

**HANA ADVISORY COMMITTEE TO THE  
MAUI PLANNING COMMISSION  
MEETING OF MAY 2, 2016**

*\* All documents, including written testimony, that was submitted for or at this meeting are filed in the minutes file and are available for public viewing at the Maui County Department of Planning, 2200 Main St., Suite 315, Wailuku, Maui, Hawai'i. \*\**

**A. CALL TO ORDER**

The meeting of the Hana Advisory Committee (Committee) was called to order by Chairperson, Ward Mardfin, at approximately 4:11 p.m., Monday, May 2, 2016, at Helene Hall, Hana Bay, Maui, Hawaii.

A quorum of the Committee was present (see Record of Attendance).

Chair Ward Mardfin: I think I got cutoff about the time I introduced Suzie, and I also need to introduce Paul Fasi, who is second from your left, who is the planner on today's project, and I want to welcome our last member, Clayton Carvalho, Jr., who just arrived. Welcome.

**B. INTRODUCTION OF NEW MEMBER - LINDA CLARK**

**C. PUBLIC TESTIMONY** - At the discretion of the Chair, public testimony may also be taken when each agenda item is discussed, except for contested cases under Chapter 91, HRS. Individuals who cannot be present when the agenda item is discussed may testify at the beginning of the meeting instead and will not be allowed to testify again when the agenda item is discussed unless new or additional information will be offered.

Chair Mardfin: I already introduced our new member, Linda Clark, which is item B on the agenda, item C is Public Testimony. If you would like to give public testimony now, you may, but then you will not be able to do it when we bring up the item. It's usually a good idea if you could do it, to wait and do it with the item, but it's up to you. Anybody would like to give public testimony? Seeing nobody, we're going on to item D. Public testimony is closed. Item D, election of officers for the 2016-2016 board year. We elect a chair and a vice-chair. Do I have any nominations?

**D. ELECTION OF OFFICERS FOR 2016-2017 BOARD YEAR - CHAIR AND VICE-CHAIR**

Ms. Dawn Lono: Mr. Chair, I would like to nominate you to chair for another year. I think you just do a wonderful job, and we appreciate you very much, and if you would be willing, that would be awesome.

Mr. Clayton Carvalho: I will second.

Ms. Lono: I move we close nominations.

Chair Mardfin: I am willing. Are there any other nominations? I was hoping to get out of it, but I am willing. Okay. I'll close nominations.

***It has been nominated by Committee Member Lono, seconded by Committee Member Carvalho, then unanimously***

***VOTED: that Committee Member Mardfin serve as Chairperson for the 2016-2017 board year.***

Chair Mardfin: I believe that's unanimous. We now have to elect a vice-chair. Are there any nominations? Who's the vice-chair?

Ms. Lono: Who's the vice-chair now? Is it Gale? Oh. I nominate Gale for a second term as vice-chair.

Mr. Carvalho: And I will second it as well.

Chair Mardfin: Are there any other nominations? Seeing none, nominations are closed.

***It has been nominated by Committee Member Lono, seconded by Committee Member Carvalho, then unanimously***

***VOTED: that Committee Member Notestone serve as Vice-Chairperson for the 2016-2017 board year.***

Chair Mardfin: If he raises his hand, I'll call it unanimous.

Mr. Gale Notestone: I was hoping to get out of it.

Chair Mardfin: No. I'm with you. Okay, that being done.

Mr. Scott Crawford: Ward?

Chair Mardfin: Yes, Scott?

Mr. Crawford: In the past, we have tended to rotate through chairs each term and so I don't think there's -- I think, you know, you're doing a great job and there's nothing wrong with having you to continue to serve another chair, but I do just want to encourage the new members especially to think about, you know, think about it for the future, you know, a year from now, being willing to step up and, you know, Clayton and myself have both served as

chair at times, and it's a great experience and it's good, I think, that we do rotate through the members.

Chair Mardfin: I agree with you and that's why I was hoping that I would be out of it today. Clayton?

Mr. Clayton Yoshida: Moving to the next item, Mr. Chair.

**E. RESOLUTIONS THANKING OUTGOING MEMBERS JOHN BLUMER-BUELL and ANJOLEEN HOOPAI-WAIKOLOA**

Chair Mardfin: Item E is Resolutions --

Mr. Yoshida: Yes.

Chair Mardfin: Item E is resolutions thanking our outgoing members John Blumer-Buell and Anjoleen Hoopai-Waikoloa, and are you going to read something?

Mr. Yoshida: Yes. Congratulations again to Ward and to Gale on reelection to office. But, again, we pause a moment to provide resolutions from the Advisory Committee thanking the outgoing members, John Blumer-Buell and Anjoleen Hoopai-Waikoloa, for their five years of service on this Committee, so we'll read the resolutions into the record:

Resolution of the Hana Advisory Committee to the Maui Planning Commission:

Whereas, Anjoleen Hoopai-Waikoloa and John Blumer-Buell have served the County of Maui since June 2011, as a member of the Hana Advisory Committee to the Maui Planning Commission; and

Whereas, Ms. Hoopai-Waikoloa and Mr. Blumer-Buell have served with distinction and performed their duties in the highest professional manner with the Hana Advisory Committee; and

Whereas, Ms. Hoopai-Waikoloa and Mr. Blumer-Buell's term of office expires on March 31, 2016; now therefore,

Be it resolved that the Hana Advisory Committee and the Maui Planning Commission hereby commends Ms. Hoopai-Waikoloa and Mr. Blumer-Buell for their dedication and untiring public service to the people of Hana; and

Furthermore, be it resolved that the Hana Advisory Committee and the Maui Planning Commission express their sincere appreciation for Ms. Hoopai-Waikoloa and Mr. Blumer-Buell's services and extend their best wishes in her future endeavors; and

Furthermore, be it resolved that copies of this Resolution be transmitted to the Honorable Alan M. Arakawa, Mayor of the County of Maui; the Honorable Mike White,

Council Chair of the Maui County Council; and Max Tsai, Chair of the Maui Planning Commission.

Mr. Yoshida: So if the members could sign the resolutions and we will, once we have all the signatures, we'll present it to Anjoleen and to John, but the Mayor did provide a certificate of appreciation and a thank you letter, which will be provided to Anjoleen and John as well.

Chair Mardfin: Clayton, is it appropriate for us to vote on that as a resolution or is it not necessary? I don't think so unless there's, yeah, it's just congratulatory. I mean if they want to for the record, they can do that.

Chair Mardfin: Then I'll interpret our signatures as being accepting to this resolution, and since we're all going to sign it, that'll take care of it.

**F. APPROVAL OF MINUTES OF THE SEPTEMBER 14, 2015 and NOVEMBER 2, 2015 MEETINGS**

Chair Mardfin: Moving right along, we have item F, approval of minutes of the -- of two meetings, let's them in order. Is there a motion to approve the minutes of the September 14, 2015 meeting? You folks in the audience don't have these but they were sent out to us in anticipation of this.

Mr. Crawford: Move to approve the minutes of the September 14<sup>th</sup> meeting.

Chair Mardfin: Thank you. Do we --

Ms. Lono: I'll second it.

Chair Mardfin: Any corrections or omissions? Seeing none.

***It has been moved by Committee Member Crawford, seconded by Committee Member Lono, then unanimously***

***VOTED: to approve the minutes of the September 14, 2015 meeting.***

Chair Mardfin: It appears unanimous. Can I have somebody make a motion to approve the minutes of the November 2, 2015 meeting?

Mr. Crawford: I so move.

Chair Mardfin: Is there a second?

Mr. Notestone: I'll second the motion.

Chair Mardfin: Thank you, Gale. Thank you, Scott. For those minutes, are there any corrections or omissions? Seeing none.

***It has been moved by Committee Member Crawford, seconded by Committee Member Notestone, then unanimously***

***VOTED: to approve the minutes of the November 2, 2015 meeting.***

Chair Mardfin: It passes unanimously. Moving right along, we're up to item G, Communications.

*Chair Mardfin read the following agenda item into the record:*

## **G. COMMUNICATIONS**

- 1. MR. JORDAN E. HART, President of CHRIS HART AND PARTNERS on behalf of MR. GABRIEL HOEFFKEN of GTH LAND COMPANY, LLC requesting comments on the Consolidated Draft Environmental Assessment & 201H Application for the proposed 100% Affordable Hana Housing Project (March 2016) on approximately 6.7 acres of land at TMK: 1-3-004: portion of 001, Kawaipapa, Hana, Island of Maui. (P. Fasi) (Board members: Please bring your copy of the document with you to the meeting.)**

**The Committee may provide its comments on the Consolidated Draft Environmental Assessment & 201H Application.**

Mr. Paul Fasi: Good afternoon, everyone. I'll be brief in my comments. I don't want to be repetitive. Jordan Hart is here, he's the consultant on the project, and he'll be basically giving an overview of the project so I don't want to repeat what he's going to be telling you.

I'm a senior planner with the Department of Planning, Current Division. After reviewing this draft environmental assessment, the department really has no big concerns with this project, we think it's a good project, and we support it. 201H just means it's a fast -- that's just another way of saying it's a fast-track project, and what that means is that they are entitled to certain exemptions in order to get their project moving and make it a reality. So

from here, today you have a chance to comment on the project. After we gather up all the comments, it goes to the Department of Housing and Human Concerns, they put together all your comments, and then a draft EA -- I mean, I'm sorry, a final EA is then put together and then published on the OEQC, the Office of Environmental Quality Control office of the state, and then further public comments is available. Finally, after that period is done, then it goes to the County Council, which has the purview and the decision-making authority on this project. So the Planning Commission will not review this. From here, it goes to -- back to the Department of Housing and Human Concerns; from there, it goes to a final EA; from a final EA, it goes to the council. So, at the council, you'll have another opportunity to testify, if you so desire.

It is a 100% affordable housing project, as you know. The zoning for this project, the state land use is ag, the Hana Community Plan's rural, it is in the county interim district, and in the Maui Island Plan, it is in the rural growth boundary. So as such, under normal circumstance, had this not been a 201H fast-track project, they would have to come before you and get a change in zoning and district boundary amendment for this project, which are two big huge obstacles, so by doing the 201H, we can avoid that, and they are qualified for these exemptions. Any questions for the department?

Chair Mardfin: Ms. Lono, please.

Ms. Lono: Just for clarification, it's my understanding that questions or comments on this draft EA need to be submitted by May 9<sup>th</sup>, is that correct?

Mr. Fasi: Yes.

Ms. Lono: Okay, then once this goes through, currently, the zoning is interim so what would be the zoning once the project goes through? It would be the same? Okay, so all of these lots would continue to stay in interim zoning?

Mr. Fasi: Yes.

Ms. Lono: Okay. Thank you.

Mr. Fasi: So this concludes the department's comments on the project. I'm going to turn it over to Jordan Hart. They can begin their presentation and a lot of your questions will be answered by Mr. Hart.

Mr. Jordan Hart: My name is Jordan Hart, of Chris Hart & Partners, I'm here to present the project to you. So to reiterate what Mr. Fasi said, this is a 201H project. It's 100% affordable. The threshold in order to qualify for a 201H project is 51%, and so again this is a 100%. Mr. Fasi talked about some of the obstacles that would come along with going

through the process in a normal fashion. The main obstacle would be time. In order to complete a change in zoning and a state land use district boundary amendment, it's about a two-year process, and so by doing this 201H process, it's about a seven to nine month process from the time you submit, so it accelerates the process is the primary benefit to the applicant.

GTH Land Company LLC is Gabe and Tom Hoeffken. They're the applicant for the project. Chris Hart & Partners, myself and Brett Davis, are the land use planning consultants. For some background on this TMK, there's an existing special use permit, and that's for mining, it's the extraction of gravel material and rock material, and that was previously reviewed by the Hana Advisory Committee. It's a little light, but this is an aerial photograph of the project area. The project site is shown in red near the Hana Highway here. This is the approximate location of the special use permit where mining is occurring. This parcel shows the full TMK. It's a 72.8 acre parcel, and the project site is 6.7 acres down here near the highway. The TMK, the size of the area we're talking about, as Mr. Fasi mentioned, these are the land use designations - state ag, so the normal process would be a state land use district boundary amendment, for what we're proposing, 10,000 square foot lots, approximately, you would need to go to urban, which is really not a very feasible proposal, I don't think, in this location. The community plan designation is rural, which would mean you'd need to propose a community plan amendment, which is a trigger for an environmental assessment. We happen to be doing an environmental assessment now for the 201H process. And then a change in zoning from interim.

These are some photographs of the project site as it exists just showing what's existing there. It's kind of overgrown so there's not too many major landmarks that you can see from the area but it's just various shots shooting in all directions.

Some information about the project, to reiterate, 100% affordable. It's going to be 24 lots, they're targeted at Hana families and individuals. Ten lots are going to be -- 10 lots are already determined to be -- be developed by -- in cooperation with Habitat for Humanity. There is -- the remaining 14 lots, the applicant is determining how that's going to be conducted, but, at this time, if it's appropriate, I might like to invite Richard Carr up to discuss a little bit about how the Habitat for Humanity process works.

Mr. Richard Carr: Good afternoon and thank you for having us here today. So Habitat for Humanity is kind of an amazing little organization to help with affordable housing here on Maui, so with the 10 lots, we've already spoke that we would definitely do the 10; with the other 14 remaining lots, we would be willing to assist with building those homes also. We just would like to also try to bring in some other nonprofits that would build affordable housing at a little bit higher range to get some more of our policemen, firemen, them type of people that make just over Habitat's income limits.

So how the Habitat program works, you just received the income guidelines for Maui County that were just updated this week, so someone has to qualify within them guidelines, so a family of four has to make above the top number and below the bottom number there, and that determines whether or not they qualify income-wise. Some good parts about this program, Habitat has a 20-year buy back, which means that the home will stay affordable for 20 years. Anytime during the first 20 years, if someone decides to sell, a portion of the proceeds has to go back to Habitat to build more affordable housing; plus, Habitat also maintains the right to be the first buyer back so we could buy the property back and put another Habitat family in it.

Mr. Carvalho: Is it alright if we, I'm sorry, is it alright if we can make those available to the people in the audience as well? Sorry.

Mr. Carr: Oh, yeah. I have enough for the people in the audience, plus I have some sign-up sheets for the audience for later if they want to sign up for one of our classes.

Mr. Carvalho: Thank you.

Mr. Carr: Our houses have to be owner-occupied, and the great part of that is it has to be someone who plans on living in Hana so, hopefully, that deters a lot of the people from the Mainland or from Canada, or whatever, who just want to come out here and buy a vacation house that's going to sit empty most of the year. We want to help the people of Maui, so we always make it it has to be owner-occupied, so if you qualify for our program and we build you the house, you have to live in it.

With our program, the homeowners don't just get this amazing deal on a house. They have to put in 500 volunteer hours helping us to build their home. The advantage to that is a lot of our homeowners have always been homeless or renters, this teaches them how a house is built and how they're going to maintain their house in the future. As we're going along, we build the house, they're doing their volunteer hours, and when it's all done, Habitat goes from being the builder to the mortgage company. We then write these families a 0% interest mortgage. Our standard mortgage is 20 years. Right now, we do not currently, we've served over a hundred families, we don't currently have a single mortgage payment over \$800.00 a month. We've got a couple that are right there from our new condo building that we just built in Wailuku, but most of our payments are between \$3- to \$800.00 a month for a mortgage payment. Now, along with that, our homeowners all have to take a one-day free homeowner education class where they teach them about setting a budget, living on a budget. Most of our families, one flat tire on the car means they're not making the mortgage payment. So we teach them how, even if it's \$3.00 a month, you're putting money in the savings for those emergencies. We want to set our families up completely for success to make sure they're going to be able to stay in this home.



Another thing that comes with the Habitat model, we do free credit counseling. So the amazing part of this is anyone that wants to apply for this, we can't take applications till we're ready to build, but now, if you wanted to take the homeowner education class and start in the free credit counseling, that gives you the rest of the time, while they're finishing up all of their paperwork, to get that credit counseling, to get your credit score above the 600 mark, to get everything you need in line to be able to qualify for the home.

We do not discriminate. It can be a single person. It can be a family of four. It can be a family of six. A family of eight. We are only looking to help people get into permanent housing so that they can be stable and safe.

Any other questions about how Habitat works? Perfect.

Chair Mardfin: I have a couple of questions about how Habitat works.

Mr. Carr: Okay.

Chair Mardfin: But does anybody else, any other Committee Member want to?

Mr. Carr: And we'll be here after so if anyone wants to ask questions after.

Chair Mardfin: We'll give opportunity for the public to give testimony later --

Mr. Carr: Perfect.

Chair Mardfin: With public testimony. Does anybody else want to ask questions? Gale.

Mr. Notestone: Yeah, my question, the 500 volunteer hours, who keeps track of that?

Mr. Carr: We do. We have project managers who teach the volunteers how to build to code, and how to build safely, and they have sign-in sheets, and every day the sign-in sheets get filled out, they all get put into our database, and at any point our homeowners can call and say: Where we at? How we doing? And I can pull it up in the computer and say: You're at 300 hours. Now, out of the 500 hours, our program, 200 hours have to be put in by the families that are living in the home. The other 300 hours, they can bring in friends, family, co-workers, church groups, anyone that wants to help them put in their volunteer hours. So what this does is it kind of bring the community together because it's not just your family building your house, you're bringing in your relatives, and your friends, and your co-workers so that when it's all done, there's this definite pride of ownership because all of your friends and family have helped you build.

Mr. Notestone: So if a family brings in ten friends, and they work ten hours, that's a hundred hours they accumulate?

Mr. Carr: Yes. And then we also have programs too, say you're a single mother and you have a small child, we can't have a small child on the work site, so if you have a babysitter or aunty babysitting, the aunty gets volunteer hours for the hours that she's babysitting while you're on the work site. Our whole goal is not to deter people; it's to try to get them involved and get them part of the building project so that they have that pride of ownership. We also have programs, if we have fundraisers, they can work in our office, or if we have elderly who are unable to do physical labor, they can make lunches for the volunteers. We have a lot of programs to make sure that everyone can get their volunteer hours in.

Mr Notestone: A last question is: Who selects who's going to -- who makes the selection on who gets the property or the house?

Mr. Carr: Okay, so we have a family selection committee that is made up of real estate agents, title workers, bankers, mortgage people, a couple of our board members, and they go through, and they have all the set criteria: Do they make the income? Yes. Do they have a need for this home? Yes. Do they meet all of our criteria? There's some things like you can't have state or federal tax liens against you because they automatically supercede any lien we would have on the house, so that's something you'd have to clear up. So they go through, once they determine that you meet the qualifications, and they approve you, it then goes to our board of directors, and our board of directors don't get names, so it's all done very fairly. They get, here's a family of four, here's their credit score, here's their income, here's where they're at with stability and able to repay a mortgage, and then the board votes yes or no on that knowing that the family selection's already pre-qualified them.

Mr. Notestone: Thank you.

Chair Mardfin: Jordan said, "This is targeted for Hana families." How is there assurance that it would be Hana families as opposed to other people that are not from Hana, aside from the fact that they'd have to live here once they got it?

Mr. Carr: Yeah. Well, and as a mortgage company, by law, we cannot discriminate except, as Habitat, because the Federal Government has given us permission to write mortgages to people that don't qualify for a standard mortgage, they do allow us a couple of key things and that's to be able to base it on need, so a family of four wanting to move here from Canada, and have this house in Hana with a beautiful view and the ocean, isn't going to have the same need as a family of four that lives in Hana, and they're struggling, and their rents gone up twice and they can't afford the rents, and there's nowhere else to live, so a lot of that basing it on need is what allows us to say: What is the need here? Is the need

for a family to move here from the Mainland or is the need for a family that's already living here, working, struggling to try to make it, who needs a safe and stable place to live?

Chair Mardfin: Second, and related to this, is somewhere in here it says that it is -- the housing selection is based on Housing and Human Concerns, I think, or something to that effect, and do they take into account where the families are from, or do they accept what your group recommends?

Mr. Hart: So, I'll probably -- thanks a lot, Richard. So what Richard was describing was the Habitat for Humanity process and that's certain to be happening for ten of the lots. The Housing and Human Concern process, I'm not aware that you're able to restrict people based on their region and so forth. Yeah, and so, you know, that's something that's really important for everybody to understand is that our county -- excuse me, that's something that's really important for our -- everyone to understand is that our county process doesn't allow the applicant to restrict anyone. Habitat for Humanity has additional criteria that they're invested with that gives them additional flexibility, but it just needs to be recognized that whenever you're doing county affordable housing, everybody in the county is -- has equal access to that process.

Chair Mardfin: A related -- a third related question is, Jordan, you said, or maybe it was Richard, who said that there's a 20-year buy back period, and my -- I'm just going to raise this as an issue, but my concern all along with affordable housing things is the person that's get it, gets affordable housing, and nobody else does. That property will no longer after, certainly after the 20 years, it will no longer be affordable housing anymore. One way around this is to use community land trust for the underlying land. Has that been considered for this property?

Mr. Hart: We can address that in the final EA. If I could add another comment, I really only brought Richard up to provide some additional information on how Habitat for Humanities process works, because I thought it was really helpful and Richard is here, but maybe it would be better for me to proceed through the remainder of the presentation so that we can collect all the comments on -- on the draft EA because really what we're here to do today is, I definitely have my critiques of the county's workforce housing process and policy, but we're not going to be able to address that or adjust it through our process, so we can address things like a community land trust in our final EA but --

Chair Mardfin: Did you say you can or you cannot?

Mr. Hart: We can address the subject in our final EA.

Chair Mardfin: Okay.

Mr. Hart: And that's really what we're here to do with community is, basically, collect any comments that you have about the potential environmental impacts of this project, and then make sure that we address those so that the council can make a decision on our 201H request here. So if that's appropriate, I could proceed through and then, obviously, all the questions.

Chair Mardfin: Please do.

Mr. Hart: Okay, that would be great. Thank you very much. So the project is proposing rural design standards that's consistent with the Hana Community Plan, and that's part of our 201H request. If we did not do this, the county would be throwing normal urban design standards at us for a subdivision and they really probably wouldn't be appropriate for this location.

Let's see, this is a site plan. Hana Highway here on the makai side. Internal subdivision road. These are the 24 lots. There's two retention basins mauka. These are the house models that are proposed to be constructed; two-bedroom/one-bath, three-bedroom/two-bath. Here's a four-bedroom/two-bath. These are available in the environment assessment. If anybody has specific requests, I can provide information on how to get that document online

There was studies done on the project site in preparation for the environmental assessment. There was a flora and fauna study conducted by Bob Hobdy. No federally threatened and/or endangered species were identified. The US Fish and Wildlife did give standardized comments and was, basically, in order to avoid interfering with hoary bat pupping season that the trees that are 15 feet in height or greater will not cut or trimmed between June 1<sup>st</sup> and September 15<sup>th</sup>, and that barded wire will not be used as part of the project. The project is not proposing any of those two things.

Regarding drainage, there was a requirement for increased drainage retention basins, which I showed you in blue in the previous site plan. The existing waterline is a 12-inch waterline along Hana Highway that's going to be serving the project site; estimated water is 28,800 gallons per day. Wastewater is going to be accommodated by individual wastewater systems, that would be septic systems on each parcel with a leach field. Just general impacts to public services, as noted earlier, it's a proposed 24-lot subdivision, it's intended to be intended by Hana residents, and so there's not anticipated to be a significant increase and impact to services.

There was an archaeological inventory survey that was conducted at the project site. It encompassed the entire 72-acre parcel. There was 26 sites identified. Two of these sites are within our project site that we're discussing today. Let's see, the archaeological inventory survey was submitted to SHPD, and it was approved on March 13, 2014. Let's

see, the applicant has retained Haun and Associates, who are preparing a preservation plan for some of the sites that are mauka of our project site, so outside of our project site, but they're within the applicant's 72-acre parcel, so those sites are still going to be preserved although they won't be affected in any way by this project. One of the sites is a railroad site, another permanent habitation site -- well, actually, two other permanent habitation sites in addition to the first, and these are the four sites that are proposed for preservation. There's, as I said earlier, there's currently a preservation plan being prepared that will be reviewed and approved by State Historic Preservation Division.

This is the project site here. This is the site plan from the archaeological study. This is the project site. There are two sites within the project area, those are agricultural sites. The State Historic Preservation doesn't find that any further work is necessary in those locations. These are the preserved sites that are going to be completed as part of the preservation plan, and those are outside of the project area.

A traffic impact assessment report was prepared for the project. The project is anticipated to generate 42 morning trips, so 42 people or vehicles leaving in the morning, and 60 vehicles returning in the P.M. peak hour. There's no anticipated impact to Hana Highway as a result of this.

For the environmental assessment process, we issued early consultation letters in July of 2014, and that's, basically, letters to all the relevant state, federal, and county agencies letting them know that we're sending out or we're preparing to draft an EA and that we'd like to get their early comments. Those comments were addressed in our draft EA. The draft EA was published on April 8, and the public comment period ends on May 9<sup>th</sup>. We're here at the Hana Advisory Committee collecting comments from this community.

Regarding the remainder of the schedule for our EA and 201H process, it's anticipated that we'll be publishing our final EA in summer of 2016, so just in a few months here, and then pending the council's decision of whether or not to do this, there may be a site visit by the council, possibly in summer of 2016. We're anticipating County Land Use Committee hearings on the 201H application in fall of 2016, and then, ideally, final approval by the Maui County Council before the end of 2016.

One thing that I should note in the context of a fast-track, it seems like it's not very fast if you're going to do an environmental assessment, which is a six to nine-month process, but you do that before the 201H process, and then once you submit the 201H to the council, their decision is made in a 45-day period, and so that's the fast-track component of that.

That concludes my presentation of the project and the process at this time. Thank you.

Chair Mardfin: Now is an appropriate time for public testimony. If anybody in the public would like to testify, we'll give you approximately three minutes, come up, identify yourself, and comment. Give public testimony.

Mr. Don Atay: First testimony.

Chair Mardfin: Identify yourself, please.

Mr. Atay: Aloha. My name is Don Atay. Thank you for allowing me to speak. Question, first question. You couldn't promise --

Chair Mardfin: It's for public testimony, not questions.

Mr. Atay: Oh, I can't ask nothing? Okay so --

Ms. Lono: Express your concerns ...(inaudible)...

Mr. Atay: Well, my concern is he can't guarantee nothing because of county laws of discrimination, so I can understand that the Habitat for Humanity for the ten houses, very great, I like that idea; now what's with the 14 houses who's at 425 or 445? That's affordable in Hana? Who makes that kinda money? I'd like to know. It's not for me I'm speaking for because I'm already beyond that age of owning a house. I'm talking about the young people out here, yeah, 445,000, I don't call that affordable. I'm just thinking about outsiders having vacation rentals. Is this going to first homeowner buyers or second and third homeowner buyers just as investments? Again, we have a problem. This is the foot hole that's coming into Hana for other developers. This is our concern. Our lifestyle and the ambiance of Hana will be changed. I mean I like the Habitat for low-income housing, which we need, but this carrot, always this little prize at the end of the rainbow that is affordable, 445,000. Who's making profit on that? Thank you.

Chair Mardfin: Thank you. Anybody else would like to testify from the public? Please identify yourself.

Mr. Otto Horen: My name's Otto and, you know what?

Chair Mardfin: Give your last name too, please.

Mr. Horen: What's that?

Chair Mardfin: Give your last name too, please.

Mr. Horen: Oh, Horen, sorry. What I would say is I hate to see -- I'd like to see all the houses go to Hana people. I think that's a very important thing. As far as the affordability goes, I think there's a lot of people paying a lot more, \$800.00 is the maximum payment for 20 years. I'm going to say that's way cheaper than any rent in Hana. So I would say that what you're talking about, is it affordable? I definitely think it's --

Unidentified Speaker: ...(inaudible - not speaking into the microphone)...

Mr. Horen: Okay, let's --

Chair Mardfin: Please talk into the microphone.

Mr. Horen: Oh, we can't ask any questions. I'm sorry.

Chair Mardfin: No, please point into the microphone too also.

Mr. Horen: Oh, sorry. Okay. I feel like a rock star. Well, so what I have to say is I think that it's a great, great thing for Hana if it all goes to Hana residents. I think that \$800.00 a month, if that is what is the most that anybody pays, even a thousand dollars a month because rent in Hana is probably somewhere, for a two-bedroom, between 800 and 1500 dollars a month, so anyway you look at it, I think that's probably a really good idea, and I'd just hate to see something this good get passed by Hana. That's all I got to say.

Chair Mardfin: Would anybody else from the -- thank you, Otto. Would anybody else like to speak? Please come up, identify yourself, and speak.

Mr. Sebastian Sinenci: Hi. My name is Sebastian Sinenci, Jr. I'm the young boy that Uncle was talking about, but I think that's a great idea. I live with my parents. I have eight in the house. So this is right up my alley. I love everything. The only thing is my concern is you said, you know, we cannot guarantee to any Hana residents but this is for the Hana residents, so there's no guarantee there. Another thing is how long do you have to be a resident to live here? I live here almost 40 years. I have some guys just moved in like 10 years ago and they got a house. I don't know if I missed the meeting on that or I don't if I never qualify so I think this is a good idea, I like it, I ready to get out of my dad's house, and but my main concern is the Hana residents, if they can be more specific on Hana residents, I'm good with it, you know. Anything for the locals. Thank you, Habitat. You know, I think that's a good idea. And thanks to the Chair. Thank you.

Chair Mardfin: Thank you. Would anybody else like to speak? Going once. Please step up and identify yourself.

Mr. Dale Basco: My name is Dale Basco. I just have a -- if they could put in an amendment that prevents disclosure to the general public on the outsiders or like a stipulation or something, like 30 days, so it would give the Hana residents all time to apply before they did that, and next would be like take a couple of testimonies from the people that have a house for a year, about how long it took them to build it and stuff, and if everything went smooth. That's basically it.

Chair Mardfin: Thank you, Dale. Would anybody else like to speak? Please come up. Paul, did you want to make a comment or have a question?

Mr. Fasi: Yeah, this is a little out of order but I want to get this in before public comment is closed. I don't know if it was mentioned or not, but all the 24 units will also be allowed to have an ohana unit so you gotta think about that if you want to make more comments, and also, you'll have another opportunity, the key opportunity will be when it goes before council because they will set the policy at that time, so if you can make it, and you can afford the time, try and make your testimony in front of the County Council. Thank you.

Chair Mardfin: But I would add, at that time, it's testimony only, it's not questioning. Identify yourself please.

Mr. Jacob Williams: Thank you. My name's Jacob Williams. Habitat for Humanity, that's great. You guys mentioned leaving 14 sites open for another nonprofit to come in for school teachers, firefighters, people that are just out of reach but still very vital and important to the community, and we need to attract people and keep people in Hana that are -- that can better those services and help out. So I would like to see maybe those options talked about maybe, and maybe exploring other nonprofits that are focused on the community, but also reaching for maybe someone who's just out of this reach but still very important to educating the youth and protecting, you know, the community, so I don't know if anyone knows who that could be, but maybe we could discuss that as well. Thank you.

Chair Mardfin: Thank you. Would anyone else like to testify? Going once. Going twice. Third and last time. Public testimony is closed. Members, are there any questions? Dawn.

Ms. Lono: One of my main concerns is the issue of the housing remaining affordable in perpetuity, which, of course, does not happen with Habitat although you have the 20-year marker in there, and we talked, you know, years ago, we had an opportunity and we were looking at land trust options, so if we could look at that at least for the 14 lots, I really would like to see it for all of them so they could remain affordable in perpetuity, but I don't know if that's possible in conjunction with Habitat, or if there was another layer we could put on this particular 10 lots with Habitat to have some kind of a condition that it remain affordable. With a land trust, generally, the land remains in the trust and you own the house, and then when you go to sell, you can sell the improvements or the house on the property, but the



land itself remains in the land trust in perpetuity. Correct? So that's a way it keeps it affordable and that would be really, really important for this particular development, but, by all means, I mean if there's anybody that -- I know a lot of housing in Hana and being a property manager here, and I know that we are desperate for housing, and it's awesome that these gentlemen have stepped up to the plate and that this is coming forward, but the way we do it is going to be really a big key.

And this gentleman here bringing up that the need for housing for some of our professional people that are above this mark right here with Habitat for Humanity and wouldn't qualify, they need housing too. Now, we do need housing for our teachers, and our firemen, and our policemen, and our, you know, professional individuals in the community that can afford above this level, but it just -- the point for me is keeping it affordable and keeping it in Hana, and I read and it clicked in my head when I read this about Housing and Human Concerns, not much you can do there, but if we did it through a land trust, there might be a possibility that you could keep it in the affordable range and you could keep it for Hana residents somehow. So I just would like to make sure that gets put into the record as a concern on this EA and that we somehow follow through with looking into that option, at least for the 14 lots anyway. Thank you.

Mr. Hart: Is it appropriate to respond? So we will certainly address that in the final EA. The other thing I would like to add is the applicant did reach out to Na Hale O Maui already, and they do a similar type of leasehold back for the home only, and so there's no firm commitment or established agreement there, it's just that Habitat is firmed up for the project, and so they're trying to figure out how to do the remaining homes, and they're definitely hearing what the community's saying right now, and they want to present a project that everybody's comfortable with, and so we'll continue on this and we'll address it in the final EA.

Chair Mardfin: Anybody, I tend to look to my right, is there anybody at my left that wants to speak? Clayton --

Mr. Crawford: Okay, yeah, I just wanted to followup with, you know, both Ward and Dawn brought this up and it's the first item of question on my list too, so I just want to reemphasize how important this is for the community, this idea of it remaining affordable in perpetuity, and to really encourage you to seek solutions along these lines, and I think a land trust is a great model, you know, because my question is: What -- is there anything under the other 14 lots, you know, what happens after the 20 years on the Habitat for Humanity 10 lots, and on the other 14 lots, what kind of protection is there in place right now, and, you know that's -- that's just super important? And so I'm glad that they brought it up and I'm, basically, just repeating what they're saying but I'm doing that just to emphasize this is something that I've had other people in the community mention to me as this meeting was coming up knowing that I'm on the Committee, and it's something I really

encourage you to look carefully at, either that partnership or there's other nonprofits as well that can provide that kind of service to make sure that the, you know, that the land is affordable for future generations 'cause 20 years seems like a long time, but that goes by pretty fast, that's, you know, one generation and then it's out in the open market and -- and it's no longer affordable so, you know, I wanna make sure that that's for Hana families going long into the future. Thank you.

Chair Mardfin: Clayton.

Mr. Carvalho: I think I just had some short-term questions. You mentioned a 20-year mortgage.

Mr. Hart: I believe Richard ...(inaudible)...

Mr. Carvalho: A 20-year mortgage, and are there ceilings or, I guess, floors on the rent? It seems like 20 years to pay back a -- even a 200 and -- a \$250,000 mortgage still comes out to 1100, and then a \$445,000 house would be about 1800. But I don't know, I'm just bring it up, I'm sure they have answers for that. I just had another question.

Chair Mardfin: You want to allow him to answer?

Mr. Carvalho: Oh, I'm sorry, if you want to allow it.

Mr. Carr: Yeah, the homes that Habitat builds, we use the Honsador house kit, and those generally run, the two-bedroom runs from about \$85,000, and the four-bedroom runs up to about \$125,000, plus the cost of the lot, so we wouldn't be doing \$445,000 homes, and it's 0% interest, so the fact you paid, you know, you don't have -- you pay 1% down instead of 20% down, and you're paying 0% interest, that's what makes it -- the payments so small and keeps it affordable. We also have the ability for our families, we are the mortgage company, so we are able, if we have a family that qualifies and they're just not going to be able to make that 20-year, we can extend to 30 or 40 years. Our model is a 20-year mortgage because we don't want it to draw out so far that they feel they're never going to be able to payoff their home and own their home, but we are able to extend it for the families that we just know that 20 years can be too tight for them.

Mr. Carvalho: Thank you. And I think the only other question I really had was: Does the amount of applicants in a certain like criteria affect the configuration of the rest of the homes, for instance, if a bunch of six, you know, six-person families are renting out a house or renting, you know, home after home after home, does that push out a two-person applicant and vice-versa, or I mean is there -- I'm not asking if -- suggesting that there are safeguards but more is there a quota for each -- that has to be met by Habitat for Humanity?

Mr. Carr: No, there's not a quota. What we base it on is when we open the date, we're going to start taking applications. Everyone that's interested comes in, gets the application, fills it out. As we start going through and selecting families, we base it on need and we base it on their qualifications. A single person isn't less of a need than a family of six. A lot of times, the single person is not going to have the income that a family of six is because more than one person in the family of six, you know, so a lot of times it kinda works itself out that way. But no, we don't discriminate against, oh, you're only a one-person or you're a couple with six children and you're a family of eight. We understand that both are important. Our objective is to just get them in homes.

Mr. Carvalho: Yeah, I just I wanted those -- thank you. I just wanted those questions answered just for like -- just so people can see that it's transparent and --

Chair Mardfin: I can't see them. Does Gale or Linda want to ask a question? Gale. Please, Gale.

Mr. Notestone: Yeah, I'd like to just clarify on what I heard earlier that the owners have to be owner-occupants and that they live here. Is that just for the 10 properties or is that for all 24?

Mr. Hart: No, that's for any -- that's for any county affordable housing so that includes the entire project.

Mr. Notestone: For all 24?

Mr. Hart: The entire project. Yes.

Mr. Notestone: So they have to live in Hana if they own that house?

Mr. Hart: They have to live in that house if they own the house. They have to live in that affordable unit.

Mr. Notestone: So you're talking about the 10 or --

Mr. Hart: Every single one of them.

Mr. Notestone: All of them?

Mr. Hart: Yes.

Mr. Notestone: Okay. I just wanted to clarify that.

Mr. Hart: Okay.

Chair Mardfin: Is it, excuse me, is it for just the 24 or also the additional ohana units?

Mr. Hart: The 24 ohana units are not part of this project, so they would be permitted because of what the county -- what the parcels would be effectively zoning or effectively zoned, it would allow for ohana units, but this proposed project is only proposing to build the main dwelling, so as a family moved in there, if they were looking to expand or even pre-planning to expand, they could do that with a building permit, but that would be all based on -- on the lot size, so this is just the 24 single homes.

Chair Mardfin: And --

Mr. Hart: Go ahead.

Chair Mardfin: According to your report, the lot size is big enough for ohana units.

Mr. Hart: I believe that's what I just said. Yes.

Chair Mardfin: And so it would be at least, theoretically, possible for 24 people -- 24 families, either originally from Hana or from outside who get it and are willing to move here, would live in the main unit and then they could do a B&B in the ohana unit?

Mr. Hart: Well, if you filed for a B&B permit, it would come before the Hana Advisory Committee, so you would have the ability to let them know that you didn't think that was appropriate, I really don't think it would be very feasible.

Ms. Lono: ...(inaudible - not speaking into the microphone)... it does not have to come before the Hana Advisory Committee ...(inaudible)...

Mr. Hart: For a B&B permit?

Ms. Lono: That's correct.

Chair Mardfin: Not general. If it's on ag property, it does 'cause you need a special use permit but, in general, it does not come before the -- unless there's some triggers, like two within a certain distance of each other and some other things.

Mr. Hart: I apologize for the inaccurate information.

Chair Mardfin: Dawn.

Ms. Lono: When you that ohana units would be permitted, are there possibly rules outside of the county rules that would possibly prohibit that, like perhaps septic systems and the requirement for the leach fields and then being able to really still have enough land to build an ohana unit and have another septic system with a leach field?

Mr. Hart: We can address that in the final EA.

Ms. Lono: That really needs to be looked at 'cause I think that's a really big issue if people, you know, according to this, are buying it being mindful that, hey, my kids will be able to build a house here when they get old enough or when they have a need, and then, oops, that's not possible because there's a Department of Health law or state law or something that, you know, prevents that from happening 'cause these lots are 10,000 square feet and, you know, what septic systems are like, so unless they had like required to put the aerated system in or something that may diminish the size of the leach field so that it wouldn't take up that amount of space, you know, those are the kinds of things to maybe think about in preparation for that.

Mr. Hart: Okay. So that would be only be able to address current standards though just at the time frame that we're preparing the report.

Ms. Lono: Well, there's a current standard for septic systems, right?

Mr. Hart: I understand. I'm just trying to let you know that we wouldn't be able to project forward to any future date where somebody might be thinking they're going to do this.

Ms. Lono: Well, you're representing in here though that ohana units are a possibility, so if you're going to represent that, then it needs to be true.

Mr. Hart: So that would be currently permitted on like a 10,000 square-foot lot in the County of Maui if it's going to be effectively single-family residential, so that's where I was coming from.

Ms. Lono: It would be permitted under the county but you wouldn't really be able to build it perhaps because of the lot size and what I just went through about the septic system, so anyway, could we address that in the EA?

Mr. Hart: Absolutely.

Ms. Lono: Because we don't want to represent something that's not true.

Mr. Hart: Okay.

Ms. Lono: The other thing that came up for me, and it just came up 'cause I was looking at the project at the school with Rick Rutiz the other day and the way they built those houses or that classroom, which was so amazing, it was just built in a way that, you know, that it self vents and it had little - what you call it - skylights for lighting that doesn't necessarily let in the heat but lets in the light, solar panels that runs everything, and kind of look at a more advanced model of building that takes into consideration some of those kinds of things would be really important rather than -- I mean it's great to buy a cheap house from Honsador or wherever that's from, but maybe we need to look at some of these other things and get ourselves a little more advanced, especially in a community like Hana where we lose our power a lot, where we lose, you know, our electricity quite a bit, it would be nice to look at those kinds of things, so perhaps something like that could be addressed as well. Mahalo.

Chair Mardfin: Mr. Fasi, did you have a question or a statement?

Mr. Fasi: I have a comment. You know, it's been the department's experience that, you know, this is an affordable housing project, and ohana units, and, you know, you call it an "ohana unit" for a reason, because it's for family. Once you turn it into a B&B or a short-term rental, it kind of defeats the whole purpose of having affordable house, and that's why the cost of housing goes through the roof because we've got a lot of B&Bs, and we've got a lot of TVRs, or short-term rentals, you know, on the island, so it kinda self defeats the whole purpose of having affordable housing once you start throwing B&Bs into the mix. Okay, now I realize, sure, you need a B&B because people need to make ends meet, but it defeats the whole purpose of having an ohana unit. So what Ms. Lono is talking about on the restrictions are CC&Rs, your covenants, codes, and restrictions, and in the CC&Rs --

Ms. Lono: ...(inaudible - not speaking into the microphone)...

Mr. Fasi: Well, I'm sorry, maybe you weren't. But CC&Rs would address that. The county does not get involved in CC&Rs. So that being said, we would have to take a hard look at supporting B&Bs in the future for this project. When it goes into that realm, then you're subject to Department of Planning short-term rental rules, which some of them say you can't have two B&Bs or short-term rentals within 500 feet, and I'm not sure how this would apply, but, you know, there's a lot of variables involved when you start going into that realm. And as far as keeping it for Hana residents only, that's noble, but impractical because it basically is discrimination, but it could work because then Ward wouldn't move into my neighborhood in Kula because you're from Hana. I'm just joking. Never mind. Thank you.

Mr. Hart: Chair, if I could add something, if it's appropriate.

Chair Mardfin: Jordan, please.

Mr. Hart: Okay, so in order to satisfy everybody, I mean the applicant intends to develop the project that we just presented. The applicant has no interest in preparing an opportunity for somebody else to make a B&B. If the Hana Advisory Committee wants to recommend to the council that there be a condition that no B&Bs be permitted, there's no objection to that from the project side.

Chair Mardfin: Thank you. And, actually, a ohana unit could be excellent for renting long-term to the kind of people that was suggested, firemen, policemen, who might well not want to have a permanent home here 'cause they plan to transfer back to Lahaina at some point in the future but could some housing here for the two, or three, or four years that they're here, so actually ohana units could serve a very good function as long as they were long-term housing, not short-term housing. Scott.

Mr. Crawford: Is there any discussion of a CC&R as part of this development?

Mr. Hart: Not currently.

Mr. Crawford: Okay. If I could add something. CC&Rs also include maintenance fees, and maintenance fees certainly are going to escalate over time, so from my personal point of view, separate from this project, you're basically creating an income collection entity that's going to be tied to this project, you know, continue to have fees and maintenance requirements, so that's just for your consideration on that subject.

In terms of the impact -- the potential impact down the road of the ohana units, I know that that's not part of this particular project proposal but you still have to look at the long term potential build out of the project. Have you looked at the, for example, the traffic impact if you had full build out, 24 units, with 24 ohana units, the population of that in terms of the impact on the infrastructure, the traffic, things like that?

Mr. Hart: So ohanas were included in the counts. The ohanas were included in the traffic impact assessment counts and projections.

Mr. Crawford: Okay, great. Thank you.

Chair Mardfin: I read that traffic report and not only did it account for 24 regular units, it accounted for 24 ohana units. It also counted for taking the upper property and making 14 ag lots out of it, and the traffic report counted all of that in there, I believe.

Ms. Lono: Is that true?

Mr. Hart: Yeah, I believe that it correct. Yes.

Mr. Crawford: Thank you. And just to followup on what Dawn was saying about some of the renewable energy and things like that. Has there been any discussion in the plans about putting things like solar hot water heaters, solar photovoltaic as part of the housing designs? This is something that, in the long run, makes the houses more affordable because it cuts down on the utility bills of the owners.

Mr. Hart: I believe solar hot water is required for single-family residences, but I also should emphasize that the applicant is intending to pass off the development of the residences to another party and so really this document assesses the overall impacts of that existing, like if this development were to exist, what would its impacts be, and then who, you know, Habitat is known to be one of the parties, you know, they'll determine which the other entity's going to be to develop remainder of it, but they're not -- they're not current setting standards of building materials or technology. I'm sure that Habitat has their programs of what they do, and I know that they use the Re-Store and things like that, which is recycled building materials, but no, this project hasn't completely investigated how environmentally friendly you could make each dwelling. But I would also add that there is a cost benefit tradeoff of high tech versus low cost.

Chair Mardfin: I'd like to ask Habitat for Humanity, do you typically put on solar water heaters? Well, let me ask a prior question. The three models that you should us earlier, were those from that company you were talking about?

Mr. Carr: Yes. Yes. Yes, they were.

Chair Mardfin: These are ones that you typically put up?

Mr. Carr: Correct.

Chair Mardfin: Now let's get back to do you typically put solar water heater on?

Mr. Carr: We do.

Chair Mardfin: You do?

Mr. Carr: Yes.

Chair Mardfin: How about photovoltaic?

Mr. Carr: As Habitat, to purchase photovoltaic and put it on the roof will a lot of times make the house out of the price range of our homeowners. We were working with a Mainland



company that was going to come in and do rooftop leases for all of our Habitat owners so they wouldn't have to pay a penny to have the panels on the roof, and as they got to our Kahawai project in Wailuku, 16-family, 3-story condo building, and we were ready to go, MECO ended net metering, so it's a dead deal right now. The minute MECO signs a new net metering contract, and we know what the rates are, we can then negotiate again with solar companies to come and do rooftop leases. As affordable housing, there are certain things we can and we can't do. We can't drive the price up by putting in automatic dishwashers and chandeliers and things, but we do do things like there's a cabinet in the house that's the perfect size and it's next to the sink so that, down the road, the homeowner could pull that cabinet and put their own dishwasher in. We try to install the heavy duty light brackets in the ceiling so if that if they decide to pull the builder grade lamp down put their own ceiling fans in because they don't have central air, the box is already there and it's wired to a switch. So we try to do as many things as we can to help the families to make this house to where they can upgrade it down the road without having to put that cost out at the very beginning of a mortgage.

Chair Mardfin: Thank you. I wanna say one thing about solar -- photovoltaic.

Mr. Carr: Yeah.

Chair Mardfin: I have solar hot water on my roof. I live 300 yards from this project in Wakiu. I put photovoltaic on, it will pay for itself -- in August, it will pay for itself. It's taken three years and four months. Three years and four months. That is a terrific return on an investment, and especially for people that are low income, it's an up-front cost --

Mr. Carr: But when you at a family that's making 16,000 a year, and their barely qualifying to get into the mortgage --

Chair Mardfin: I understand.

Mr. Carr: We definitely always give that option of, you know, if they're at the upper end of the price range, and it's something that they can afford, and they want to, we can work that in, but it's not something we standard put into the homes.

Chair Mardfin: Yeah. Well, it'll save them on electrical cost, that'll more than offset the cost of putting the thing in.

Mr. Carr: My electric bill was \$500 a month in Maui Lani, and we put it in, and I now pay \$19.00 a month so --

Chair Mardfin: I pay 19 a month too.

Mr. Carr: It's the way to go. I was so upset when MECO ended net metering so -- thank you.

Chair Mardfin: Do you have an interest in doing the other 14 lots?

Mr. Carr: We do. Again, because we serve the families that make between 25 and 80% of median income, there's a lot of policemen, firemen, that make just over our limits, and so when Habitat had originally spoke, we said, you know, there's Na Hale O Maui and a couple of nonprofits that serve that price range. They serve from 80% of median income, up to 150% of median income, which is still considered affordable, so why don't we contact them.

Chair Mardfin: I think 140 is the limit for affordable.

Mr. Carr: Sorry. So -- and I know they've contact Na Hale O Maui to see if they would be interested. What we've told them is if you'd like Habitat to build all 24, it's something Habitat's interested in, but we'd like to kind of spread it out a little to try to help a broader range of the people of Hana. That's our main goal. And just one little further note with this, I don't know when all the planning started for this, but we have been receiving phone calls for almost a year now about we hear there's a project in Hana, how do we get in on that? When can we apply? Take down our name and phone number. Since it came out in the front page of *The Maui News* recently, our phone calls are like daily, you know, are you sure you're not taking applications yet? We really, really need a place to live. So I know there's a great need for it.

Chair Mardfin: Are those 248 numbers?

Mr. Carr: A lot. Yeah. We -- I'm not sure about the actual phone numbers, but we get a lot of --

Chair Mardfin: 248 is Hana so --

Mr. Carr: We get a lot of people saying that they're struggling here and that there's just not even rentals available for them.

Chair Mardfin: Do you folks have any experience with community land trusts for the underlying land?

Mr. Carr: So Habitat's motto is, for you to be a truly be a homeowner and to be able to pass this house onto your child, you need to own it, so our motto has always been that they own the land. With that being said, we build on Hawaiian Home Lands for Hawaiians all the time where they don't own the land. It's a land lease that they get from DHHL. It's

something that Habitat would definitely work with the developers on. You know, our whole goal is to have the homeowner own the land, but if it's a choice between not owning the land or not owning a house, we want to see them get into a home.

Chair Mardfin: It would do a whole lot of things for you. It would cost your cost substantially. I mean usually -- I looked it up online, the Hale O Maui, that's the one you've been talking about, and, you know, they have to do grants and stuff to buy the underlying land, but once they've done that, it should cut the cost of the project considerably 'cause all you would be doing is paying for the house. There would be no underlying land cost.

Mr. Carr: And for our families on Hawaiian Home Lands, most of their mortgages are between 85-- and 120,000. A lot of our Hawaiian Home Land families pay about 300 to \$400.00 a month in mortgage.

Chair Mardfin: And that really makes it affordable, and it keeps it affordable in perpetuity, which is a big thing. Here in Hana, with Hawaiian families, we think seven generations ahead.

Mr. Carr: Well --

Chair Mardfin: Not 20 years.

Mr. Carr: And just to let you know, with Habitat, out of all the homes that we've built and the families we've helped, none of them have sold their homes. They've all stayed in their homes. We've had a lot of our elderly pass away and the house was passed down to the child, and the child's now living in the house raising their children.

Chair Mardfin: Thank you very much.

Mr. Carr: Thank you.

Chair Mardfin: Are there any other questions from the panel, Committee?

Mr. Crawford: One, just Dawn also mentioned before Ma Ka Hana Ka `Ike, which I'm sure as you're aware is the local building program that works with the school and does a great job getting kids hands-on skills in carpentry and other kinds of, you know, renewable energy, other kinds of building skills, I'm wondering if there has been any conversations with them or any kind of outreach as far as whether they have an interest in having a role in this program, and I know they're plenty busy and have lots of projects going on, but I just want to know if there has been any conversation or contact with them?

Mr. Carr: So Mike Geary, who's our construction manager and our contractor, is actually part of a team working with the UH-Maui construction degree program. We also work with Chris Rutherford, who does a lot of projects in Hana, who we've already contacted and said if this project goes through and we're going to build, do you have the connections there to help give skills, and he's full onboard with helping us with that too. Habitat builds with volunteer labor, so if we're able to work with any local groups here to help us build, and get them skills, and to help them move into future jobs, Habitat's fully onboard with that.

Chair Mardfin: Write down Ma Ka Hana Ka `Ike. Terrific program.

Mr. Crawford: Yeah, it's a great program and, you know, there's a whole, for years now, they've been, you know, just giving great experience to local students who now are out in the community doing this kinda work and, you know, they mainly focus on areas of expanding, you know, building ramps, and expanding housing to fit larger families, and things like that, putting renewable energy on, but it's a great program, so I definitely encourage you to see if there's a way that there's a synergy there. Also, I wanted to ask one more thing. If -- you know, you came before us last year, Gabe and Tom, about the rock crushing extraction operation and I'm just wondering if there's any foreseeable impact on having this development and, actually, at that time, when we went up for the site visit on that, you know, we had some conversation about the affordable housing project, so I think for those of us who were on the board at that time, we've had a chance to see the site and that helps in being to kind of visualize what you're planning and exactly where it's located, but I'm just wondering if you foresee any -- there's going to be houses a little bit closer to the noise and that operation, do you see that having any impact one way or the other?

Mr. Gabe Hoeffken: Hi. My name's Gabe Hoeffken. We don't really see there being an impact. The reality is our permit will expire before the houses are actually completed, and, you know, we're not expecting that be a perpetual operation. Hopefully, we'll have crushed enough material to meet our needs and whatever other needs for the community a few years beyond that, and there won't be a need to crush. Additionally, my dad's getting kinda old and I don't think he wants to keep doing it forever.

Chair Mardfin: Does the Committee have any other questions?

Mr. Crawford: I just make the general comment that I really, you know, wanna give you guys kudos for bringing this project forward, it is such a need in the community, and, you know, you have the, you know, you have the concern to try to do something to really help the community and so there's a lot of questions about the details of actually how to make it work, but I think it's a great location, it's central, it's, you know, the agricultural -- even though it's ag zoned on the state land use, you know, from the site visit we did up there, it's apparent that it's certainly not prime agricultural land and so it's not like we're taking,

you know, taking land that should be farmed and putting it into housing, you know, hopefully, it's good enough that the some of the houses could have some gardens, but it's not like that, so, you know, and it's contiguous with existing housing developments in Wakiu and just continuing that along that area, building within the sort of, you know, within Hana Town rather than expanding out, so I think, in a lot of ways, it's a -- it has the potential to be a really great project and I just praise you for bringing it forward and trying to make it work, and I hope that, you know, that our comments are helpful and that, as the process moves forward, you know, that it moves quickly and that, hopefully, Hana families can get in soon and be able to relieve some of the, you know, the overcrowding in the subdivision and some of the other housing needs that we have, so thank you.

Chair Mardfin: Jordan, do you have your copy of the proposal with you?

Mr. Hart: The EA?

Chair Mardfin: I'm going to go though page by page.

Mr. Hart: Okay. It's at my chair so it's all up here so you can go ahead.

Chair Mardfin: Why don't you get it.

Mr. Hart: No, no. Just go ahead and we'll --

Chair Mardfin: I want you to be on page 6.

Mr. Hart: Okay.

Ms. Lono: ...(inaudible - not speaking into the microphone)...

Chair Mardfin: No. I'm going to go through it by pages so -- and some of them are -- the first one's going to be manini, but the second -- the next ones won't be.

Mr. Hart: Okay.

Chair Mardfin: Page 6, at the top, you say, well, Alternative 1, no action, and you say, "Negative impact. The county would not realize higher tax revenues associated with residential development." I agree with that.

Mr. Hart: Sure.

Chair Mardfin: "Business and services in the Hana area and on the island would not benefit from spending by occupants of the development on the property." I want you to cross that

out because you're saying these people are from Hana anyway, so there is no extra business.

Mr. Hart: Okay.

Chair Mardfin: I'm going to do more but -- oh, you want to deal with that. Next, under Alternatives, you have three alternatives. I want you to put a fourth alternative in there, and the fourth alternative is that you do it with a community land trust. On page 7, you have the Preferred action, the single-family subdivision, and you say, "Twenty-four lots, a minimum of 10,000 square feet," which is about a quarter of an area. Can this be further subdivided?

Ms. Lono: No.

Chair Mardfin: No? Okay. That question's taken care of. When you went down to the one, two, three, fourth paragraph, it got very confusing for me. You say it's 100% affordable, I agree, provide more than the required amount, 25% of units market rate subdivision, of the proposed 24 single-family dwellings, 10 of things will service people 80% and below, that's considered lower income, that's the one we're talking about for Habitat for Humanity. The next line says, "Fourteen will service those between 140 and 90 and below," and -- well, it should have been 80 to 140, I think.

Mr. Hart: No.

Chair Mardfin: It's not 90? I mean 80 to 90 is left out of there.

Mr. Hart: I believe "and below" accommodates --

Chair Mardfin: Well -- yeah.

Mr. Hart: We could reword that in the final EA so it's not as difficult to read.

Chair Mardfin: And I would call it, yeah, you know, they do have definitions under the county code and it's -- you're at lower income, very low income is 50% of the median, moderate is 80 but not more than 120, and above-moderate is 120 to 140, so you're doing -- so when you go with 140 and below, you're talking about above-moderate income and lower. I mean it's just a little unclear the way you had it, but I -- maybe look it up. I wouldn't have looked it up if I hadn't been confused.

Then at the top of page 8, it says, I understand the startup cost and I appreciate the quarter-of-a-million of startup cost, top of page 8, it says, "No net equity will be contributed as there's very little profit in the project." I don't understand. What is -- is there -- where is the profit?

Mr. Hart: Ha. I'm sorry, I don't mean to laugh. Maybe I'll bring up the applicant to discuss the lack of -- anyway. He's asking basically --

Chair Mardfin: I just said --

Mr. Hart: There's a statement that says there's very little profit in the project and he said where is the profit, and so I said I'll bring you up to explain where the profit ...(inaudible)...

Mr. Hoeffken: That was a question that was asked from a letter --

Mr. Hart: Probably the 201H application but I'm not sure. If you suffice to say you're trying to make the project more feasible.

Mr. Hoeffken: Yeah. Hi. Basically, there was a list of questions that our consultants needed help with, that was one of the questions, that was the only way we could really answer it. Basically, we're trying to make the project work. We don't have any outside funding. We don't have any grants. If anybody has a bunch of money they want to throw at us to make it more affordable, that's great. There is a lot of uncertainty in this very, very complex and timely -- time-consuming process, and we're doing the best that we can.

Chair Mardfin: We appreciate that.

Mr. Hoeffken: We're not developers. We're contractors. We're dirt guys and rock guys, and we do stuff like that, so when we started this process, we were very, very naive. We thought, oh, you know, this should be -- there's a need, we have some resources that could potentially help fill that need, well, let's go ahead and do it. Since then, we've learned a lot and, honestly, you know, I mean we talked to our lawyer at the very beginning and he goes: What are you guys doing? Why are you trying to do affordable? That's crazy. You know, it's a waste, you know, almost pretty much said don't do it. It's a waste of time. It's a waste of effort. My dad was like no, I really want to do it. Let's go ahead. Would we like to make a little bit of money? Yes. We want to cover our costs. I mean we're working in an area, it's all rock, our equipment breaks breaking the rock going through the rock nonstop. We average probably over a thousand dollars a week in repair bills just for parts and labor to fix the machines to do the work. So, you know, my dad owes a whole bunch of money on the land, he wants to pay the land off so he's out of debt, he's of retirement age, and he's tired of being in debt. Is anyone going to get rich? No. We want to pay the bills. We want to provide some affordable housing. We very much appreciate everybody's comments. We very much want to provide housing for the Hana community. Why is there such a big range from 120 to 400 and -- I forget the high number? Because that's what's allowable within the County of Maui affordable range.

Chair Mardfin: Yeah, a hundred -- County of Maui says affordable housing is 140% of the median and below.

Mr. Hoeffken: Yeah, so that's what the range is as far as for -- there's a table that has all the range of housing, that's exactly where it comes from. We did not make that number up. The reason there's that high number is if we can't find somebody to develop the houses at an affordable rate, they might have to go in at the high-end of scale for the 120% for a four-bedroom, whatever it is, which is on the high scale. That's not the goal. I mean, ideally, we'll find somebody who's going to partner with us and build highly affordable dwellings, but at the same time, you know, it's better to have something than nothing, and that's kinda where we're coming from.

Chair Mardfin: Right. Gabe, the next sentence says, "The project's estimated for cost for land, planning, and infrastructure is 2.9 million." What do you -- for the land under the -- if we're talking about potential for land trust, what is the value of the land under these 24 buildings? I know you paid a million bucks for it back in 2004.

Mr. Hart: I'm sorry. That's really not an equation that we're going to be able to do standing right here. Basically, you're trying -- these are going to be their cost to create the subdivision itself plus civil engineers, land use planners, a botanist, archaeologist, cultural consultant - all the people that took -- it will take to get to the 201H process. You're also asking the question about what the land of the -- or the value of the individual lots would be. So I don't know if we're going to be able to do that calculation standing at the microphone for you right now.

Chair Mardfin: Okay, I won't ask you standing at the microphone.

Mr. Hart: Okay.

Chair Mardfin: But it would be really helpful to know what that is because if we were to get a grant for a land trust --

Mr. Hart: Okay. Got it.

Chair Mardfin: To do a land trust, they'd have to have some notion what it was, and, you know, I could look in the records to see that you paid about a little over a million for it in 2004 so --

Ms. Lono: ...(inaudible - not speaking in the microphone)...

Chair Mardfin: I know. I know it does. I'm an economist. I do get that. But that's why I'm asking them what it is. That's why I'm asking them what the cost is.



Mr. Hart: Okay. We are going to assess the land trust alternative and so we can include that.

Chair Mardfin: Yeah. Now, let me ask Tom and Gabe, would you have problem with it being put under a land trust?

Mr. Hoeffken: No. We have no problem with it. I mean, like I said, our goal is to get housing out there.

Chair Mardfin: Yeah.

Mr. Hoeffken: I know that there's different view points from a land trust from not, and I see definite advantages to land trust, I see a few disadvantages. Richard kinda mentioned some of them, which is you can't necessarily pass the property on to your children, you'd have to kinda sell it to them because we go back to the trust.

Chair Mardfin: That's not what Na Hale O Maui's website says.

Mr. Hoeffken: Okay. Well then --

Chair Mardfin: They said it can be passed on in perpetuity.

Mr. Hoeffken: Honestly, at this point, if they're willing to take the remaining lots, we don't want to build houses, we're not house builders; we're trying to get this to a point where somebody else can kinda make it a reality, and we're there. I mean if they were interested, and they'd wanna do it, we'd have no problem with it being a land trust. I mean it's really, you know, the only other concern would be is that what the community would really want. Is there going to be enough people that are willing to purchase a land trust house versus owning a house, and I can't answer that, but that's the main question.

Chair Mardfin: That's an education process. I went to the hearing Dawn talked about, and some very good friends of mine, she said -- but she didn't get it at first. I said -- she said but I want to be able to sell it and get the money from the increased value. I said but if it's a land trust, you wouldn't put any money into the land, so you shouldn't be able to sell the land, and you put money into the house, you should be able to sell the house at a profit. And it's just explain it to people in ways they can understand. If it were on Oahu, it would be easy to explain, you say, you know, Bishop Estate owns the land under your house, you're not selling that, you're selling the land, and it's worse than that because Bishop Estate will jack up your lease payments, and there wouldn't be lease payments on this thing.

Mr. Hoeffken: Ward, the only concern that I would have is I just wouldn't want to slow the process down and make it slower and more expensive to do the process. That's our really bottom line. I mean if it's something that we can work out with an organization and it was pretty simple, then, yeah. No problem whatsoever.

Chair Mardfin: Okay. Well, Jordan's assured me that he's going to be in contact with land trust people, right?

Mr. Hart: Oh, what I had said is that they'd already reached out to Na Hale O Maui, but we're going to address an alternative in our final EA where the project would be developed as a land trust, under a land trust configuration.

Chair Mardfin: So if you ruled out it being a land trust --

Mr. Hart: No. I think to reiterate what Gabe just said is that they're looking to turn over the project, after they've created the subdivision, to an entity that develops the homes, so if it's a land trust that is going to work in harmony with Habitat's already, you know, committed component, I think they have no problem with that. The issue would just be finding that land trust that's ready to come in under all the existing conditions and make the project --

Chair Mardfin: And finding the money to purchase the land.

Mr. Hart: Right.

Chair Mardfin: 'Cause these guys gotta get their money for that portion of their land.

Mr. Hart: That's right. That's right. That would be related to the infrastructure cost and the planning cost, and so on.

Chair Mardfin: Okay.

Ms. Lono: When we're thinking about other models, like Habitat for Humanity land trust, what about self-help housing? Has that been discussed or have they been considered as a possible developer of a portion of the lot?

Mr. Hart: They're not opposed to self-help housing.

Ms. Lono: Okay. Thank you.

Chair Mardfin: In effect, that's what Habitat for Humanity is, I think.

Mr. Hart: It's similar.

Chair Mardfin: Yeah. In your report, you talked about or there was a letter from the Public Works about internal roadway. Is it dedicated to the county or not?

Mr. Hart: I believe that's the intent is to have it be a county roadway ultimately. Ultimately, they would prefer to have it be a county roadway so that the county could help with maintenance over the long term for an affordable community.

Chair Mardfin: Okay. The Public Works letter from David Goode was kind of ambiguous about that, I thought.

Mr. Hart: I would not expect anything different from a director who's managing a budget to, basically, say that they don't look forward to claiming more private roadways as public.

Chair Mardfin: Could I just ask Gabe and Tom if they -- what do, you know, you had it in here, it's not really part of this project, but what's the deal with the 14 ag lots, is that how you're trying to sell off this thing? I just want to get a picture of what's going on.

Mr. Hoeffken: There's no definitive plans right now, but that is a possibility is just -- yeah. That is a possibility, another 14 ag lots above the affordable development.

Unidentified Speaker: ...(inaudible - not speaking into the microphone)...

Chair Mardfin: I'm sorry. I couldn't hear that. Was I not supposed to hear that?

Mr. Hart: No. They were having -- they were having a side conversation. Sorry.

Chair Mardfin: I've taken quite a bit of time. Is there anybody else?

Mr. Notestone: Yeah, Mr. Chair, I have --

Chair Mardfin: Gale.

Mr. Notestone: A correction. On page 18, on the next to last paragraph, potential impacts and mitigation measures, and you mention that the project is located between the police station and fire stations in Hana Town and is, therefore, in an inaccessible location. The police station and fire station, well, it should be corrected and said the project is located before on the Wailuku side of the police station or fire stations in Hana Town, and it is an inaccessible location. You're not between the fire station and the police station.

Mr. Hart: Thank you.

Mr. Notestone: Minor correction. Thank you.

Chair Mardfin: Is there anything else? Seeing none, I think we should -- what should we -- we should be voting on?

Mr. Hart: I don't mean to be too forward but, basically, at this time in the process, we're looking for your comments to the Planning Commission on the EA, so all of the things that you wanted to see, you're basically, you know --

Chair Mardfin: And that's --

Mr. Hart: You might vote if you guys all agree to send those forward. We're certainly going to -- we've been making our own notes, we'll be addressing those, but that's what the recommendation, I believe, should entail is your comments.

Ms. Lono: It's not going to the Planning Commission, right? It's going to --

Mr. Hart: Well you -- we're going to take it, I'm sorry, let me just stop you. We'll take it into our EA, but the way the communication line works is Hana Advisory Committee transmits communication to the Planning Commission, but we're going to take it and it's going to go in our EA.

Ms. Lono: Yeah. It won't be heard by the Planning Commission.

Mr. Hart: They'll get a copy of it. They will.

Ms. Lono: No, but they won't have a hearing ...(inaudible - not speaking into the microphone)...

Mr. Hart: That's correct. There's no application that they have review over.

Chair Mardfin: Clayton?

Mr. Yoshida: Yes, I guess the comments would go to the Department of Housing and Human Concerns, who's the accepting agency, approving agency of the final EA.

Chair Mardfin: And --

Mr. Yoshida: And the applicant would be addressing those comments in the final EA.

Chair Mardfin: Okay, so there's no real need to vote on this in any fashion?

Mr. Yoshida: Well, I think we need -- Paul needs to know what to write in the letter that he's going to send to the Department of Housing and Human Concerns and to the consultant, specifically.

Ms. Lono: ...(inaudible - not speaking into the microphone)...

Mr. Fasi: This conversation's been all over the place, so you need to summarize exactly what you want me to put in the letter as recommendations to the council.

Chair Mardfin: Okay, if you need -- if you need a summary, let me make a start of it and let my Committee Members add to it. There were several major concerns. Major concern number one is that this really be as much as legally possible preferential treatment to people that live in the -- already currently live in the Hana District.

Ms. Lono: We need to be careful about how we state that because the statement "preferential treatment for Hana" already says you can't do that so we gotta put it in a way that addresses --

Chair Mardfin: Dawn, what do you suggest?

Ms. Lono: Well, I don't know. I just heard that and I went: No, that's not going to work. So we gotta find another way -- okay, yeah.

Mr. Crawford: The bottom line is want Hana people in the houses. Find a way to do that.

Ms. Lono: Perfect.

Chair Mardfin: The second issue, the second big issue is we want really active consideration of a land trust, a community land trust, to keep affordable housing, perpetually affordable housing.

Ms. Lono: Yep. I agree with that one.

Chair Mardfin: And still give a return to -- for the investment in the physical structure on top of the land.

Ms. Lono: I agree with that one.

Chair Mardfin: The third thing is we'd like to see some way of expressing that the ohana units not be turned into B&Bs or short-term rentals, that they be, if -- I guess the overriding question is: Will there -- given the size of the lot, and the drainage wastewater system, will there be ability to create ohana units as envisioned in the -- in the document? But we

would want assurances that they are not used for short-term rentals or B&Bs down the road.

Ms. Lono: Okay, I have a question about that one, maybe, I don't know if Paul or somebody can answer it, is: Would that be possible when it goes before council to have them put some kind of a restriction on that so when it goes to council, we could have them pass it with the caveat that no ohana could ever be turned into a B&B or an STR, or no house or ohana could be turned into a B&B or STR, so that could be done at the council level and maybe you could address that in the EA as -- okay. Thank you.

Mr. Crawford: Either that or through a CC&R.

Chair Mardfin: Or what?

Mr. Crawford: Either that, through a restriction put on the council or by a CC&R put on as part of the community development, a deed restriction, whatever means there are to do it, explore the ways that that can be done.

Chair Mardfin: That finishes the major ones that I had. Anybody else?

Ms. Lono: We talked about like self-sustaining sort of options, like solar and things like that be a consideration.

Chair Mardfin: Perhaps it could be an option for some of the units and not for people that find it too tight not to.

Ms. Lono: Well, you have the 14 that's outside of the Habitat ones if that ends up being the way to go, but just some consideration for that.

Chair Mardfin: Dawn, you also had one where you were thinking about self-help housing for the other 14?

Ms. Lono: Yeah, self-help housing as a consideration for development of the other 14 lots, and I don't know if they'd be interested or qualified or what, I know they did a small project here of about 14, I think 14 houses, so we could look at that as an option.

Chair Mardfin: And I think that's pretty much our major concerns. Any others?

Ms. Lono: First home buyers would be qualified -- if you already have a home, you wouldn't be qualified to purchase one of these, correct? Is that already part of --

Mr. Carr: That would go toward ...(inaudible - not speaking into the microphone)... that you need a home.

Ms. Lono: That's you. But for the entire project, we would want to make sure that it would be for first time home buyers, or people who don't already own a home, or it couldn't be a second home, in other words.

Mr. Hart: It -- yeah. They have to --

Ms. Lono: Yeah. Well, you could own it and occupy it and still own another house that you don't occupy so just to have that covered there's -- it's just so interesting, when you get into all of this, it sounds very clear and clean on the surface, but then as you go along, there are loopholes and things that people can jump through and crawl through and jump over that really affect the projects down the road, and when you don't think them through thoroughly and consider them at the beginning, when you get in the middle, it can be a really huge problem. So I just want to get as much out as I can, and I can, you know, we can all write our own responses or concerns regarding the EA, and submit those on our own as well as whatever goes through this Committee, so if anybody out there has something else they would like to respond to this, and if you want to look at it, it's in my office, and it looks a little ominous, but it's not as ominous as it looks, it's pretty easy reading to be honest with you to go through the basics of it, so if anybody wanted to look at it and respond to the EA before May 9<sup>th</sup>, it would be a good idea to do that.

Chair Mardfin: The main body is only 58 pages long.

Mr. Hart: I can add, it's available online too, on the State Office of Environmental Quality Control, there's a library of all the EAs, you can look at Maui, and then this will be one of the projects from these years.

Chair Mardfin: Paul, does that take care of your -- our summary for you?

Mr. Hart: I can restate into the record: Hana resident preference; active consideration of community land trust; perpetually affordable; prohibit B&Bs; feasibility of ohana units for all lots in the context of DOH rules; energy efficiency options for all units; consider self-help housing as a potential developer; first-time home buyers only; in addition to the document edits that we went over one by one, but those are in the report.

Mr. Fasi: Jordan, go back to the ohana units not being turned into B&Bs. How did you phrase that?

Mr. Hart: I could flush it out, but, basically, the Hana Advisory Committee recommends to the Maui County Council that it condition be put on the 201H approval to prohibit the use of B&Bs in this subdivision in perpetuity, or something to that effect.

Ms. Lono: Or it can be a condition of title.

Mr. Fasi: Well, what do you want? Condition of approval or condition of title?

Ms. Lono: I don't know ...(inaudible - not speaking into the microphone)...

Mr. Crawford: The goal is not just B&B, technically, but transient vacation rental, so that includes short-term rentals and bed and breakfast, they're, technically, two different things, so any transient vacation rental, whatever the means is to accomplish that these don't -- ohana units or the main houses don't get turned into transient vacation rentals.

Mr. Hart: That's fine. I'll change "B&B" to "any transient vacation rental," and just to --

Ms. Lono: No, B&Bs and -- B&Bs and/or short-term rentals ...(inaudible - not speaking to the microphone)...

Mr. Hart: Okay. Well, just to reiterate that the applicant is not opposed to either of these configurations so --

Mr. Fasi: Also, basically, you just don't want B&Bs and short-term rentals on the property.

Ms. Lono: Yes.

Mr. Fasi: Okay. Because if you just single out the ohana unit, you know, what's to prevent the owner from living the ohana and renting out the big house as a short-term rental, okay, so, basically, you just don't want to have ohanas and B&Bs on the property. Period. Okay. Thank you.

Chair Mardfin: We have -- does anybody want to add to that summary? If not, I propose -- I would like somebody to move that we adopt that summary as our recommendations.

Ms. Lono: I so move.

Chair Mardfin: Dawn moves. Is there a second?

Mr. Notestone: I second the motion.

Chair Mardfin: Mr. Notestone seconds. Discussion?



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

***It has been moved by Committee Member Lono, seconded by Committee Member Notestone, then unanimously***

***VOTED: that the summary of comments and recommendations, as discussed, be forwarded to the Maui County Council.***

Chair Mardfin: Unanimous. Jordan, just before you go, page 21, almost got by. It will have nothing to do with what goes in.

Mr. Hart: It just makes us feel good that we know somebody reads it.

Chair Mardfin: Oh, I read these things. I'm a college professors of economics. I read these things very carefully. Your father was sometimes sorry that I did. Drainage.

Mr. Hart. Yes.

Chair Mardfin: I know they do these calculations for additional runoff because you're changing the configuration, but you have the retention basin mauka --

Mr. Hart: Yeah.

Chair Mardfin: Of where the water will come from. The additional water is going to come from the properties and the road, and your retention basin is mauka. How does that help?

Mr. Hart: I know what you're saying. It's, basically, the drainage is coming off the pervious surface that's created, but they're able to account for it and size the retention, so basically it's going to be slightly larger mauka, so it's going to -- even less water will be entering the project site and flowing through. You're talking about --

Chair Mardfin: So by having the retention mauka, it keeps water from going on there. The rain that does hit it will go --

Mr. Hart: Right, so you're like subtracting water that would have otherwise flown through.

Chair Mardfin: Okay. I kinda guessed that would be your answer. This area, rain's not going to be an issue. It goes in pretty quickly. Anyway, any other questions. I just want to say thank you, Jordan; thank you, Tom and Gabe; thank you, Richard, was it? And everybody else that participate in this. We're really looking forward to this. We think it's a real need that you're really helping people in Hana. If we sound harsh, it's just 'cause we

have -- you have something really great, we want to make it even better, help make it even better. Thank you very much.

Mr. Hart: Thank you.

Chair Mardfin: Alright, it's been requested that we have a ten-minute recess before we go into our orientation workshop. We will start at -- my watch's reading 6:15, I've got 6:06.

*(A recess was called at 6:00 p.m., and the meeting was reconvened at 6:15 p.m.)  
(Committee Member Notestone was excused from the meeting during the recess.)*

## **H. ORIENTATION WORKSHOP**

- 1. Duties and Responsibilities**
- 2. Meeting Schedule**
- 3. Chapter 92, HRS - The Sunshine Law**
- 4. Ethics**

## **I. DIRECTOR'S REPORT**

- 1. Scheduling of other Hana Region Applications**
- 2. Discussion of Future Hana Advisory Committee Agendas**

Chair Mardfin: The meeting is back in session. Clayton, we are going to, because of time, and we don't want these people to have to camp out at the hairpin turn, we will skip item -- defer item H, Orientation Workshop, to some later meeting, we're up to item I, Director's Report. Clayton? Scheduling of other Hana region applications.

Mr. Yoshida: Yes, thank you, Mr. Chair. We have two sets of applications that we need to try and schedule. We're looking possibly at June 30<sup>th</sup> for a meeting date, which is a Thursday. This is for a special management area use permit from the County Department of Environmental Management for closure of the makai landfill at the Hana Landfill, and with that, we would have the special permit for the National Botanical Tropical Garden Visitor Center at Kahanu Garden. So those would be the two for June 30<sup>th</sup>, but we would need a commitment from at least four of you to attend. Gale says he can attend. Ward will be teaching on Oahu.

Chair Mardfin: I'll be on Oahu for the whole summer so --

Mr. Yoshida: Yeah, teaching, yeah, for the summer so -- so who can make it on the 30<sup>th</sup>.

Ms. Lono: I understand that we have -- we still have one open seat that needs to be filled, and as I understand it, I know there's at least one person who's put in their application, and another one an application was given to, I don't know if he completed it, I didn't followup with him, but how do we followup and get that process going? Is it out of the Mayor's office hands now and maybe Bob needs to do it or -- 'cause we need to get that other seat filled because if one of us can't be here, then it really tightens things up quite a bit?

Mr. Yoshida: Yeah, well, right now I guess the council is focused on the budget until June 10<sup>th</sup>, but they call special meetings at times. I have to kinda figure out who's turn it is because first the Mayor submits the application, and if there's a vacancy, then the Mayor has so many days to submit another --

Ms. Lono: Right, I think it's passed that.

Mr. Yoshida: Then the council has so many days to submit their nominee, and then if they don't submit it in time, then the Mayor has so many days to submit his nominee, so I have to find out, you know, who has the ball whether it's the Mayor or the council, and then try to say, you know, hey, we gotta try to get this vacancy filled.

Ms. Lono: Well, if you could please do that because it is pretty critical right now.

Mr. Yoshida: Yeah.

Ms. Lono: And just to answer your question about June 30<sup>th</sup>, for me, I cannot make a commitment to that, I have some things going on in my life are requiring my schedule to be flexible. If I am here, I will be there.

Mr. Crawford: I believe that I can be there.

Mr. Carvalho: I can make it as well.

Ms. Linda Clark: I do have a schedule conflict with that date as I'm in the Makawao Rodeo Auxiliary and this is the rodeo weekend.

Ms. Lono: ...(inaudible - not speaking into the microphone)...

Mr. Yoshida: Okay. Yes, okay, let me find out who has the ball whether it's the Mayor or the council and try to impress upon them to fill the position. Okay, the second set is Gina tells me she has a B&B permit application, Woessner on Uakea Road, and then there's another short-term rental home permit application, so probably we're looking at -- well, she wanted it late July but, I don't know, maybe depends if we can get the seventh member appointed for -- if not, then I guess we will wait until Ward comes back from Honolulu.

Chair Mardfin: I think it's the 17<sup>th</sup> or the 18<sup>th</sup>, something like that, of August that I return. Sorry.

Ms. Lono: ...(inaudible - not speaking into the microphone)...

Mr. Yoshida: It couldn't -- no, we couldn't do it on the 30<sup>th</sup>, the Woessner one. Yeah.

Ms. Lono: ...(inaudible - not speaking into the microphone)...

Mr. Yoshida: No. It's just that all the parties, the principles couldn't be there on the 30<sup>th</sup> 'cause --

Ms. Lono: ...(inaudible - not speaking into the microphone)...

Mr. Yoshida: Okay. So maybe we'll consult with you folks on that second set, the Woessner and the short-term rental home permit and see if we can get the seventh member confirmed, appointed and confirmed to the Committee prior to June 30<sup>th</sup>.

Chair Mardfin: Where are we on Gary Stice's application?

Mr. Yoshida: He still has to resolve some outstanding request for services issues. I mean there's been some public complaint or, yeah, complaints, so he needs to resolve that to the satisfaction of the department before we'll schedule his special management area use permit to build two houses on the property.

Chair Mardfin: Thank you very much. Anything else from the director?

Mr. Yoshida: That's it. We're trying to beat the roadblock.

## **J. ADJOURNMENT**

Chair Mardfin: I've got 6:23, and I hereby declare this meeting adjourned.

Respectfully submitted by,

SUZETTE L. ESMERALDA  
Secretary to Boards & Commissions

**RECORD OF ATTENDANCE**

**Present:**

Ward Mardfin, Chairperson  
Gale Notestone, Vice-Chairperson  
Clayton Carvalho, Jr.  
Linda Clark  
Scott Crawford  
Dawn Lono

**Others:**

Clayton Yoshida, Planning Program Administrator, Current Division  
Paul Fasi, Staff Planner, Current Division  
Jennifer Oana, Deputy Corporation Counsel