

PLANNING COMMITTEE
Council of the County of Maui

MINUTES

Lahaina Civic Center

December 3, 2013

CONVENE: 6:00 p.m.

PRESENT: VOTING MEMBERS:

Councilmember Donald G. Couch, Jr., Chair
Councilmember Gladys C. Baisa
Councilmember Elle Cochran
Councilmember Stacy Crivello
Councilmember Don S. Guzman (arrived at 6:05 p.m.)
Councilmember Mike White

NON-VOTING MEMBERS

Councilmember Robert Carroll

EXCUSED: Councilmember Michael P. Victorino, Vice-Chair

STAFF: Regina Gormley, Legislative Attorney
Pauline Martins, Committee Secretary

ADMIN.: William Spence, Director, Department of Planning

OTHERS: Paul Laub, Lahaina Shingon Mission and Lahaina-Honolua Seniors
Kathy Corcoran
Geraldine Carroll
Leslie Couch
Sherman Baisa
Plus (2) other people

PC-33 HOME-BASED BUSINESSES (C.C. 12-74)

CHAIR COUCH: ... (*gavel*) ... Will the Planning Committee meeting of Tuesday, December 3, 2013, please come to order. My name is Don Couch, and I'm the Chair of the Planning Committee. Our Vice-Chair, Mr. Victorino, is not here. With us tonight are Council Chair Gladys Baisa, and Councilmember Stacy Crivello, and Councilmember Elle Cochran, and Councilmember Mike White; and then a non-voting Member who came out to join us is Council Vice-Chair Bob Carroll. From the Staff, we have with us our Legislative Analyst Gina Gormley-good evening.

MS. GORMLEY: Good evening.

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CHAIR COUCH: And we have the Staff's, I mean the Committee Secretary Pauline Martins—good evening.

MS. MARTINS: Good evening.

CHAIR COUCH: And we don't have anybody from Planning, and they'll be late. So Members, we're here. This is the last meeting that we're going to have public testimony; and this is a regular Committee meeting so if we have questions of the Department, which isn't here, or if you have discussion amongst ourselves, we have the ability to do that, or if you want to speak with the people, who come up to testify, I'm going to allow a little leeway to have a discussion with them as well since only one person is signed up to testify. But before we do that, we did have some questions from people outside of wanting to testify, and we just wanted to remind everybody that we're working on an impact-based law as opposed to a list of things you can and cannot do. This Committee is very concerned about allowing people to do some things at home, to maybe start their business. If you look at Amazon, if you look at Apple Computer, HP Computer, Dell Computer, all of these people started at home. And also, even here on Maui, we had a business that sold for about \$90 million that started up in a garage in Makawao. So we're allowing, we want to allow for people to at least start a business at their home if it isn't, if it doesn't have a big impact on the neighborhood; and that's what we're trying to do is make a list of dos and don'ts about the impact of your business. That's what this bill is about. So with that, our, the only person that signed up to testify is Mr. Paul Laub; so Mr. Laub, come on up. And oh, by the way, Members, please turn your cells on to vibrate mode please.

... BEGIN PUBLIC TESTIMONY ...

MR. LAUB: Aloha everybody. I'm Paul and I'm here representing the Shingon Mission. Can you hear me? No? Okay, how's that? I better learn how to yell, huh?

COUNCILMEMBER BAISA: Now, it's better.

MR. LAUB: Now better, okay. So tonight I'm here representing the Shingon Mission and the Lahaina-Honolua Seniors. Both, well the Shingon Mission specifically asked me to represent them to tell you that they are for the ordinance; and majority of the people at the Honolua and Lahaina Seniors were for it. The others didn't know, the only complication that people really have is-what constitutes a nuisance, and nobody wants a nuisance. Other than that, people are all for it. That's my report.

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CHAIR COUCH: Okay. Members, any questions of the testifier? Seeing none, all right. We have the two ladies who had some possible questions. If you would like to come up, this is your only chance to come up; and we'd be happy to discuss it with you. Don't be afraid; we will not bite. But if you don't want to come up, that's fine too. *{NOTE: Ms. Corcoran stood up.}* Go ahead. Just give us your name.

MS. CORCORAN: I'll come up.

CHAIR COUCH: Pardon?

MS. CORCORAN: I'll come up.

CHAIR COUCH: Okay. Come on up. Just give us your name and who you're representing, if you do, if you're representing somebody. Thank you.

MS. CORCORAN: Aloha Kakou O Kathy Corcoran ko`u inoa. Noho au ma Lahaina. I live in Lahaina, and I'm, I just came because, I don't have a business with a storefront. I'm working on a business plan working on getting a small business going. Here on the Westside we used to have a health food store called Westside Natural Foods; and after 911, Down To Earth, who were part owners already, bought them out and had Down To Earth in Lahaina for a couple of years; and I was the Wellness Manager for about a year and a half. Since then, I've been asked by people in the community, when are we going to get our health food store back in Lahaina; and I go "well, let's see what we can do". We've got a promo operation going right now called Bananza Bags, where people can sign up and get locally grown produce. We have to order by the case; so I do the ordering and get a bunch of variety of different things; and then the delivery comes. One of our members has made their yard available. So the delivery goes to their yard, we bag it up, and people come and get it. So it's not any kind of disturbance to the neighborhood because it's like over a three-hour stretch when people just come and grab there bag. But we want to go further than that. We want to have an actual storefront. We want to have a place where people can come and learn how to cook healthful meals, buy supplements, buy ingredients and locally organically grown. So we're talking about starting in a garage. Okay, well what can we do at the garage level? We can't really prepare food; that's something we're going to have to tango with the State Department of Health. And so I came tonight because I was interested to find out what are the County Regs that I might be having to deal with, and permits that I might be required to get as we get our planning steering committee together and work on it more. So I guess that's basically my question. And here in Lahaina too, it's kinda hard to find a place where you can start out just being open on weekends because when you pay rent, you pay for the full month because you have stuff you'll store too. So if you're starting out part-time, people doing it and they just have a weekend available over the week, how do you, how in the world do you set that up? So that's just, nothing that you need to deal with, but I just thought I'd mention that. But yeah, the County Regulations, I just wanted to stop by and see what I'd have to deal with. Thank you so much.

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CHAIR COUCH: Okay, thank you. Members, any questions? *{NOTE: Ms. Corcoran walked back to her seat.}* Oh, don't go away. Don't go away. Kathy, come back. Members, any questions of the testifier?

COUNCILMEMBER COCHRAN: Hi, Kathy, nice to see you. I know you wanted to get a head start and you got a copy of the bill to research; and I know exactly the program that you're doing. I was a part of it, and can't eat that much. Yeah, I just couldn't eat the whole bananza bag; but, so are you looking to expand then, your, what you're doing now?

MS. CORCORAN: Into a . . .

COUNCILMEMBER COCHRAN: And . . .

MS. CORCORAN: Into a full-fledged health food store, but maybe just on the weekends.

COUNCILMEMBER COCHRAN: Okay. Again, like you mentioned, the difficulties if you're just doing two days a week, then rental of an actual unit would, but anyways, I'm sure if we get the word out, we can figure that out. But I don't believe at this point there's a, you know, there's one part in this bill, where it states how many people can come and go at the business.

MS. CORCORAN: Right.

COUNCILMEMBER COCHRAN: So I was just hoping that perhaps . . .

MS. CORCORAN: The number . . .

COUNCILMEMBER COCHRAN: Right. That perhaps what you're currently doing isn't in violation of that particular section. So you know, you can definitely keep in touch with myself or Councilmember Couch's office if you find that that's going to be hindering or a way to work, you know, with, to assist because I'm sure others might have a similar situation.

MS. CORCORAN: Yeah. I'll try to finish drafting something.

COUNCILMEMBER COCHRAN: So, but thank you.

MS. CORCORAN: Yeah. Yeah. *{NOTE: The microphone stand is tilting.}* This thing is falling.

CHAIR COUCH: Yeah, we'll, somebody will be here, Gina's gonna. Hang on. But I do have a couple things. First, I want to recognize the attendance of Councilmember Guzman. Good evening. Thank you for coming. And Mr. Will Spence from the Department of Planning is here. You had mentioned that you kinda, it's, kinda wants to be a health-food type store, where people would come in and purchase things, but only on the weekend.

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MS. CORCORAN: Well, we're thinking of starting on a weekend.

CHAIR COUCH: And this would be--

MS. CORCORAN: We would build it up slowly.

CHAIR COUCH: --in a residential area?

MS. CORCORAN: That's questionable. That's open to discussion. It's just a matter of finding someplace that we can use on weekends only.

CHAIR COUCH: Okay.

MS. CORCORAN: Also, that might have a cupboard or two to store some things.

CHAIR COUCH: Okay.

MS. CORCORAN: Yeah.

CHAIR COUCH: There is a copy of the current language there. When we meet the next time about this, we will have taken all of the input from everybody, and we're going to tweak it a little bit, but it's, in essence, that's what the language is going to be. Take a look at it. I . . .

MS. CORCORAN: It looked totally reasonable.

CHAIR COUCH: Okay.

MS. CORCORAN: Yeah.

CHAIR COUCH: All right. Members, any other questions? Seeing none, anybody else in the audience? Mr. Baisa? . . . *laughter* . . .

MR. BAISA: Right. . . . *chuckled* . . .

ALL: . . . *laughter* . . .

CHAIR COUCH: Okay. Thank you. And please fill out the form so that we have your name spelled correctly. Thank you.

. . . END OF PUBLIC TESTIMONY . . .

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CHAIR COUCH: Members, any comments or questions for the Department or anybody else?

ACTION: DEFER.

CHAIR COUCH: If not, thank you all for coming out to this meeting. I tried to stretch that out as much as I could, but this meeting is adjourned. . . . *(gavel)* . . .

ADJOURN: 6:11 p.m.

APPROVED BY:



DONALD G. COUCH, JR., Chair
Planning Committee

pc:min:131203

Transcribed by: Pauline Martins