And so he's absolutely correct,

20 we need to have the fees. But when you take, for instance,
21 you've get a traffic impact fee for around \$5,000 in one
22 area and it's a lot higher in another, and then you have a
23 park fee of \$15,000 and climbing, there is no rationale
24 between the two of them. I think what we have got to do is
25 be able to commission those that are looking at impact fees

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1 to look at the wide spectrum and make sure there's balance.
2 Talk about balance, they need balance between all the rest
3 of the impact fees. Thank you.

4 MS. WADE: Did you have one, Tom? Joe, did you
5 have something on this?

6 MR. BERTRAM: Just to follow up on that, one thing
7 I'm trying to promote is the whole idea of public/private
8 partnerships. So rather than just leaving it all just to
9 impact fees and government collecting these fees and taxes
10 and then doing it, if we can encourage more like with what
11 Everett Dowling did to build our new high school and he
12 built our middle school. So the idea is that we look to
13 private/public, it's PPP, okay, and so that we look at a
14 more aggressive and flexible way of getting these things
15 financed, rather than looking to government to collect these
16 fees and then somehow distribute them in a good way.

17 MS. WADE: Kaipo, did you still have something?

18 MS. KEKONA: I just want to keep something clear
19 to my comment if you guys keep it in consideration, that

20 like you have got to be real, yeah, as far as affordable. I
21 see planning developments coming up on the west side of Maui
22 that they throw that little pitch in there of affordable
23 housing, and when they actually get deep into their little
24 plan and find out there's like 12 units, it's \$200,000 or
25 \$300,000. And to those guys by all means if you ask me

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1 they've got a scheme up their sleeve, so make them pay for
2 the infrastructure. But if you are looking at something,
3 like to me, as far as somebody using the word affordable
4 housing -- and I am not sure if this fits in here -- but I
5 just want to it be understood that it's like 60/40, yeah.
6 60 being affordable. If they can put that out there then we
7 can look at, okay, you don't have to pay for infrastructure.
8 Let's put the state in charge of that or the county or
9 whoever has the biggest pocket. So that's how I see it. I
10 just want to make sure everybody -- like I don't want some
11 huge project putting in 30 units of affordable housing and
12 not having to put in their fair share. So that's what I
13 want to keep clear.

14 MS. WADE: Hinano.

15 MR. RODRIGUES: Hinano Rodrigues. Getting back to
16 Kaipo and Chubby's concerns with the ramifications of
17 putting impact fees in developments, maybe somehow we could
18 change the language and do this, say that change the word
19 development, add an adjective to change the development to

20 visitor industry development and in that way we hit that
21 specific target group that we're all trying to hit but
22 aren't really saying.

23 MS. WADE: Great, good comment. Thank you. Dick.

24 MR. MAYER: Dick Mayer. I don't think we should

25 restrict it just to the visitors. I think we have a huge

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1 second home market there. They're not considered visitors.
2 I certainly would not want them to avoid these impact fees.
3 I mean I agree 100 percent that the affordable housing
4 programs should be kept as a special category, and I hope we
5 do whatever we can to make sure that we build those and the
6 impact fee should not be excessive on them, if at all. But
7 certainly the second home market I definitely would want to
8 hit.

9 MS. WADE: Great, we will work on that language.
10 Do you have a new one, Tom?

11 CHAIRMAN CANNON: Yes, I have a policy I'd like to
12 add which would read -- I guess this is 165-1 which would
13 read, endeavor to sequence the construction of large
14 projects such that local workers are provided with steady
15 employment without any need to import workers from off
16 island in order to avoid the harmful effects of boom/bust
17 cycles.

18 MS. WADE: Okay, any comment? Okay, 166,
19 "Encourage land owners and the development community to

20 collaborate with government agencies, non-profits and land
21 trusts to preserve lands of importance and develop housing
22 to meet the demands of local residents." Stan?

23 MR. FRANCO: I have it here as establish as a
24 community benefit lands for housing of local residents and
25 pursue all legal means to develop the housing.

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1 MS. WADE: Warren.

2 MR. SUZUKI: Similar to the comment that I made
3 regarding requiring public dedication of shoreline access,
4 here we are encouraging land owners in the developing
5 community to collaborate with government agencies. So
6 you're saying on one side you have got your land owners
7 developing a community. On the other side you have got the
8 government agencies, non-profits and land trusts. You are
9 encouraging land owners to collaborate with the other side.
10 Why not just use Joe's terms, encourage public/private
11 partnerships to preserve lands of importance. Because,
12 again, all too often we forget that developers may be
13 willing to, but at the same time government may not
14 necessarily be willing to collaborate. A lot of times
15 government has a tendency of looking to development to be
16 the one to take the action and not so much themselves.

17 MS. WADE: That's a great point. I think that
18 would address what we are getting at there. Joe?

19 MR. BERTRAM: Just in addition if you could put in

20 land trust because I think that's a real important one.
21 What he said, instead of encourage land owners and the
22 development community, just say encourage public/private
23 partnerships to collaborate with non-profits, land trusts
24 and so on. Land trusts is a very important component for
25 that one especially for affordable housing.

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1 MS. WADE: Dick, and then Stan.

2 MR. MAYER: Before the word housing I'd like to
3 see the word affordable.

4 MS. WADE: Stan.

5 MR. FRANCO: I disagree with Joe. The reason for
6 that is that I think land trusts are an important entity,
7 but I think I'm with Warren that it should be just general
8 so that it doesn't associate this with any particular
9 non-profit organization. It's general enough, because we
10 are trying to create policy. Maybe someplace down the line
11 we can talk about land trusts and what they can do for
12 affordable housing.

13 MS. WADE: Hans.

14 MS. MOIKEHA: Over here in 166 it mentions develop
15 housing. It mentions affordable housing, but we should also
16 mention here affordable rental housing. A person has to
17 rent first before they can buy a house. I mean that's the
18 way I look at it. When I came to this country I didn't buy
19 a house, I had to rent first. That's where people are

20 supposed to start, in a rental house.

21 MS. WADE: We talk about that quite a bit in the
22 housing section. We have gotten to that. Susan, I think
23 you were next.

24 MS. MOIKEHA: Just to clarify the land trust that
25 you are speaking of to preserve lands is something like we

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1 have now with the Coastal Land Trust. So there's a land
2 trust that preserves open space land, and then you have
3 community land trusts that deal with housing.

4 MS. WADE: Exactly. Anything further on 166?

5 MR. SUMMERS: Okay, we're moving on to 167. We're
6 making progress. Let me read the objective for you and give
7 Erin a break. "Ensure that all developments are designed to
8 be in harmony with their surroundings and enhance each
9 community's sense of place." Any comments on the objective?

10 Joe.

11 MR. BERTRAM: Just add at the end by eliminating
12 separate use zoning.

13 MR. SUMMERS: Okay, thank you, Joe.

14 MR. BERTRAM: Basically as we have been going
15 through this land use portion of it, one of the main things
16 when I hear people saying well developers, we have got to
17 watch out for developers, look what they're doing to us.
18 But it isn't the developers, it's our land use laws. Our
19 land use laws enforce the type of development that nobody

20 likes. It's subdivisions, it's shopping centers, it's
21 resorts, it's everything separated out and connected by the
22 cars.

23 So we have yet to actually look at that is the
24 problem. It's not the developers, it's our own land use
25 laws. If we don't address it in our land use language, in

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1 our new general plan, then we are going to get the same
2 thing. We're going to try to put all kinds of stuff on
3 there. So if we eliminate separate use zoning then it
4 really follows the rest of the things you are talking about.
5 Then we establish urban design guidelines that actually then
6 we can address all the things that supposedly separate use
7 zoning was supposed to address which never did, and actually
8 can do it in a more specific way that relates to each
9 community. But separate use zoning doesn't, all it does is
10 gives us these big blobs of land that don't relate to each
11 other and actually don't allow for a cohesive organic
12 community to build.

13 MR. SUMMERS: I think we can do this through a new
14 policy statement. Attack this issue right up front. I
15 agree wholeheartedly with Joe, I think this is very
16 important, but doing it through a policy statement might be
17 the most effective approach.

18 MR. BERTRAM: It wouldn't be an objective, it
19 would be a policy under this objective?

20 MR. SUMMERS: That's correct. Lucienne.

21 MS. DeNAIE: I'd like to ask a clarification of

22 Joe or anybody else. Now, if there were mixed use zoning,

23 say in ag lands, would that mean that next door to me

24 someone could open a restaurant or whatever? I mean who is

25 going to define it?

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1 MR. BERTRAM: If you don't mind, basically that's
2 where 168 would come in. That basically once you get rid of
3 the idea that you separate out uses, whether it's
4 commercial, residential, when you are talking about
5 basically these are the zonings within urban designations,
6 okay. So then when you are in those urban designations you
7 determine a design of that urban area that doesn't pay
8 attention to whether it's commercial or residential, you
9 look at how you grow that organically.

10 Now, when you get into agricultural then you are
11 talking about a whole different beast basically. Then you
12 are going to be looking at how do you want your agricultural
13 lands to be used, and are they going to be situated around a
14 town or are they going to be situated in ways that don't
15 relate to towns, but that's something separate. Basically
16 what we really want to look at is how do we develop our
17 urban lands in ways that aren't the way they're developed
18 now. We really have to get rid of the separate use zoning.
19 That is the bane of good urban planning.

20 MS. DeNAIE: So on 167, "Ensure that all
21 developments are designed to be in harmony with their
22 surroundings and enhance each community's sense of place."
23 So is this an aesthetic consideration or an environmental?
24 They're in harmony because they don't use a lot of water or
25 they don't use a lot of energy or they're in harmony because

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1 they have a beautiful skyline?

2 MR. SUMMERS: I think this is primarily getting to
3 the aesthetic issues, preserving the unique character of the
4 individual towns and communities.

5 MS. DeNAIE: I think it might be better to use a
6 more specific word than "in harmony." Are designed to be
7 compatible with the community they occupy, something like
8 that.

9 MR. SUMMERS: Any further comments on objective
10 167? Jeanne.

11 MS. SKOG: On that same one I guess I'm concerned
12 too about the "in harmony" part, because what if the
13 surroundings are not desirable either? So I'd rather get
14 rid of it, frankly. I just it doesn't say anything. And
15 then get more specific in the policies below on describing
16 the characteristics of the aesthetic that you are trying to
17 get at. But I think what we are trying to get at in that
18 objective is really more the sense of place aspect of
19 something, not that it's in harmony.

20 MR. SUMMERS: That's correct. Are you comfortable
21 with the term "compatible"?

22 MS. SKOG: It's the same problem, compatible with
23 what?

24 MR. MAYER: I think if you just get rid of that
25 middle phrase there and say, Ensure sure that all

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1 developments are designed to enhance each community's sense
2 of place.

3 MR. SUMMERS: Very good, that's great. Does
4 anybody have a gold star? Warren, did you want that
5 repeated? Ensure that all developments are designed to
6 enhance each community's sense of place.

7 MR. BERTRAM: Can I add one thing to that? I
8 understand where you are trying to go, only harmony part,
9 just because when so often -- and I know Susan has probably
10 seen this -- people when they put in developments, what
11 we're looking at is just that development. And we always
12 ask well, how does it relate to the rest of the community?
13 When they put in Piilani Shopping Village I asked them to
14 put the buildings up on the street and they did, except they
15 put the backs of the buildings to the street. They had this
16 beautiful picture that showed this Piilani Village Shopping
17 Center but it was in this big sea of green. You didn't know
18 how it related to the neighborhood or how it set in there.

19 So I think what you're trying to say as well,

20 besides that it enhances it, but that it relates to it as
21 well. So whether it's in harmony, and harmony is a good
22 word in that sense, when you are trying to see how does this
23 new development relate to the rest of the community that's
24 around it. And if we don't that's when we are stuck with
25 these types of development where one is different from the

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1 other that's different from the other.

2 MR. SUMMERS: I think we're really close and we
3 can tweak the language a little bit. We are going to have
4 another crack at this, but I think we've done a very good
5 job of making this a nice, crisp statement. We will address
6 that thought, Joe. Any further questions on 167,
7 suggestions? Lucienne.

8 MS. DeNAIE: So does "enhance" meet everyone's
9 satisfaction? Just think of Amala Place down by VIP. Now,
10 if someone was going to build something there do you want it
11 to look like everything else that's down there, or do we
12 want to start moving forward and making things a little bit
13 better? Enhance, uplifting.

14 MS. SKOG: Enhance does it.

15 MR. SUMMERS: Very good. 168, "Establish urban
16 design guidelines and standards which will reflect unique
17 architectural characteristics and materials of each
18 community." Any comments on that policy?

19 MR. MAYER: The word "materials" there, what are

20 you getting at, the texture of the materials or the brick,

21 stay with brick, that kind of thing?

22 MR. SUMMERS: Right.

23 MR. BERTRAM: I think what they see is there's

24 different architectural things. People look at the Dickey,

25 people look at Kihei and more dessert things, in New Mexico

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1 they do the adobe kind of thing. You're trying to look at
2 each community being able to reflect whatever they're trying
3 reflect.

4 MR. MAYER: Should the word "building materials"
5 be in there? Is it understood?

6 MR. SUMMERS: That's right. I don't know if you
7 want to get too specific here. We can be looking at plant
8 materials and other things as well. Jeanne.

9 MS. SKOG: I don't think you need to say materials
10 at all. I mean architecture encompasses all of that. When
11 you design something you design the space, but you also
12 design which materials you are using and everything, so it's
13 encompassed in it. I'd rather not get to materials, because
14 who knows where materials will go. It's encompassed in
15 architecture.

16 MR. SUMMERS: Any objections to the elimination of
17 "materials"? Good. Any further comments on policy 168?

18 MR. BERTRAM: Just one last. There's a concern
19 whether you want to call it urban design. Maybe town or

20 business/country/town is what they use now. But not all are
21 going to be country towns. I mean I know Kahului will be
22 different. So maybe just in the sense of town guidelines.

23 MR. SUMMERS: It may be worthwhile to eliminate
24 the term "urban" and leave it broad.

25 MR. BERTRAM: Right, get rid of the urban. And I

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1 don't know if you want to say "guidelines" because that's
2 one thing we faced with the Planning Commission, well, these
3 are just guidelines, we don't have to follow them. So just
4 stick with standards. Guidelines are very easy to ignore.

5 MR. SUMMERS: Any further comments? Chubby.

6 MR. VICENS: Excuse me, John. I think guidelines,
7 design guidelines are very important because they vary from
8 place to place. For instance, in the Paia strategic plan
9 over the next 15 years for the town it's very specific as to
10 the kind of architecture and the kinds of things we wanted
11 to see in the plan. Makawao had a different slant, but it
12 was unique to their particular area. So we can't forget the
13 small town USA concept. I think the design guidelines does
14 not hurt having it in there because it could be very
15 specific to a particular area. Thank you.

16 MR. SUMMERS: Very good. Hans.

17 MS. MOIKEHA: With the guidelines I was wondering
18 who will enforce the guidelines? Maui County has so much
19 law and so much things and nothing ever gets enforced. So

20 where are we here? A lot of talk and nothing can be
21 enforced. So who will enforce all what you put on these
22 papers now? The guidelines is one of the most important
23 things, it has to be enforced.

24 MR. SUMMERS: We're receiving that comment
25 wherever we go throughout the county. So there has been and

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1 continues to be significant investment in that area. Shall
2 we move on to 169? "Ensure high-quality children's play
3 areas, parks, open spaces, and public gathering places are
4 provided in all urban centers and neighborhoods throughout
5 the county." Any comments on the policy? Tom.

6 CHAIRMAN CANNON: Yes. The only comment is to add
7 the word "restrooms," so it would read, Ensure high-quality
8 children's play areas, parks, open spaces, restrooms and
9 public gathering spaces.

10 MR. SUMMERS: Very good. Jeanne.

11 MS. SKOG: Can we maybe reword it? I really don't
12 like "high quality." You have got to define that. Anyway,
13 something like ensure either like nurturing or something
14 that's positive, but not high quality. Nurturing or safe or
15 whatever. And instead of saying play areas, parks, open
16 spaces, et cetera, we can say recreational and gathering
17 places, or recreational. Actually, we don't even have to
18 narrow it to youth, to children, right? I mean there's no
19 reason to narrow it. So we can say recreational gathering

20 and open spaces.

21 MS. MOIKEHA: For senior citizens.

22 MR. SUMMERS: There's an important point there.

23 Right now the policy is focused on children's play areas.

24 That can be broadened out by eliminating that term.

25 MR. BERTRAM: If you just read it, basically just

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1 children's play areas is one of the things, parks is another
2 thing. So it's not all for children, it's just specifying a
3 children's play area, whether or not we want to put that in.
4 But I do think it would be good to keep up the idea of a
5 green infrastructure that these play areas, parks, open
6 spaces and public gathering places are provided within the
7 green infrastructure of our towns and neighborhoods
8 throughout the county, because we want to connect them. We
9 want as much as we possibly can to connect these parks,
10 playgrounds, open spaces and play areas so that they
11 basically create a system that then can be accessed very
12 easily and is accessible to all of the people. We're not
13 looking at pockets of parks, but actually as much as
14 possible an infrastructure of parks. Because also then that
15 helps our nature. Our nature likes these bridges for the
16 native species and others. So we need this green
17 infrastructure. I think if we keep repeating that
18 throughout this, that will be a really good thing.

19 MR. SUMMERS: Warren?

20 MR. SUZUKI: I have a question with regards to the
21 phrase "urban centers and neighborhoods." I guess the
22 question I have is let's say in an agricultural area like
23 Haiku, for example. There's a lot of people living in the
24 Haiku area, but when you look at the amount of parks that
25 are available in that area it's very minimal, if anything.

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1 Most parks are provided as you state here, in urban centers
2 and neighborhoods, which basically infers residential
3 neighborhoods. But what about the parks in the agricultural
4 areas? That may add to what Susan is saying, that maybe
5 there is an overuse of public parks, because in other areas
6 parks are not being provided. So parks should be provided
7 throughout the county.

8 MR. SUMMERS: Excellent point. If you are talking
9 about a network of green ways, that fits right in there. We
10 can broad that out to say urban and rural areas.

11 MR. SUZUKI: How about ag?

12 CHAIRMAN CANNON: How about all districts.

13 MS. FILIMOEATU: All neighborhoods.

14 MR. SUMMERS: We can scrap "in all urban centers
15 and neighborhoods."

16 MS. SKOG: You don't even have to say "throughout
17 the county." This whole Countywide Policy Plan is the
18 Countywide Policy Plan, so it really is about providing
19 these recreational and other spaces, period.

20 MR. SUMMERS: We will look at shortening that
21 policy statement. Any further comments on 169? Susan.

22 MS. MOIKEHA: I guess this is important to what
23 your frame of reference is, and in South Maui my issue is
24 there are parks there, and maybe there are certain other
25 types of parks we still need, but it's the maintenance of

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1 the parks that are more important to me. When you assess
2 development, like in the Wailea area, and you can't afford
3 to accept that as a county and they're paying all the fees
4 to maintain that, I mean if that's the deal, then okay. But
5 for the parks we do have that are in South Maui particularly
6 they're horribly maintained. I guess I'm looking for a
7 priority here when you need to assess a development for park
8 fees or in the way of in lieu fees, or actually building it,
9 or getting credit for what they build.

10 There was an incident where a Wailea project got
11 credit for a little neighborhood park in a gated community
12 versus receiving \$3 million in assessment fees, with could
13 have been utilized to help maintain parks like Kalama Park.
14 To me, somewhere in here there needs to be said something
15 about what's priority to us. Is a little gated community
16 park more important to us than getting the monies that would
17 maintain the current parks we have?

18 So I guess everybody's experience will be
19 different throughout where they live. Some areas have no

20 parks. But I think there needs to be some kind of process

21 where you look at that and you assess it appropriately.

22 Personally I'd rather have, I have as parks dedicated be

23 maintained, because a lot of these parks and bathrooms

24 especially are not maintained.

25 MR. SUMMERS: Excellent point. I know that in the

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1 parks section we had a number of policies relating to the
2 maintenance and funding of our park facilities, so I would
3 certainly make a note of that, and as we get back into that
4 section let's make sure we have got that covered adequately.

5 Shall we move on to 170?

6 Okay, 170, "Permit the construction of structures
7 which utilize indigenous Hawaiian architecture and tropical
8 building designs." Any comments on the policy? Jeanne.

9 MS. SKOG: Is it worded like this because it's not
10 permitted now?

11 MR. SUMMERS: Recently there was a new section of
12 the building code to facilitate indigenous Hawaiian
13 architecture. I'm sure that there are some other things
14 that we can do to make it easier to do this, other tropical
15 building designs. We have some architects on the group. It
16 is a challenge with our existing building code to do some of
17 these things. Joe.

18 MR. BERTRAM: I do agree with the intent, because
19 Maui is the only county that does allow for indigenous

20 Hawaiian architecture. But I think that Lucienne has
21 brought up a great point about the simple types of buildings
22 that people can use in here for sustainable living just off
23 the land. And so the more that we can encourage that and
24 allow folks to be able to build things that are sustainable
25 just for themselves.

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1 MR. SUMMERS: Warren Suzuki.

2 MR. SUZUKI: I don't have a concern with
3 indigenous Hawaiian architecture, but the term "tropical
4 building design" in some way scares me. Because when you
5 talk about tropical, you have designs in the South Pacific
6 and Tahiti and all of that which may look great in those
7 areas but are not necessarily something that traditionally
8 have occurred on Maui, but they can say it's tropical. So
9 we just need to be very careful that the intent here is to
10 allow for indigenous Hawaiian architecture to occur. But
11 why do we need to say "tropical"? If you say indigenous
12 Hawaiian architecture you basically include all the designs
13 that might have occurred previously that may have difficulty
14 conforming with the codes. But to broaden it to include
15 tropical, I think you are putting yourself into a situation
16 you might regret.

17 MR. SUMMERS: I think the intent here, and maybe
18 it needs to be clarified, is to ensure that we are able to
19 construct in ways that take advantage of the tradewinds, the

20 natural physical environmental climatic conditions that we
21 have, so we can rely less on air conditioning and the like.
22 We will look at improving that. Anything further?
23 Lucienne.
24 MS. DeNAIE: The concept of tropical structures
25 also would probably include some of the new things that

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1 people are doing with bamboo here. I know that there was
2 recently a presentation or maybe last year at the Board of
3 Variances and Appeals or at the Board of Code Appeals
4 explaining how this architecture is sound and so forth, and
5 it finally got approved for various structures. So, you
6 knows, that hale building might evolve too, just based on
7 what kinds of materials and things that are available. I
8 think it would be good to allow it to evolve beyond just the
9 traditional structures if that's where it might go, based on
10 the creativity of the folks that are practicing it here.

11 MR. SUMMERS: Warren.

12 MR. SHIBUYA: I just want to echo Warren Suzuki's
13 comment about removing the tropical building designs,
14 because it does have a little problem here. The Board of
15 Variances and Appeals did have this specific case where the
16 individual had toilets and basins and other kitchen
17 facilities in separate units, and these reflect hotel rooms
18 or different condominium or temporary shared rental units
19 and it's not a single-family dwelling, so you need to be

20 very specific.

21 In this particular case if you do use Hawaiian or
22 indigenous architecture, there is a specific architecture
23 that is approved on Maui for that. And if you do want to
24 include the tropical advantages, which includes or you can
25 say which takes advantage or supports the sustainment with

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1 the tradewinds or photo voltaic, or however you want to use
2 it.

3 MR. SUMMERS: Thank you. Walette.

4 MR. PELLEGRINO: Thank you. I'm just wondering if
5 in that same section you might want to include
6 multi-cultural. I can't give you a specific example, but
7 there are I'm sure some designs that could be incorporated
8 there as well.

9 MR. SUMMERS: Thank you. Joe.

10 MR. BERTRAM: I just have to speak from my own
11 experience. When I lived in Hana I did build a
12 multi-cultural shack, and basically it allowed for me to
13 open all my walls. They became windows just by sliding them
14 open. It was a shed roof, I caught my water, I had my solar
15 panel. It was all illegal, and yet it served the purposes
16 for how I wanted to live and the style I liked to live, and
17 many people do like that. So many people will do this
18 anyway, regardless of whether it's in the law or even in our
19 general plan.

20 I think just the idea that here we live on an
21 island where the temperatures and the weather is so
22 conducive to more of the indoor/outdoor type of living, I
23 think it is conducive that we do put in something that
24 encourages people to be able to do that if they choose to,
25 and it could be done in a way that meets the criteria.

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1 MR. SUMMERS: Kaipo.

2 MS. KEKONA: I'm just trying to understand the
3 conversation here, because as far as I was aware, and I hope
4 I'm correct, there already exists a permit to construct
5 structures which utilize traditional indigenous Hawaiian
6 architecture. Because I spent all I day today building one,
7 so I hope it's in the law. (Laughter) If not, I'm sitting
8 in the heart of a culturally sensitive area and building a
9 very large structure, and I'm pretty sure we got a permit
10 from the county for it. So I don't know what we're
11 discussing and what's the issue. Could somebody help me out
12 here?

13 MR. SUMMERS: I think one word change that might
14 strengthen this would be to replace the term permit in the
15 beginning with encourage. Tom, did do you have a comment?

16 CHAIRMAN CANNON: Yes. Wording such that it would
17 read, encourage the construction of structures which utilize
18 indigenous Hawaiian architecture in suitable locations and
19 building designs utilizing passive ventilation and lighting

20 techniques.

21 MR. SUMMERS: Last comment. Hans.

22 MR. MICHEL: In the west side Kaanapali is

23 building a hale according to the way it's supposed to be,

24 Hawaiiana, and also for the tourists and locals alike to

25 use, but it has to be under a clean atmosphere. And I think

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1 they built something worthwhile which everybody can be proud
2 of.

3 MR. SUMMERS: Okay, very good. Shall we move on
4 to 171? Okay, 171 reads, "Require each development project
5 to address important character-defining elements including
6 street trees, landscaping, lighting, building massing, and
7 public amenities." Any comments on policy 171? Jeanne.

8 MS. SKOG: Given the objective and then policy
9 168, I guess I'm not understanding why you even need this
10 policy, because if you do those two things you're doing
11 that.

12 MR. SUMMERS: Very good point. Any other comments
13 on this policy?

14 MR. FRANCO: For my edification, building massing,
15 please explain that.

16 MR. SUMMERS: That would tend to be the size of a
17 structure in a given area, to be sure that a structure is
18 not so large that it dominates the street or the surrounding
19 buildings.

20 Get being back to Jeanne's comment, if we did go
21 back to policy 168 and added the term "establish design
22 guidelines and landscape standards" then I think we would
23 cover all of it. Because sometimes design guidelines don't
24 address the landscaping part as much as we'd like. And 171
25 is pretty heavy with landscaping. Tom.

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1 CHAIRMAN CANNON: What I liked about 171 is that
2 it talks about public amenities, and as I understand it in
3 other places, I don't know if it was Portland or where it
4 was, but somebody informed me that for every parking
5 structure that goes up in that place they require you to
6 have public toilets. That would be wonderful to have that,
7 because that's what's really missing from our urban
8 situation right now, is trying to find a lua when you need
9 it. So I like the public amenities portion of that at
10 least.

11 Building massing, as I would describe it, it has
12 to do with where the mass of the building is and where it
13 isn't. You might have a building that's all one block,
14 where it's blocking everything that's behind it, or it might
15 have holes in it where you can look through it and you can
16 see the other side and have it more lacy looking, for
17 example, so the massing would be less massive.

18 MR. MAYER: Dick Mayer. I think the point about
19 the bathrooms is covered in 169, the public amenities. So I

20 think Jeanne's point about eliminating 171, we've added so

21 many, let's eliminate one.

22 MR. SUMMERS: Joe.

23 MR. BERTRAM: Just in this one. I agree somewhat

24 with what Jeanne was saying, maybe it is, but I think there

25 are specifics that need to be addressed. One is pedestrian

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1 scale, that's real important. When you talk about
2 pedestrian scale it does have to do with such things as the
3 building massing. So that could be part of what that is.
4 But the other part for me is that we also either hide it or
5 place it behind, parking. When we're really talking about
6 parking we can't continue to have it as a major part of our
7 urban corridors and our public spaces, it has to be hidden
8 or in structures or something, but we've got to stop living
9 with our cars surrounding us.

10 So I don't know if it would be in this one or
11 anywhere, maybe it's a separate one, but I think that is
12 real, real important, that where we put our cars is not part
13 of our urban landscape.

14 MR. SUMMERS: We can easily incorporate that, and
15 that is a big cause of urban design problems, so it would be
16 wise I think to add that. Hans.

17 MR. MICHEL: When they approved the plan for
18 Pulelehua on the west side we were there for four days, and
19 they make everything beautiful and they're making hiking

20 path, bicycle path and everything. And I went ask them
21 "Where are the toilets?" And honest to goodness they would
22 never call for it and they would not make any modification.
23 How do you expect the people to hike from one end of the new
24 development all the way up to the hill, and where are they
25 going to go? So if the county makes approval for a

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1 subdivision like that, they should have at least a comfort
2 station. That's what they call them in Lahaina for the
3 harbor. I couldn't see nothing. I told you that last time.

4 MR. SUMMERS: Thank you, Hans. Any additional
5 comments on policy 171? Kaipo.

6 MS. KEKONA: Kaipo Kekona. Being that we're
7 requiring each development project to do things, is it
8 possible we could add in like instead of just street trees
9 and landscaping could we incorporate like native or
10 indigenous landscaping and trees? Because like my only
11 concern of it is that I observed certain development plans
12 going on, and the trees that they have and plants that they
13 have like tend to be invasive and harmful to our native
14 species. So if we could either not necessarily put native,
15 but maybe eliminate invasive, because some people find them
16 attractive but they're still invasive.

17 So like if we're talking about plants and
18 landscaping, maybe native. You can't stop anybody in a
19 house from planting what they want, but at least the

20 surrounding area could enhance our native species and give
21 them a better fighting chance. So that's just what I would
22 like to try and add in there. I don't know how, I'm not too
23 good at wording yet. I'm working on it.

24 MR. SUMMERS: This might warrant its own
25 stand-alone policy in this section. We can develop a new

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1 policy to address that exact issue. Any further comments on
2 171 before we move on to 172?

3 MR. MICHEL: Rather have trees, I would like the
4 plant shrub, because the trees is a nuisance. I still
5 believe trees belong in the forest, not on the highway, so
6 people can travel.

7 MR. SUMMERS: Jeanne.

8 MS. SKOG: I would select to delete it. I liked
9 Joe's comment about pedestrian scale, I think that is a
10 policy in itself, but I don't think it's this one. But I
11 like the sense of pedestrian scale because it is setting a
12 policy.

13 MR. SUMMERS: Very good. Okay, lets move on to
14 172, "Ensure business districts are distinctive and
15 attractive destinations." Any comments on 172? Lucienne.

16 MS. DeNAIE: We need the concept that they're
17 walkable as well. So however you want to word that,
18 pedestrian friendly, walkable.

19 MR. SUMMERS: Okay, very good.

20 MS. DeNAIE: Oh, and shady. Whether it's trees or
21 artificial overhangs or something, shrubs.

22 MR. SUMMERS: Stan.

23 MR. FRANCO: Since in other places -- Stan Franco
24 -- we talked about mixed uses, and we had one of our
25 speakers some time ago talk about noises from businesses

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1 that are in relationship to the residents. I probably would
2 want to add some kind of wording that it's also buffered so
3 that noises will not affect residential, the residential
4 community.

5 MR. SUMMERS: Very good. Joe.

6 MR. BERTRAM: Just if we are going to be buffering
7 things, just to make sure that we do make these business
8 districts mixed use in the sense that there's residential in
9 there too.

10 MR. SUMMERS: Jeanne.

11 MS. SKOG: Going back to what Joe said in relation
12 to what was 171, what if we got the sense in about
13 pedestrian oriented, and that might be broader in terms of
14 scale and the shade and comfort stations and whatever.

15 MR. SUMMERS: We could take the walkable component
16 and tie it in with the pedestrian and come up with a policy.

17 MR. BERTRAM: Just remember, we did use pedestrian
18 orientation before, and there was always the question, well,
19 what does that mean. So whatever language you can find that

20 is specific that's the more useful one now, that would be

21 great.

22 MR. SUMMERS: Okay, shall we move on to 173?

23 Without objection, let me read that, "Focus on improving the

24 aesthetic quality of all waterfront areas and harbors." Any

25 comments on policy 173? Lucienne.

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1 MS. DeNAIE: Same one, they really need to be
2 walkable and have some shade and green. Kahului needs a
3 redesign down there. It needs to be pedestrian oriented and
4 have amenities, some bunches where people can sit. You
5 know, it needs be designed for people, let's put it that
6 way.

7 MR. SUMMERS: Very good. Joe.

8 MR. BERTRAM: I guess just along those same lines,
9 not only to bring people in. If by making it pedestrian
10 oriented I guess that would do it, but right now they're not
11 there other than a few spots. So everywhere they've got to
12 have people and however you want to do that.

13 MR. SUMMERS: Hans.

14 MR. MICHEL: I just was at a meeting lately and
15 they told me Lahaina harbor is a nightmare because it's all
16 filthy and dirty. Who is supposed to clean that, the state
17 or the county? The restoration foundation will send the
18 county a bill for \$120,000 for they can fix all the toilets
19 and everything in the old courthouse, because the state did

20 not fix the comfort station yet on the pier. Why does it
21 take so long? I mean if the county has to do something you
22 wait until you turn blue. When a contractor does something
23 you give him a time limit, and if he doesn't get it done by
24 the time he pays a penalty. So why don't we turn the thing
25 around and make the county pay the penalty?

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1 MR. SUMMERS: Thank you. I know it's a source of
2 great frustration for us all. We will want to hit it hard
3 in the good governance section. Any additional comments on
4 policy 173? Tom.

5 CHAIRMAN CANNON: Yes. I suggest adding a couple
6 of words here such that it reads, Focus on improving and
7 enhancing the aesthetic and environmental quality of all
8 waterfront areas and harbors.

9 MR. SUMMERS: Very good.

10 MR. BERTRAM: We brought this up during the
11 transportation meeting. Maybe somewhere in there the idea
12 of gateway, not just the aesthetic quality, but this is
13 actually our welcoming into our island by boat and so it
14 should reflect a gateway kind of a feeling, you know, that
15 this is something very special that you are coming into, a
16 special place.

17 MS. KEKONA: More native plants.

18 MR. SUMMERS: Shall we move on to objective 174?

19 CHAIRMAN CANNON: I'd like to suggest an

20 additional policy here that kind relates to things we talked
21 about before, but under this particular objective. And the
22 policy would read, Investigate and provide ways to encourage
23 use of the Hawaiian value system, including lokahi, kokua,
24 laulima, et cetera, and to integrate the Hawaiian ahupua'a
25 system of land division into our land use policies.

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1 MR. SUMMERS: Very good. Okay, objective 174,
2 "Utilize public transit, pedestrian, bicycle and public
3 right-of-ways as design elements to make neighborhoods and
4 Community Plan areas attractive and unique." Any comments
5 on that objective? Tom.

6 CHAIRMAN CANNON: I'd just suggest adding the word
7 equestrian after bicycle. So utilize public transit,
8 pedestrian, bicycle, equestrian, and public right-of-ways.

9 MR. MAYER: Dick Mayer. Why do you have community
10 plan areas as opposed to the word "communities"?
11 Neighborhoods and communities, or are you trying to design
12 the whole community plan district?

13 MR. SUMMERS: I think the term "communities" is
14 actually a better approach. I would strike plan.

15 MR. MAYER: Community plan areas. Just put down
16 and communities attractive.

17 MR. SHIBUYA: I was trying to say that. Remove
18 the word unique. I don't think it's unique. We designed
19 these things so it could be effective or serve some people.

20 MR. SUMMERS: Any additional comments on this

21 objective? Lucienne.

22 MS. DeNAIE: I think the concept of safe should be

23 in there, because that's a very important reason why we have

24 these different non-transits. Also, I'm wondering if this

25 objective, I kind of see this as you design all this stuff

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1 first and then you build everything around it, rather than
2 you fit it into where everything else is. I'm not saying
3 this very well. But I guess the wording would be to design
4 communities and neighborhoods around public transit,
5 pedestrian, bicycle, equestrian, public right-of-ways as
6 major design elements. Like you start with that concept and
7 then you build everything else around it.

8 MR. SUMMERS: Joe.

9 MR. BERTRAM: And following up on that, I think we
10 do need to keep "unique" in there just because we did have
11 this walkability workshop, and that was one of the things
12 they did really look at, is the sidewalks. They had designs
13 in them, some had public art on the sidewalks, they had
14 public furniture along through these walkways as well as in
15 the downtown areas. So yes, exactly, using all this as a
16 way of really setting each neighborhood apart and making
17 them unique is our opportunity to really create special
18 communities.

19 MR. SUMMERS: Jeanne.

20 MS. SKOG: This sounds like it actually goes in as
21 a policy under 167, and really the three or four things
22 under that, because 167 is about enhancing our community's
23 sense of place, and certainly the pedestrian and walkways
24 and all of those things support that, as do the other things
25 underneath that.

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1 MR. SUMMERS: I think organizationally that would
2 make a lot of sense, to convert 174 into a policy. And
3 policies 175 to 178 do really fit in with objective 167.

4 MS. SKOG: And then you can take off to make
5 neighborhoods and community plan areas attractive and
6 unique, because it would be a policy.

7 MR. SUMMERS: Very good. Any other comments on
8 174? If not, let's move on. 175, "Coordinate with the
9 State Department of Transportation to utilize transportation
10 enhancement funds to create places of distinction." Any
11 comments on policy 175?

12 MR. MICHEL: One question. Who will hustles up
13 the fund? You know, you guys talk about, but when will it
14 come? Something like this you could start tomorrow already,
15 so when things needs to be done we have the funds available.
16 Because when we plan it this whole thing gets through this
17 two years from now. Is there a possibility certain items
18 you could already work ahead?

19 MR. SUMMERS: The Department of Public Works is

20 the primary county agency involved in this. The Planning
21 Department gets involved, but Public Works really takes the
22 lead in this area in terms of trying to get funding for
23 specific roadway improvements in Maui County. Any further
24 questions on this policy? Tom.
25 CHAIRMAN CANNON: I'd just add a little bit here

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1 so it would read, Coordinate with the State Department of
2 Transportation to utilize transportation enhancement funds
3 to create places of distinction that enhance our sense of
4 place and provide for the display of appropriate works of
5 art.

6 MR. SUMMERS: Joe.

7 MR. BERTRAM: I guess Lucienne first.

8 MR. SUMMERS: Lucienne or Dick.

9 MR. MAYER: Dick Mayer. Instead of to create
10 places of distinction, to cover what Tom just said, to
11 create aesthetic routes. It says there to create places of
12 distinction. I said to create aesthetic routes. In other
13 words, if we use the transportation funds, whether it be
14 walkways, bikeways or whatever it might be, we want to make
15 the route aesthetic. That could be pieces of art or what
16 have you.

17 MR. SUMMERS: Could be say transportation
18 corridor?

19 MR. MAYER: Aesthetic corridors. Enhancement

20 funds, is that a particular category so it should be

21 capitalized?

22 MR. SUMMERS: That's correct. Lucienne, followed

23 by Joe.

24 MS. DeNAIE: I was unclear about the places of

25 distinction. Now, I recall in several of our community

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1 plans, Kahului and Wailuku and I think Pa'ia and Haiku and
2 even Hana specified that corridors be created that are for
3 both transportation and historical enhancement. In other
4 words, telling the history of the area as you ride your bike
5 or walk along. There's a sign where you know this event
6 happened or this camp used to be located and so forth and so
7 on.

8 Now, is this sort of what this is addressing, and
9 would it be better to sort of be more specific so that when
10 we get to that point we know that we're trying to do
11 something specific? I guess my question is, would it be
12 better to try to address some of the things that were listed
13 as implementation strategies in our former community plans
14 and encompass them in a broad vision here, that we want to
15 actively pursue federal funds to create these corridors that
16 have historical or other significance.

17 MS. WADE: That came up in the transportation
18 discussion as well, with the legacy roads and scenic
19 bi-ways. Transportation enhancement funds can be used for

20 that, it could be used for the stuff Joe is talking about
21 related to traffic calming, landscaping, any number of
22 things. So I think the tool was thrown in there maybe kind
23 of inappropriately because that's really your implementing
24 mechanism. Maybe we need to, like you're saying, Lucienne,
25 bring it back up to what are we trying to accomplish with

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1 those funds, and it is to create places of distinction by,
2 and maybe we want to emphasize scenic bi-ways and some of
3 those examples.

4 MS. DeNAIE: I know Joe has been reading some of
5 the things from the old general plan. John has brought some
6 of the objectives from the Hana Community Plan. You know,
7 to me, part of our planning process is to take those things
8 and make sure they're carried forward in the future as a
9 broad set of goals that we want to achieve. So if there's a
10 way to improve on doing that in this. I think that these
11 funds actually really should be something that we are
12 aggressively assigning to these community-supported
13 projects.

14 MR. SUMMERS: Any further comments? Joe.

15 MR. BERTRAM: Just that I like places of
16 distinction, you know. I mean it's not just the routes
17 themselves, but when you do give all these design
18 considerations to all these various routes you are actually
19 creating a better community, and it does have a character

20 that it lacked before because we just put in these

21 standardized awful roads.

22 MR. SUMMERS: Stan.

23 MR. FRANCO: Stan is leaving for the night. I

24 want to thank you very much for following Stan's rule

25 (laughter).

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1 MR. SUMMERS: With that, shall we move on?

2 MR. LINDQUIST: I have something. On 175 would
3 you consider adding places of distinction which reflect the
4 history and culture of the area.

5 MR. SUMMERS: Excellent. 176, "Use trees and
6 other forms of landscaping along right-of-ways and within
7 parking lots to provide shelter, beauty, urban heat
8 reduction, and the separation of pedestrians from automobile
9 traffic." Any comments on policy 176? Jeanne.

10 MS. SKOG: Actually, this will be three for one.
11 We mentioned landscaping above as a possible policy. So it
12 would seem like if we in fact are turning 174 into a policy,
13 then this 176 could be melded into the statement you were
14 going to have on landscaping anyway. And then 177 and 178
15 really relate to that pedestrian orientation that we
16 mentioned above as well. So we're done.

17 MR. SUMMERS: Are there any objections to
18 following that path? I think we could merge 174 and 176 and
19 eliminate some redundancy here. Joe.

20 MR. BERTRAM: Just in 178 somehow to talk about
21 situate parking not just to facilitate access, but actually
22 to hide it. So get back to that idea of moving it out of
23 the public realm and putting it in the structure or behind.
24 Not so much to provide access, but to get it away so we
25 actually do not have to live around the cars.

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1 And then just curious as to the one that I brought
2 up about the separate use zoning. Is that going to come up
3 as part of this, underneath this objective, or will it be
4 underneath another objective?

5 MR. SUMMERS: We were looking at adding a new
6 policy to that effect under 167.

7 MR. BERTRAM: Under this one. Okay, thank you.

8 MR. SUMMERS: Any further comments on policy 177?
9 Kaipo.

10 MS. KEKONA: 176?

11 MR. SUMMERS: 176.

12 MS. KEKONA: Okay, I know you guys took your
13 notes, but I'd just like to throw that in there again,
14 native and indigenous trees and landscaping. Just a little
15 reminder. Thank you.

16 MR. SUMMERS: Hans.

17 MR. MICHEL: We're talking about the trees. How
18 big will those trees be when they're mature? Let's face it,
19 we don't want to get into trouble where the traffic will not

20 flow. We have to know how big they're going to grow.

21 MR. SUMMERS: We will put a banyan in next to your

22 house (laughter).

23 MR. MICHEL: The idea is when the power is out the

24 trees fall down. They have so much trouble up there. And

25 it seems to me everybody over here wants to follow up with

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1 the guys from Colorado and start planting trees. It's like
2 somebody making money, I don't know.

3 MR. MAYER: In terms of the design thing, I would
4 like to see each community have like a Welcome To. It gives
5 some identification, people are aware as they enter a
6 particular community, gateway signs. So I would encourage
7 community name identification in the entryways to gateways
8 to each community as appropriate. Various locales should
9 have that. I think it makes it very difficult for visitors
10 as well as residents because we don't have it.

11 MR. SUMMERS: Sounds like a new policy.

12 MR. BERTRAM: And last on the trees, I look at our
13 trees in our parking lots here, and they're so manini and so
14 pathetic. And I went to the Waikele shopping center, and it
15 was like being in a forest with these huge trees that were
16 just waving in the wind. I really felt I was in a glade
17 someplace. So whether we have to be so specific to say the
18 type of native tree that would put out broad or whatever it
19 is, let's really accomplish what we're trying to accomplish.

20 MR. SUMMERS: Very good. Shall we move on to 177?

21 I will read that for you, "Use visual cues and design

22 details for way-finding and to indicate pedestrian

23 right-of-ways." Any comments on the policy?

24 Next, 178. Any comments on that policy? Again,

25 this gets to the parking situation, "Situating parking to

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1 enhance the pedestrian environment and facilitate access
2 between destinations." I guess we covered that as well. I
3 think we're finished. Susan.

4 MS. MOIKEHA: I don't know if this is where this
5 belongs or maybe it's in another goal, but some of these
6 elements here just seem really aimed just to neighborhoods
7 and neighborhoods within a community, but we have a lot of
8 connectivity of roadways that are regional, and some of
9 those things apply to that too. Landscaping, trees,
10 separation of bicycle paths from traffic.

11 I think also number 178, when you are talking
12 about developments and the commercial centers within a
13 community, that they really should be accessible either not
14 just by a car but some other means. I mean I'm thinking of
15 some projects in Kihei where you have two shopping centers
16 and their fence divides both of them. So you have to get in
17 your car to come around to the other side. So maybe some of
18 that could be incorporated here, not just within the
19 neighborhood and the community, but also in between

20 communities.

21 Another thing too is some of these park-and-ride

22 types of facilities that we have, I mean they could use some

23 of this aesthetic appealing environment, and safety too.

24 You know, some of them are isolated and I don't know how

25 safe they are.

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1 MR. SUMMERS: Very good point. I know our
2 transportation committee is looking at a policy to that
3 effect. Any further comments on this section?

4 MR. BERTRAM: And handicapped.

5 MR. SUMMERS: And handicapped. Okay, very good,
6 fantastic. John.

7 MR. BLUMER-BUELL: Dick Mayer previously brought
8 up the need to include conservation designated lands in
9 this, and I was wondering if the Planning Department would
10 suggest we somehow deal with heavy industrial as well
11 somewhere in the land use. And second, there's a typo. At
12 the top it says promotoe instead of promote. So it's a
13 typo.

14 MR. SUMMERS: Thank you, John. Lucienne.

15 MS. DeNAIE: Back under land use policies that had
16 to do with our visitor industry, are we going to have any
17 kind of mention about a temporary vacation unit policy? And
18 if so, could we work towards having a zoning category for
19 retreat centers? Right now I don't think they fall under

20 any particular zoning category, they're being built in
21 different places. They're actually very needed, they're a
22 needed part in our community. We're always looking for
23 places to have the board retreat. But we don't really
24 encourage them to exist in a legal sense. A lot of them are
25 just sort of sub-rosa. Lokahi Farms, all these different

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1 places exist. I guess I shouldn't name them. But they're
2 illegal.

3 MR. SUMMERS: We will look at that policy as it
4 also relates to the resort destination discussion. We may
5 need a new policy on that, but we will look at it within
6 that context.

7 MS. DeNAIE: That would be great, because other
8 islands have wonderful retreat centers that are available to
9 the public, and they're appreciated.

10 MR. SUMMERS: Thank you very much.

11 CHAIRMAN CANNON: Okay, that brings an end to our
12 workshop tonight. We got through one of our three
13 categories. Is there any public testimony at this time?

14 MR. FRAMPTON: Good evening. My name is Rory
15 Frampton, I'm a private land planning consultant. I'll try
16 to keep my comments really brief. The first is that you
17 guys are doing a really good job. There's a lot of
18 wordsubmithing that we don't have to offer because this
19 group is so diverse that I think all the main points do come

20 up throughout the discussion. So you guys are doing a
21 really good job, and it's a very balanced discussion.

22 I do want to say with regards to the agricultural
23 lands that you can't force everybody in the agricultural
24 district to farm, and there are a lot of place in the
25 agricultural district that are not appropriate for farming.

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1 Areas that have conservation or resource value, there might
2 be native plant systems, and so the agricultural district
3 historically has been a kind of a catch-all. There's many
4 reasons to preserve open spaces in the agricultural district
5 other than just for farming. So I just think we have to be
6 clear that a lot of people use agriculturally zoned lands.
7 And we say we have got to farm agriculturally zoned lands.
8 That's a blanket statement that needs a little bit more
9 refining.

10 And then my only other comment, I think generally
11 to keep things simple there's a number of people here that
12 are trying to keep the language simple. That's going to be
13 really good because in the future as you try to implement
14 this document it's going to be really tough. And lastly, in
15 previous meetings there were comments about Sections One and
16 Two of the policy document, which I think are the first 50
17 pages in this document. And I'd strongly suggest that that
18 be termed a sort of like the 2007 Planning or General Plan
19 Update Preamble or Introduction, but that should be an

20 introductory piece of work and not considered part of the
21 plan or recommended strategies per se. And there's numerous
22 statements in there that I can go through and pull out that
23 if they were considered part of the plan would be very
24 problematical in the future. So I think if you just pull
25 that whole section aside and call it an intro or a preamble.

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1 Separate it so that it might make future implementation a
2 lot simpler. Thank you, and thank you all for your
3 dedication. It's kind of amazing to see how committed you
4 guys are. Thank you.

5 MR. BLUMER-BUELL: I have a question.

6 CHAIRMAN CANNON: Yes, John.

7 MR. BLUMER-BUELL: I have a question for Rory, and
8 that is, on the first 50 pages -- this is for the Planning
9 Department too -- I've talked about this with a few people,
10 and we have talked about it at these meetings. We want to
11 come up with the most accurate and the best job we can with
12 those 50 pages. And, you know, Rory has come up with one
13 way to deal with it to avoid I think legal problems and
14 confusion in the future. Could we hire a good writer and
15 historian and research person to rewrite the 50 pages, or
16 how are we are going to handling it?

17 I'd like to see it reworked by somebody that
18 really has some expertise in the field. I've even had
19 people suggest names to me. But I just think as a concept

20 that I don't know how we can go through it as a group, 50
21 pages. And if Rory has any suggestions on that or who might
22 be able to do that, I think that would be great. I guess
23 that's my question, do you have any suggested protocol for
24 getting that section as accurate as possible?

25 MR. FRAMPTON: I think the members of this group

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1 all could provide some really good constructive comments in
2 the areas that are problematic. I can't think of anyone off
3 the top of my head. I think the Planning Department did a
4 really good start at hitting all the major components that
5 need to be addressed as kind of setting the stage for the
6 update. Maybe it's that you guys just all provide something
7 in writing to the Planning Department and give them another
8 whack at rewriting it without having to go through one of
9 these long discussions.

10 CHAIRMAN CANNON: Is there any other public
11 testimony? Jocelyn.

12 MS. PERREIRA: Thank you. Jocelyn Perreira.
13 Wailuku Main Street Association, Tri-Isle Main Street
14 Resource Center. There's a couple of things that Rory
15 mentioned that have some validity. However, some of what
16 was -- I know our small towns and our professionals took a
17 crack at it and we gave it to all of you. I think there's
18 some solid background that gives the rationale for how this
19 plan is evolving. The only thing I have to echo and echo

20 strongly that's coming from our communities and our
21 professionals is that you brought in your public
22 participation. And where you're getting some of your
23 direction and guidance that it's coming from a multitude of
24 sources and not just one main source.

25 The second thing that was really important tonight

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1 was the aspect that Rory addressed about farming. There was
2 not a chance to get a discussion in about when you say you
3 must farm. I would have to say strongly in representing the
4 communities that do have the ag and the farming, the
5 Makawao, outlying areas, the Haiku, the Pa'ia going
6 westward, and even certain areas that have ag by Wailuku, is
7 the fact that some of these families are multi-generational,
8 fourth, fifth and now sixth generation that purchased these
9 ag land properties, and they initially farmed the land.
10 Many of them, even like private pineapple growers that had
11 farmed the land for generations, and they purchased the
12 land. Many of their kids never got wages because working
13 for their parents in farming the land helped them to pay for
14 the land that makes it now possible for them to have
15 affordable housing.

16 However, as is the circumstance that we saw in
17 Haiku at their last community meeting, there is a
18 development that's coming up, and one of the farmers, long
19 time farmer, Yamamura, that was farming on that land,

20 because the owner decided to open it up to a development and
21 has met with resistance that the new property owners are not
22 going to want the noises and the sprays and what have you in
23 the area, they have to give it up.

24 So when you have families like this in a
25 circumstance that they have properties, and now they can't

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1 even farm their properties because of changing conditions in
2 the area that's been allowed, frankly we don't even know how
3 some of this has been allowed, but there's been an influx of
4 all types of people there and it's substantially changed the
5 dynamics of some of these areas.

6 Therefore, it is inherently unfair for the local
7 families who have paid taxes for generations, mind you, and
8 have truly farmed the land and were committed to the land to
9 now have their children be in a position to pretend to do
10 farming when in actuality maybe they don't want to do
11 farming, it's not viable for them to do farming. When these
12 people put their life savings into purchasing or deciding
13 that they want to live here, they made big family decisions.
14 Many of these families have big families, 10, 15 kids, and
15 they planned for their families, multi-generational families
16 to continue to be on the land.

17 So if some of your policies say you want to
18 establish programs and so forth to retain and keep our
19 residents here, then you have to take into consideration

20 that this is one of the areas that you have to provide for
21 so that we are reflecting what is truly occurring. Because
22 what is occurring in some of these ag lands is a farm plan
23 that looks good on paper but in actuality may not be what is
24 actually occurring. And people are uncomfortable not being
25 frank and honest about the fact that they're really not

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1 farming, and they're doing the minimum maybe so that they
2 can meet the requirements. So that's the one thing I do
3 want to express.

4 And the last thing I want to say is I want to
5 thank those of you who have paid particular attention to the
6 small towns and the importance of the characteristics of a
7 small town. And that's very, very important to be
8 articulated in the form of business/country/town guidelines,
9 or all the characteristics that make the pedestrian scale,
10 all the massing and all of these other things. They may
11 seem like foreign things, but they're so important in and of
12 themselves, by themselves, that those of us who work in
13 trying to preserve and protect small towns know the
14 importance of each of these elements. And it's not just
15 something that you can just create a catchall all the time.
16 Sometimes you have to have very specific details so that
17 people don't not get it right.

18 I thank you for the opportunity to express that.
19 I'm very impressed with who you are and what you are and

20 what you represent, because what I saw here and experienced
21 tonight is some very good input. I truly feel we are very
22 well represented by this group for the Maui community, and
23 you're very responsive. Thank you very, very much.

24 MR. SUMMERS: Thank you, Jocelyn. Is there any
25 other public testimony? Yes.

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1 MR. SPENCER: My name is Henry Spencer, and I've
2 sat in several meetings and just listened. And since Bill
3 84 states that the general plan is to become law, I just
4 want to caution everyone to not create unintended
5 consequences by the language or wording of certain sections
6 of the document by using terms like "shall" and "must" in
7 areas where certain sections of the document are going to
8 come in conflict with each other. You are going to have
9 some that say you must do this, but you must do that.

10 In the interest of avoiding more future lawsuits
11 down the road for whatever reason, I want this document to
12 work, and I'm sure everybody else does. And it's just an
13 observation I've had in sitting and watching and listening,
14 and that's it. Thank you.

15 MR. SUMMERS: Thank you. Is there any other
16 public testimony? Yes.

17 MR. VICENS: Mr. Chairman, I think Jocelyn hit on
18 a note that we need to remember as we move forward, that we
19 are trying to plan for 2030, but we can't forget what

20 happened behind us. There are circumstances that she
21 described tonight that are absolutely true. Farmers that
22 gave 30, 40, 50 years no longer can afford to farm, but
23 they've got children that live on the farms.

24 So I think in formulating whatever we do we've got
25 to be able to take that into consideration, that there are

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1 some circumstances that we need to be aware of and be
2 cognizant of and take care of it in the proper way. Thank
3 you.

4 MR. SUMMERS: Yes, Lucienne.

5 MS. DeNAIE: Thank you. Lucienne deNaie. As we
6 look at the farm land situation, I think in the past a lot
7 of the things that Jocelyn is referring to, like
8 developments that have happened on farm land that then kind
9 of create a domino effect, you know, kind of encroaching on
10 the abilities of other people to just have their farm
11 lifestyles. Each of those has been justified along the way
12 by someone that needed the money for their farm, and this is
13 a very legitimate need.

14 There are operating throughout this country a
15 different kind of trust called farm trusts that deal with
16 the specifics of this situation. Vermont has a very, very
17 robust farm trust community, and what they recognize is that
18 these families should have the right to sell, but they can
19 sell their land as a farm and the trust actually work in

20 relationship with the new younger family that might be able
21 to utilize it in farming in a different fashion, maybe not
22 the same crop or the same use.

23 But whether or not this would work on Maui, I
24 think it's something we need to be open to, because
25 otherwise what we find out is that land that's really very

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1 useful for farming gets sacrificed because the family needs
2 money, which is another legitimate need. Back to Kehau's
3 session of need. So rather than just always looking at,
4 gosh, it has to be taken out of farming because the family
5 needs money, let's look at ways the family could get money
6 and we can keep some of this land for farming if it's still
7 good farming land. That's the key.

8 MS. PERREIRA: Families don't want to sell, they
9 want to stay on the land and enjoy a country lifestyle.
10 It's not feasible to farm in many cases.

11 MS. DeNAIE: Sorry for misunderstanding. I didn't
12 follow the whole trend of your conversation there.

13 MS. PERREIRA: Just very briefly, these families
14 do not want to leave the homes that they have had for
15 multi-generations. It may not be feasible for them to farm
16 because people around them have made their spaces less and
17 less, and they cannot have this co-op where you could use
18 the neighbors around you to have a larger piece to do viable
19 farming. But they want to live the country lifestyle that

20 they've known. That's the only thing they've known for all
21 their lives.

22 MS. DeNAIE: Thank you for clarifying. But there
23 are some families that do feel forced to sell, and this
24 would be something that could be helpful in terms of giving
25 them some choices too.

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1 CHAIRMAN CANNON: Okay, anything more on that?

2 We're on to future meeting methodology choices. This is the
3 section that we kept in our agenda. Yes, Dick.

4 MR. MAYER: A suggestion here. I think that we
5 need another investigative committee. We have several
6 sections of this report that we haven't had a chance to look
7 at, and I anticipate at least next week we'll be going
8 through at least one, and then we have just May left. I
9 would like to see a committee, and usually Tom and I meet
10 with the department and discuss the agenda and how we are
11 going to approach it.

12 But I'd like to see if others would be interested
13 in joining us to take a look at the vision at the beginning,
14 in taking a look at the vision at the beginning, there's a
15 core value statement at the beginning, there's strategic
16 plans, and the goals in the document that we've been looking
17 at. Somehow figuring how we want to take all those things
18 saying the same things over and over again, and then we
19 have the whole section on the history in the first part, but

20 then we have a whole Appendix B which has another 26 pages
21 of history, and how we want to organize that.

22 So I would like to see a group formed between now
23 and then, next week, and just make a suggestion to the group
24 of how we want to integrate these materials together so we
25 can work through it, otherwise we are not going to finish.

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1 Whether we want somebody to rewrite the history section,
2 combine it.

3 For example, the Appendix A is something that we
4 did not even work on. It's the executive summary of the
5 Maui Nui Task Force group. And I'm not sure if that should
6 be or should not be in the plan, but certainly someone
7 should look at it to see is that appropriate to be in the
8 General Plan or only referred to as a technical document.
9 So all those technical things I'd like to see us
10 investigate.

11 CHAIRMAN CANNON: It's a good point that we're
12 running out of time. We only have three meetings scheduled
13 after this one, and this one took us -- as I understand it,
14 only three more after this. This one took us the whole
15 meeting to get through one section. If that occurs two more
16 times then we will just have one meeting left after the next
17 two. We either need to do as Dick is suggesting and have a
18 committee that helps us with these preliminary earlier parts
19 of the document before chapter four, or we need to ask for

20 an extension, it would seem. Yes, Dick.

21 MR. MAYER: If we ask for an extension we should
22 really ask for it as soon as possible, because it has to go
23 to the Planning Committee of the Council and may necessitate
24 it full Council approval, which means a month for them to
25 even give us an extension. Since our deadline is May 24th

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1 in terms of the six months, I think it's appropriate for us
2 to ask for an extension at least by next meeting. I think
3 it's probably likely that we will need a few extra weeks.
4 But I would also say that that should not stop us from doing
5 some kind of investigation. At least make a suggestion on
6 how we want to handle these other sections.

7 CHAIRMAN CANNON: Any other comments on that?

8 Yes, Kehau.

9 MS. FILIMOEATU: I think Dick has really hit it
10 full hard, and I'm spooked that we are not, unless we adopt
11 a rule like Stan's rule, where we really have to discipline
12 ourselves, we are not going to get this done. The first
13 three hours we went through three inches of that paper, and
14 I don't know how to do it. Because what we're asking is to
15 limit your mana'o, which is really not too pono. But if we
16 have to get a job done we are not getting it done, which is
17 spooky. I agree, if you are going to ask for any kind of
18 extension, you ask now, not later.

19 CHAIRMAN CANNON: Yes, Dick.

20 MR. MAYER: To add to the confusion, we are going
21 to have to integrate the comments by Moloka'i and Lana'i,
22 and they're going to have to integrate all of ours. And
23 from what I'm hearing, we have a lot more than they have.
24 So they're going to have to look at ours and go back and
25 forth. So whatever we do I think we need to figure out a

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1 way to expedite the whole process.

2 CHAIRMAN CANNON: And we're not through with the
3 sections we've already done in a sense, because we just got
4 back the rewritten sections and now we have to go through
5 those and look at them and see if they're accurate and what
6 we intended. So it would appear we need an extension. Yes,
7 Joe.

8 MR. BERTRAM: If we can just follow up on that,
9 the first thing we want to know is there staff time
10 available for another investigative committee? And if there
11 is, I think it would be good if we do it in concurrence with
12 asking for an extension, and doing our best to see if we can
13 get this done with the extra investigative committee. Just
14 show them that we're trying at least. So again, if staff is
15 available I would very much support that motion if that's
16 what we need so we can move this discussion along to the
17 next meeting.

18 CHAIRMAN CANNON: Yes, Kehau.

19 MS. FILIMOEUATU: I'm all for the investigative

20 committees as well, but I think from the get-go one of the
21 reasons we were anti-committee was because we wanted to take
22 the wherewithal of using all of the mana'o that all of us
23 each individually bring to the table and talk about it. But
24 when you do committees you forego that and you kind of just
25 cut that off, which is expeditious in some senses. But I

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1 think not all of us can donate committee time besides this
2 kind of time that we put in. That would be my
3 consideration. You might want to see if we can do that.

4 We need to make longer sessions, but this has been
5 a real long session for me. Because, you know, our working
6 day doesn't start at 2:00, right, we start at 7:00 or 8:00,
7 and this is becoming 12 hours days for this especially. And
8 I have aloha for the people that have to travel far, because
9 now they have to travel more far back home at night. So I
10 don't know how to do that. We need to probably look at the
11 Planning Department to see how they can help us with that.

12 MR. BERTRAM: I don't think we're really cutting
13 anybody out, when we're dealing with these special
14 committees we're just condensing everything down. Anybody
15 can still add anything once we bring it back. It's just
16 kind of looking and getting the first go-round, and then
17 still bringing that so people still have a full opportunity
18 to participate and add in. It's just kind of giving a first
19 go-over so we can have something that's more workable.

20 CHAIRMAN CANNON: Yes, Dick.

21 MR. MAYER: Let me make a motion at least and see

22 if that's the proper way to do things. I'd like to make a

23 motion we have an investigative committee to find out how

24 those sections that we haven't dealt with can be

25 consolidated to be more efficiently handled by this group.

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1 Not to make the recommendations, but rather to figure out
2 how we think the vision, the strategies, the core values,
3 and all these documents and the goals which we have, all of
4 which are many times saying the same thing over and over
5 again with different words. We don't want multiple words
6 saying the same thing because there may be confusion. So I
7 want to investigate just to look at that part and make a
8 recommendation to us next week how we should go.

9 I will make a second motion to ask for an
10 extension of time. But one at a time, one motion at a time.

11 CHAIRMAN CANNON: Is there a second?

12 MR. BERTRAM: I'd like to second both of them
13 together. I think we should be doing them together.

14 CHAIRMAN CANNON: Let's take them one at a time.
15 Wouldn't it be best to take the extension first?

16 MR. MAYER: I don't think it makes a difference.

17 CHAIRMAN CANNON: It seems most critical. So
18 let's take the extension first, if you don't mind.

19 MR. MAYER: I will make a motion that we ask for

20 an extension from May 24th for three weeks, because we are
21 then going to have to take a break and go on. So I'd like
22 to take a three week extension until June 15th.

23 MS. SKOG: I'll second just to make the discussion
24 go.

25 CHAIRMAN CANNON: It's been moved and seconded to

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1 ask for an extension. Did you state how long that extension
2 should be?

3 MR. MAYER: I would like to make an extension from
4 the present six month deadline, which I think is May 24th,
5 until June 15th.

6 CHAIRMAN CANNON: May to June 15th. So it's not
7 even a month tension. Is that enough?

8 MR. MAYER: I think we can probably go all summer
9 on it, but we also have to go through the islandwide plan,
10 which is much more detailed. So if we can't conclude this
11 and get it out, we'll be going into the year 2010 before
12 everything is done.

13 CHAIRMAN CANNON: I would think at least a month
14 though, don't you?

15 MR. MAYER: I am going to make a motion for three
16 weeks.

17 MS. SKOG: I already seconded it.

18 CHAIRMAN CANNON: Right. So we are in discussion.

19 MR. VICENS: Chubby Vicens. I'd like to hear what

20 the director and our long range leader has to say about it,
21 because we're out here making decisions that they may not be
22 able to concur with or be even supportive of. So let's ask
23 them.

24 CHAIRMAN CANNON: Would you like to comment, John?

25 MR. SUMMERS: Thank you, Mr. Chairman. Regarding

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1 the extension, we can draft as a contingency a resolution
2 for you by the next meeting. That's not a problem at all.
3 We do have a situation where Moloka'i missed their first
4 meeting due to inclimate weather, we couldn't get over
5 there. So their clock stops on June 15th, which has put us
6 in an interesting situation.

7 If you read the ordinance we have 30 days to
8 compile the analysis and prepare a report for transmittal to
9 the Planning Commission. So there's a natural obstacle
10 there with Moloka'i wrapping up on June 15th. So that would
11 tend to be a natural date if an extension were be asked,
12 because it just makes sense from a staffing perspective in
13 terms of preparing the reports of findings and
14 recommendations.

15 Regarding the committee work, we do have a
16 committee meeting, a transportation committee meeting, from
17 what I understand, between now and the 18th. So I don't
18 think staff-wise we are going to have the capacity to hold
19 additional committee meetings between now and the 18th.

20 But in terms of your comments upon Sections One
21 and Two, as Rory indicated, we'd very much appreciate any
22 red line comments on those two sections. That would
23 certainly help us, and we can quickly address those comments
24 and do a rewrite on those, whether you have the committee or
25 don't have the committee. If you can take the time to read

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1 through those sections and give us your comments, that would
2 be appreciated.

3 CHAIRMAN CANNON: Susan.

4 MS. MOIKEHA: It sounds like it wouldn't be
5 problem to extend to the 15th since already one group has
6 to. So it sounds like that's doable. My question is, if we
7 extend those three weeks how many hours of time are we going
8 to actually have to meet? Because if it's only going to be
9 one more meeting of three hours or four hours, I mean how
10 much further is that going to get us?

11 So my suggestion is that if we are going to extend
12 the three weeks that we determine from the department
13 whether they can provide the staff hours to get the meetings
14 we need to get it done.

15 MR. SUMMERS: Thank you, Mr. Chairman. A lot of
16 this as we wrap up the final two sections, our approach is
17 going to have to change, because we will now be looking at a
18 revised draft and trying to synchronize the comments of the
19 three committees. So the focus is going to change a bit.

20 We've had conversations about having a chairs' committee
21 meeting or series of meetings with the Moloka'i and Lana'i
22 chairs of those committees to try to make that a smoother
23 process. So that's one area that we are looking at
24 potentially having some meetings outside of this framework
25 to help integrate the comments.

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1 In terms of hard meeting time, a lot of it is
2 production work. We need time between these meetings to
3 incorporate the comments and do rewrites, and that's where
4 getting comments on the first two sections would be very
5 valuable, because we can get some lead time on that. We can
6 come back with revised drafts that people may feel
7 comfortable with. It's hard for us to just guess what the
8 concerns are.

9 My guess is that there's some variation among the
10 members in terms of how they'd like Sections One and Two
11 restructured. So if we can get the material, what we need
12 is time on our computers to do the work. We can probably
13 squeeze a couple of additional meetings in by the 15th.
14 That would certainly help. And I think when we go to a four
15 or five hour meeting we are getting a lot more economy out
16 of that meeting, versus a three hour meeting, so that would
17 help.

18 We have been exploring with your chair and
19 vice-chair this concept of using this committee of chairs,

20 and that could prove to be very beneficial in wrapping this
21 thing up. We will have a resolution prepared by the 18th
22 for your consideration, and I think that's a good idea to
23 have it at council as a contingency either way.

24 CHAIRMAN CANNON: Any other discussion? Yes,
25 Jeanne.

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1 MS. SKOG: John, is there a reason why we have to
2 wait for that resolution until the next meeting? Is it
3 because it wasn't on the agenda tonight?

4 MR. SUMMERS: That's correct.

5 CHAIRMAN CANNON: Any other discussion? Yes,
6 John.

7 MR. BLUMER-BUELL: I'm just curious if the
8 Planning Department feels it would be good for all the
9 groups from Maui, Moloka'i and Lana'i to actually get
10 together at some point. We've talked about that in the
11 past, but what do you think about that?

12 MR. SUMMERS: It's certainly an intriguing
13 concept. The one challenge would be that we have a group of
14 25. If we add another 28 members to that we have a very,
15 very large group. So it's a question of whether we can,
16 whether that group would be able to operate efficiently. We
17 do think that there is a need to have this meeting of the
18 chairs, and we think that that might expedite things when we
19 get into the analysis of the consolidated recommendations.

20 So I think that would help. I'm not sure that the
21 consolidated large group meeting is going to be all that
22 efficient just because it would be such a large group.

23 CHAIRMAN CANNON: Yes, Jeanne.

24 MS. SKOG: Would it help anything if we formed an
25 investigative committee to do, for example, education?

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1 MR. SUMMERS: At this point I don't believe so,
2 because we still have the Moloka'i and Lana'i GPAC's that
3 have to review that section. So it would be easier if we
4 can just get through that section and get the comments out
5 to Moloka'i and Lana'i. I think that would be the most
6 efficient way at this point.

7 CHAIRMAN CANNON: Other discussion? Yes, Warren.

8 MR. SHIBUYA: I am going to have to decline from
9 my honorable partner from Kula. I don't see us being able
10 to do this on 15 June. I'm thinking more in terms of the
11 end of July, to be very realistic. Erin is one critical
12 point here, and she's going to be going to Moloka'i and
13 Lana'i. And then if we have another investigative group
14 then she's going to be stretched beyond the expected
15 capacity right here. I don't think so. So I'm going to
16 have to decline and tell you that this is my vote. Thank
17 you.

18 CHAIRMAN CANNON: Dick, did you have another
19 comment?

20 MR. MAYER: I don't expect that investigative
21 committee that I'm suggesting to necessarily need staff.
22 We're just discussing the prospect in which we want to
23 operate. We're not asking for writing, we're not asking for
24 text, we're just doing it. If John is there I think to hear
25 what we're doing and be able to report to the rest of the

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1 staff, that's fine. But I'm not asking in that
2 investigative thing to ask for staff time to write. I just
3 want to figure out how we are going to do the process, and I
4 think the small group of us could figure that out.

5 CHAIRMAN CANNON: This is a little bit on the next
6 motion.

7 MR. MAYER: It relates only in the sense that
8 Warren is voting against it because he doesn't think there's
9 enough staff time. I'm just saying staff time is not the
10 element in this one.

11 CHAIRMAN CANNON: I tend to, just to let you know,
12 I tend to agree with Warren that I don't think just an
13 extension to the 15th is adequate. It seems like we need
14 more work than that. I mean we just got back the rewrite
15 and we haven't talked about that at all. And our next two
16 meetings I would imagine we are going to take the next two
17 sections if we can be as productive as we were tonight. If
18 we can get through one each, that is, that would be
19 ambitious it seems. John?

20 MR. BLUMER-BUELL: Well, I agree with Warren. I
21 think it's better to ask for a little extra time. Planning
22 Chair Baisa indicated to us that, you know, if we're working
23 hard that she doesn't see why an extension would be an
24 unreasonable request. So I think a little more time is
25 better than less. I'd prefer another Saturday meeting. I

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1 feel like they're our most productive meetings and they
2 involve the public the most.

3 And the last thing is a question since we're kind
4 of combining these. The protocol of the committee meeting
5 is that it's reported this week and you can make your report
6 next week. Now, if you have a meeting regarding the
7 extension or with Lana'i, if we have other committees
8 meeting is it the same protocol where it takes two meetings
9 to report back. So if it is, that to me adds perhaps an
10 additional element of time on the whole thing. So thank
11 you.

12 CHAIRMAN CANNON: Yes, Jeanne.

13 MS. SKOG: I'm just trying to get clarification.
14 So we have a meeting on the 18th that's five hours, and we
15 will be going through the transportation. We will be
16 hearing a transportation report, we cannot discuss it.

17 CHAIRMAN CANNON: Correct.

18 MS. SKOG: So we would hopefully get through the
19 next section, which would be economy, is that right, or

20 education, either one. Then the following meeting we would
21 discuss, it's a six hour meeting and we would discuss
22 transportation or the other. But let's say worst case it
23 would be just transportation. So then we're at a five hour
24 meeting the one after that, and we would hopefully do the
25 last section.

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1 CHAIRMAN CANNON: We haven't gone over what we got
2 back yet.

3 MS. SKOG: So I'm trying to map that out. So
4 after that we would discuss the components which is what
5 Dick is referring to. We need a meeting to talk about how
6 we are going to do that. And then we've got to go through
7 all of the sections one more time. So we're looking at,
8 yes, we've done a tremendous rewrite, but if we are looking
9 at a worst case scenario we get to two sections a night for
10 our meeting. I mean so we're easily into July,
11 unfortunately. I was hoping it would map out to sooner, but
12 it looks like it's not.

13 CHAIRMAN CANNON: That's how I see it also. So
14 ready for the question.

15 MS. SKOG: So the question is June 15.

16 MR. MAYER: The motion on the floor is June 15th.

17 CHAIRMAN CANNON: The motion on the floor is the
18 15th of June. All in favor of the motion indicate by saying
19 "aye." This is to have it by the 15th. Better raise hands

20 then.

21 (A show of hands)

22 Four. All those opposed to the motion indicate by

23 raising your hand, please. 10. The motion fails for lack

24 of 13 votes.

25 MR. MAYER: So right now if you wanted to have an

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1 extension somebody would have to make another motion with
2 another date.

3 CHAIRMAN CANNON: Correct.

4 MR. SHIBUYA: Mr. Chair.

5 CHAIRMAN CANNON: Either way, the Planning
6 Department will provide a draft to us at our next meeting
7 that has the date, whatever date we decide on tonight.

8 MS. SKOG: But no matter what, we need an
9 extension, right? So I move for an extension.

10 MS. DeNAIE: Second.

11 CHAIRMAN CANNON: Did you want to say how long the
12 extension is?

13 MS. SKOG: No.

14 CHAIRMAN CANNON: You are going to leave it open?

15 MS. SKOG: We can deal with when later.

16 MR. SUMMERS: If I may, Mr. Chair, we will prepare
17 a draft resolution for your consideration at the meeting on
18 the 18th. At that meeting the committee, because it will be
19 properly noticed, can have a vote and establish the term of

20 the extension.

21 MS. SKOG: But you need us to pass this resolution

22 so you can come through with a resolution.

23 MR. SUMMERS: I can prepare the resolution without

24 a vote tonight. We will just prepare the resolution.

25 MS. SKOG: So we don't need to vote on this

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1 extension?

2 MR. SUMMERS: No. We'll prepare it, it will be
3 agendaed for the meeting on the 18th, and the committee can
4 determine the term of the extension.

5 MS. SKOG: So we don't lose any time right now if
6 we don't pass on anything on the extension.

7 MR. SUMMERS: No. And I think it's the better
8 approach because it's not on the agenda.

9 MR. MAYER: Dick Mayer. I would suggest that you
10 also do the same for Moloka'i and Lana'i, since they would
11 also need an equal length extension, and have them actually
12 request it as well.

13 Let me make a second motion, and that is --

14 MS. MOIKEHA: Before you do that, I really want to
15 know how many more hours we are going to gain. It's okay to
16 say another month or three weeks, but realistically I'd like
17 to know from the department when they're putting together
18 the resolution and looking at the time frame, how many more
19 hours of work time are we going to get to schedule, because

20 I think that's important.

21 CHAIRMAN CANNON: Similar to what Jeanne just did.

22 MS. MOIKEHA: I'd like to know that at the next

23 meeting so we can plan better for it.

24 MR. SUMMERS: Yes, we can do that.

25 CHAIRMAN CANNON: Yes, Dick.

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1 MR. MAYER: I motion to have an investigative
2 committee to try to describe to the rest of us how we can
3 most effectively and efficiently get all of the other
4 sections besides this one policy section accomplished. And
5 I will leave it up to the group to look at all the other
6 sections, the appendices, the vision statement, the goal,
7 the strategies, all the other statements, and how we can
8 handle it and how it should be organized for us, and how we
9 might want to handle it. I'd like the investigative
10 committee of volunteers here and perhaps even by email if
11 one or two others want to join who had to leave early.

12 CHAIRMAN CANNON: Is there a second?

13 MS. SKOG: Second for discussion.

14 CHAIRMAN CANNON: In creating the investigative
15 committee I don't have my rules with me right now, so I need
16 to maybe borrow someone else's. But I remember there were
17 certain things we had to do.

18 MS. MOIKEHA: Well, you have to define the
19 objective.

20 CHAIRMAN CANNON: The other was to the limitations
21 of the committee members, the scope and the members. That's
22 it, as I recall. Okay, further discussion?

23 MR. MAYER: Put that in the motion. The scope
24 would be merely to report back to the GPAC how we want to
25 handle all of the other sections effectively and

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1 efficiently. And the members will be those who volunteer as
2 nominated by the Chair.

3 CHAIRMAN CANNON: Is your second amended also,
4 Jeanne, to reflect what Dick just said?

5 MS. SKOG: Yes.

6 CHAIRMAN CANNON: Any further discussion? Susan.

7 MS. MOIKEHA: I don't understand why we need an
8 investigative committee to do that. Can't we all just email
9 you our thoughts to the department of how we want to handle
10 the review of the other sections? I'm not sure why we need
11 that.

12 MR. SUMMERS: That would be useful, to get those
13 comments, again, as soon as possible. What would be helpful
14 for the department would be to have this committee of chairs
15 meet, because these sections also involve Moloka'i and
16 Lana'i. And the way the investigative process works, you
17 report at the next meeting, then you have discussion at a
18 following meeting. So it's a very lengthy process where we
19 can turn around a meeting of the Chairs to discuss a similar

20 thing, and hopefully get unanimity across the GPAC's. We
21 can turn that around quickly, because we're only involving
22 two members per committee. That would be the most
23 beneficial approach to us, is to have this committee of
24 Chairs meeting and have individual comments sent in as soon
25 as possible.

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1 CHAIRMAN CANNON: Dick, did you envision that the
2 sections would be rewritten by these committees, or just
3 look at how you are going to deal with it?

4 MR. MAYER: Absolutely no writing at all per se,
5 but seeing that there are several parallel things all saying
6 the same thing, three or four things, and there are numerous
7 documents here that may not have to be in the final. For
8 example, some of these appendices may or may not have to.
9 At least make a suggestion back to the overall group,
10 because I can't see us going through 25 pages of history
11 which is in here in the appendices. Do we want to review
12 that or do we want to have it rewritten? Just to make a
13 suggestion, no rewriting by this group.

14 Now, with John's ideas, the two of us meet with
15 the two Chairs from the other groups and do the same thing.
16 If that's more efficient, that's fine. I just think the job
17 has to be done, because right now it would take us a lot of
18 arguing back and forth on how to land this one, move this
19 one here. I think a smaller group could handle that

20 effectively.

21 CHAIRMAN CANNON: John, a question for you. If

22 the Chairs did meet, would that be itself an investigative

23 committee and have these same requirements?

24 MR. SUMMERS: No, that's not my understanding.

25 CHAIRMAN CANNON: Any other comments?

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1 MS. MOIKEHA: I'd rather see them do that, because
2 timewise it's more efficient. Have the Chairs meet just to
3 discuss how they're going to handle the last three sections.
4 In the meantime, as we review it in the next week we can
5 send our comments directly to the department.

6 CHAIRMAN CANNON: It might be helpful to the
7 Chairs to know what those comments are too, though.

8 MS. MOIKEHA: I would assume they would put it
9 together and give a copy to you. Let them compile it. Some
10 of it may be duplication.

11 CHAIRMAN CANNON: Any other comments? Shall we
12 vote?

13 MR. MAYER: I'm going to urge people to vote "no"
14 on this one, and John will bring the Chairs together. So I
15 am going to ask you to vote "no" on the motion, or I'll
16 withdraw the motion.

17 CHAIRMAN CANNON: Okay, anything more on that?
18 Anything more on item F? We will have item F or a similar
19 item on a future agenda also. On future agendas, I should

20 say.

21 Okay, is there any public testimony? Okay, on to

22 Maui GPAC procedure for the acceptance and review of

23 resource materials.

24 MS. MOIKEHA: Could we defer that?

25 CHAIRMAN CANNON: Is there any objection to

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1 deferring this item? Okay, we will defer.

2 Okay, is there any public testimony? Okay,

3 Planning Director's report. He does not want to report.

4 MS. SKOG: Mr. Chair, so are we going to -- and

5 maybe I don't know if we have a choice or not, but are we

6 going to stay with this 2:00 kind of thing? Are we going to

7 try to head to more Saturdays, is that something you can

8 address?

9 CHAIRMAN CANNON: I think it comes up under item

10 I, setting of the agenda for the next meeting and scheduling

11 when the next meeting might be, what time it might be.

12 That's a very good question, though. That's where we are,

13 so your comment is well timed.

14 MS. SKOG: Well, based on some intelligence I

15 picked up today, I guess it was spotty in the beginning in

16 terms of the representation.

17 CHAIRMAN CANNON: We had a quorum, but a bare

18 quorum.

19 MS. SKOG: 13 out of 25. And of course I was one

20 of them. But anyway, I would like to encourage us looking
21 at dates and times that allow the maximum participation,
22 because I think it's unfortunate to not get everyone's
23 viewpoint when it's a conflict that's beyond their control.
24 It's not because they're simply not showing up. I don't
25 think someone should have to take vacation to do a public

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1 service.

2 CHAIRMAN CANNON: True. How does the rest of the
3 committee feel? Do we want to change the times? The next
4 one is scheduled from 4:00 to 9:00. I would suggest we
5 don't say 9:00, but rather 8:00, if we are going to do it
6 from 4:00. Just because we could stay longer, but if we say
7 9:00 we have to stay until 9:00. But if you would rather
8 meet on a Saturday, I agree with John that we get a lot done
9 on Saturdays, we're more rested. We get more public
10 participation on Saturdays. The only problem with it is we
11 lose our Saturdays, but it seems we get a lot more done.

12 MS. MOIKEHA: I think the other issue was the
13 staff's availability on Saturdays too. That's why we went
14 to trying to extend the meetings with hours. So either way.

15 MR. SUMMERS: If I may, Mr. Chairman. The
16 meetings at this point are very precious, and we do have
17 this facility reserved for the 18th, we're set to go. The
18 2:00 issue is moot, because the facility is not available
19 until 4. So it's a 4:00 meeting, 4:00 to 8:00 or 8:30. On

20 the 16th likewise we can't start at 2:00, it's a 4:00

21 meeting.

22 So in a matter of time if we can stick with the

23 meeting on the 18th that would allow the transportation. We

24 have an agenda posting requirement, so this is the soonest

25 we can meet. I have got to post the agenda tomorrow

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1 morning, and that would allow us to meet on the 18th and
2 cover some additional ground. So if we can hold that
3 meeting, that will keep this project moving forward.

4 MR. MAYER: Could I ask that you look ahead into
5 May, and we have a meeting on the 16th of May scheduled.
6 Could we also meet that following Saturday on the 19th for a
7 long meeting? I think we are going to need to put together
8 all of these things, and I think at that point we want to
9 take a look at the big picture at that point, putting the
10 whole thing together. We looked at parts of it as it is,
11 and at some point we are going to need to do that. So I'm
12 asking to look at the facility for the 19th.

13 MR. SUMMERS: We will research that and we will be
14 communicating regarding the agenda on the 18th. But we will
15 do the research.

16 CHAIRMAN CANNON: It doesn't thoroughly address
17 Jeanne's concern of meeting at that time of day on a
18 weekday, because there are others that can't even come
19 because of their work, and it's not the best situation to

20 have.

21 MS. SKOG: 4 is way better than 2, though.

22 CHAIRMAN CANNON: And the following meeting after

23 our next one was scheduled for 3:00 at this point, right in

24 between the two. And then the following after that was at

25 4:00 again.

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1 MR. HUNT: Tom, another issue that has come up a
2 couple of times is the location of the meeting. And I've
3 gotten a number of requests from the public that we hold at
4 least one or two meetings out in surrounding regions to get
5 better representation. So unless there's some strong
6 objections, staff will explore that idea and come back to
7 you folks with some options. We will come back with some
8 options, and if it's not acceptable to you folks, let us
9 know.

10 CHAIRMAN CANNON: Anything more on that? The last
11 item is adjournment. Is there any public testimony? Okay,
12 no public testimony. Moved and seconded? Okay, further
13 discussion? All in favor say "aye."

14 (A chorus of ayes)

15 Opposed say "nay."

16 (None).

17 Motion carried.

18

19 (The proceedings were concluded at 9:00 p.m.)

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1 C E R T I F I C A T I O N

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3 I, JEANNETTE W. IWADO, Notary Public for the State of

4 Hawaii, certify:

5 That the proceedings contained herein were taken by

6 me in machine shorthand and were thereafter reduced to print

7 under my supervision by means of computer-aided

8 transcription; that the foregoing represents, to the best of

9 my ability, a true and accurate transcript of the

10 proceedings had in the foregoing matter.

11

12 Dated the 3rd day of May, 2007

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NOTARY PUBLIC, State of Hawaii

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My commission expires 2/5/08

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