

(APPROVED: 09/17/07)

**HANA ADVISORY COMMITTEE TO THE  
MAUI PLANNING COMMISSION  
MEETING OF NOVEMBER 30, 2006**

**A. CALL TO ORDER**

The meeting of the Hana Advisory Committee (Committee) was called to order by Chairperson Kauai Kanakaole at 4:26 p.m., Thursday, November 30, 2006, Old Hana School Cafeteria, Hana, Island of Maui.

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

Ms. Kauai Kanakaole: We'd like to call the meeting to order. The first order of business is the approval of the minutes from April 20, 2006, May 8, 2006, and May 18, 2006. Is there any discussion from the board members on any of the minutes that we got in the mail? If there's no discussion, can we approve the minutes?

**B. APPROVAL OF MINUTES OF THE APRIL 20, 2006, MAY 8, 2006, AND MAY 18, 2006 MEETINGS**

Ms. Mavis Oliveira-Medeiros: I make a motion that we approve the minutes.

Ms. Kanakaole: Second?

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

**It has been moved by Ms. Oliveira-Medeiros, seconded by Ms. Mauiola, then unanimously**

**VOTED: to approve the minutes.**

Ms. Kanakaole: So moved. Okay, next order of business, public hearings.

Mr. Clayton Yoshida: Good afternoon, Madam Chair, members of the Hana Advisory Committee. My name is Clayton Yoshida. I'm with the Planning Department; Administrator of the Current Planning Division. With me this afternoon are Robyn Loudermilk, Staff Planner, and Suzie Esmeralda, Secretary to Boards and Commissions. The public hearing item that we have today is a request from Wayne Arakaki, of Wayne Arakaki Engineering, for a change in zoning from interim district to RU-0.5 rural district for the Marciel subdivision at TMK: 1-4-006:parcel 020, Kawaipapa, Hana, Island of Maui. Robyn will present the staff report.

**C. PUBLIC HEARINGS (Action to be taken after each public hearing item.)**

- 1. WAYNE I. ARAKAKI of WAYNE ARAKAKI ENGINEERING requesting a Change in Zoning from Interim District to RU-0.5 Rural District for the Marciel Subdivision at TMK: 1-4-006:020, Kawaipapa, Hana, Island of Maui. (CIZ 2006/0006) (R. Loudermilk)**

Ms. Robyn Loudermilk: Good afternoon, commissioners. As Mr. Yoshida indicated, we're here for a change in zoning application for the Marciel property. The applicant is requesting the change in zoning to provide conformity with the rural designation on the Hana Community Plan Map.

The property is approximately 2.86 acres and is located along Hana Highway. And, currently, the subject parcel is developed with two single-family dwellings. Should the change in zoning be approved, the applicant will then subdivide the property into two lots to convey to family members.

We sent out the application to a number of governmental agencies and did not receive any negative comments. There's water to the property. There is not going to be any ground altering activity so SHPD has no concerns at this point in time. And the Department of Public Works and Environmental Management has no -- really had no comments. They handle the wastewater, roadways out in this area.

The department feels that the change in zoning does meet the criteria and that it is -- the change in zoning would be consistent with the character of Hana out in this area. And that concludes the report. I'm available to answer any questions that you have.

Ms. Kanakaole: Does the commission have any questions?

Ms. Loudermilk: In your report, I'd like to have you go to Exhibit No. 1, which is the tax map key.

Ms. Melissa Mauiola: Okay, I got it here.

Ms. Loudermilk: And then -- you like my glasses?

Ms. Mauiola: It's a little small.

Ms. Loudermilk: I sorry.

Ms. Mauiola: Can you just clarify for us? Yeah, where exactly?

Ms. Loudermilk: It's Hana Highway, prior to the break in the road at Uakea and then you go down, and it's the first property after the Kawaipapa Gulch. Right past the gulch. It's a corner property right over there.

Ms. Mauiola: Okay.

Ms. Loudermilk: Yeah, so that's the property that's -- there's a bunch of properties in that area that are zoned interim, and the interim zoning does not allow for subdivision of property so that's why the Marciel family is in to get the comprehensive zoning, make it be consistent with the single-family designation in the community plan, and then they can subdivide the property into two.

Ms. Kanakaole: Any other questions?

Ms. Oliveira-Medeiros: I thought I saw something about it being on a aqueduct. Is it kinda like the health center or something?

Ms. Loudermilk: The entire island of Maui is located on one of several aquifers that can provide water and so one of the comments was from the Department of Water Supply indicated that the property and a lot of this area does overlie the Kawaipapa aquifer but they provided the applicant with some best management practices. This is a opportunity for the Board of Water Supply to remind people about groundwater contamination and so this is a fairly a standard type of response from them. We don't anticipate any impacts but they do indicate for all the projects that come to us, whether they overlie an aquifer or not, just a reminder that should the aquifer be tapped or not we wanna be able to protect whatever groundwater resources are available, and so they did forward the best management practices in the future should any other type of ground altering activity occur.

Ms. Oliveira-Medeiros: I guess because it's by the river it's flood zone.

Ms. Loudermilk: I am not sure about that in terms of their comments but as part of the report, you know, we do note that that type --

Ms. Oliveira-Medeiros: ...(inaudible)...

Ms. Loudermilk: Yeah, and when -- when they come in, when an application for subdivision has been submitted so that should any future, again, ground altering activity occur, then those activities will have to be -- have to address any issues of flooding at that time.

Ms. Kanakaole: Anymore questions? If there are no more questions, can we --

Ms. Loudermilk: I'd just like to note that we have Ms. Edith Marciel here, the applicant, and then we do have Bill Chang, from Wayne Arakaki Engineering. So just to let you know that they are in the audience.

Ms. Kanakaole: Should we open up to public? Okay, does the applicant wanna make a presentation or say anything?

Ms. Edith Marciel: Well, my name is Edith Marciel. I've lived here, was born here in Hana, and went to college and school away from here and haven't been back here for, to live, for very many years, but I do come here very often, and I want to say that I am part owner of the property, there are other owners of the property too, and this is Lani Oliveira, James Oliveira, and Francis Oliveira, and I want you to know that, and we'll try to divide the property that way. I do not plan -- I plan to keep the property for the family, and they love Hana and I do too, and I think that's all I have to say.

Ms. Kanakaole: Thank you. Okay, we can -- if anyone would like to testify, we can open it up for public hearing. No public -- go ahead. Just state your name.

**b. Public Hearing**

Mr. Jody Bailey: I'm Jody Bailey, and that's my mom, and our plan is, like my mom says, is to keep this property in our family, and I'm the one who probably comes back the most to Hana, and so that's our plan is to keep that property in our family, that's what our focus is on doing, not getting rid of it or building more on it or try to make a business or anything, so we just wanna keep that property for us. Thank you.

Ms. Kanakaole: Thank you.

Mr. Shane Sinenci: I have a question. Should I ask -- so, basically, you just want to divide the property so that to -- for family housing or amongst the family?

Ms. Bailey: Yeah, cause there's two different families, it's on there: there's Francis, James on one portion of it, and we're another portion. It's all one piece now. So if we divide it, you know, when their children get older and, you know, and so on, you know, then I know what's mine and I could pay my taxes, and they know what's theirs, they could pay their taxes, and it's just very well -- so it's very cut and dry, you know, theirs and, and they're my cousins too on my dad's side. This is my aunty too.

Mr. Sinenci: Roughly, how big is that property? Two acres?

Ms. Loudermilk: Almost three acres, 2.8.

Mr. Sinenci: And that's at -- along the Kawaipapa Stream?

Ms. Loudermilk: One portion. It's sort of triangular so the widest portion is along the stream.

Mr. Sinenci: Thank you.

Ms. Kanakaole: Thank you. Anybody else? If not, we'll close the public hearing portion, and can we hear the staff recommendations.

**b. Action**

Ms. Loudermilk: The department recommends approval of the change in zoning, and we recommend the Hana Advisory Committee that you recommend to the Maui Planning Commission that they recommend to the Maui County Council approval of the change in zoning request, and that concludes our department's recommendation.

Ms. Kanakaole: Thank you. So is there a motion from the Hana Advisory Commission to approve or to --

Mr. Sincenci: I motion to approve the change in zoning for the Marciel property. Oh we recommend to the -- Okay, I move to recommend acceptance of the department's recommendation as stated.

Ms. Oliveira-Medeiros: I'll second.

Ms. Kanakaole: Any discussion?

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

**It has been moved by Mr. Sinenci, seconded by Ms. Oliveira-Medeiros, then**

**VOTED: to recommend acceptance of the department's recommendation as stated.**

**(Assenting: K. Kanakaole; M. Oliveira-Medeiros; S. Sinenci; M. Mauiola)**

**(Excused: F. Helekahi-Burns; F. Tolentino; D. Lono)**

Ms. Loudermilk: Thank you. So the steps, we'll take this to the Maui Planning Commission, hopefully, in January, there's only one meeting in December, and then from there we'll send it to Council. Thank you.

Ms. Kanakaole: Thank you. Our next thing on the agenda is the Director's Report.

**D. DIRECTOR'S REPORT**

**1. Withdrawal by the Applicant of the following application:**

**MR. TOM PIERCE, AAL, LLC, attorney for MARGARET HECHT and NEAULANI, INC. requesting a County Special Use Permit for the Ola Honua Farm Dwellings project in order to construct 9 farm labor dwellings within a 14.75 acre area in the County Agricultural District in conjunction with a 175-acre forestry and land conservation project at TMK: 1-6-008:023, Kipahulu, Island of Maui. (CUP 2005/0010) (P. Fasi)**

Mr. Yoshida: Madam Chair, members of the Hana Advisory Committee, we have circulated a letter from Margaret Hecht, dated October 24, 2006, basically withdrawing their County special use permit application for the Ola Honua Farm Dwellings project to construct nine farm labor dwellings in Kipahulu. This was a matter where a investigation, site investigation was scheduled but, and a public hearing, but later cancelled, and so, basically, the applicant has since withdrawn the County special use permit. Should they wish to apply for the same or similar type of project, they will have to come back with a new application. So we just wanted the Commission to know what the final disposition is on that application. Any questions?

I guess this is our, well, last meeting I think for year. We'd like to wish all of you a happy holiday season. We're moving into a new administration come January 2, the Tavares administration, and we have no applications immediately pending for the Hana area so it's uncertain when we'll be back, maybe not for a couple of months, and we don't know specifically what the assignments are going to be as to who comes to these meetings but it has been a pleasure, this year, coming to these meetings, so we'll notify you when the next meeting is going to be.

Ms. Kanakaole: Thank you. So if there's no other discussion, is there a motion to adjourn?

Ms. Oliveira-Medeiros: I'll make a motion that we adjourn.

Ms. Kanakaole: Second. Have a Merry Christmas and a Happy New Year. Thank you for coming.

**E. AJOURNMENT**

There being no further business brought before the Committee, the meeting was adjourned at 4:42 p.m.

Respectfully submitted by,

SUZETTE L. ESMERALDA  
Secretary to Boards and Commissions I

**RECORD OF ATTENDANCE**

**Present**

Kaui Kanakaole, Chairperson  
Mavis Oliveira-Medeiros  
Melissa Mauliola  
Shane Sincenci

**Excused**

Fawn Sherie Helekahi-Burns (Vice-Chairperson)  
Dawn Lono  
Francine Tolentino

**Others**

Clayton Yoshida, Planning Program Administrator  
Robyn Loudermilk, Planner