

# Meeting Minutes

**Tuesday, October 8, 2019**

Hyperlink to [Meeting Video](#)

## **Community Plan Advisory Committee**

**Attending:** Chair Kai Nishiki, Vice-Chair Jeri Dean, Donald Robert Gerbig, Hans Michel, Joseph D. Pluta, Karen J. Comcowich, Leilani Pulmano, Dylan Payne, Ravi Bugga, Aina Kohler

**Absent:** Dawn Hegger-Nordblom, Yvette Joyce Celiz

**NO LONGER WITH CPAC:** Joseph Aquino

## **County of Maui – Planning Department**

Pam Eaton, Long Range Planning Division

Jennifer Maydan, Long Range Planning Division

Tiffany Bostwick, Long Range Planning Division

Jaime Paa, Long Range Planning Division

Call to order

## **Public Testimony (00:00 to 28:55 in Meeting Video)**

Theo Morrison read from her written testimony, offering a number of specific policy and action recommendations for Goal 2.3: Responsible Stewardship of Resources, Culture and Character, specifically Policies 4 and 7, and Actions 1 and 12. ([Link to written testimony](#)) Questions from CPAC included the idea of a parking plan; expansion of the historic district; hiring a Historic District Officer for enforcement and compliance of the Historic District Ordinance); and ownership of the Banyan Tree property.

Michele Lincoln read from her written testimony, offering a number of specific policy and action recommendations for Goal 2.3: Responsible Stewardship of Resources, Culture and Character, specifically Actions 4 and 11. (Links to written testimony: [1](#), [2](#), [3](#))

Albert Perez provided a few recommendations and wording suggestions for Goal 2.3: Responsible Stewardship of Resources, Culture and Character, specifically Policies 3 and 4, and Actions 3 and 7. ([Link to written testimony](#))

Councilmember Tamara Paltin provided policy and action recommendations for Goal 2.3: Responsible Stewardship of Resources, Culture and Character, specifically Policies 3 and 6, and Actions 4, 6 and 8. Questions from CPAC included having Tamara clarify her point about short-term rentals not needing permits in Historic Districts 1 & 2.

P. Denise LaCosta expressed her concern with cars that are parking overnight on the makai side, fearing that oil spills from these cars are going into the ocean. She suggested taking a closer look at cars parking long-term on/near beaches.

Before moving on to Agenda item C, Chair Nishiki asked for CPAC members' support in having Ke'eaumoku Kapu, who was unable to give his presentation at a previous meeting (September 24), present to the committee now. **She made a motion to receive Ke'eaumoku Kapu's presentation now; Karen Comcowich seconded the motion. After clarification from Planning staff Jennifer Maydan, however, Chair Nishiki had Karen put forth the motion instead; Leilani Pulmano seconded the motion. Motion passed unanimously.**

**Guest Presentation Related to Goal 2.3: Responsible Stewardship of Resources, Culture and Character (28:55 to 56:18)**

1. Cultural/Environmental Issues Affecting West Maui – Ke'eaumoku Kapu

Ke'eaumoku Kapu gave a presentation on the historic district of Mauna Kahalawai. He spoke about the history and significance of the area, and identified historic buildings and streets as well as their backgrounds. He went over the most important factors to consider in developing the historic preservation section of the Community Plan. Recommendations included recognizing the original names of streets and buildings with signage, and implementing the Code of Conduct within Lahaina's historic district in Hawaiian, English, and possibly other languages. He also recommended putting up a flag pole monument at Kamehamehaiki Park to signify the importance of that place. **(28:55 to 48:45)**

Questions and comments from CPAC included providing written recommendations to CPAC; the possibility of changing street names back to their original names; thoughts on creating cultural parks in valleys that still have preserved cultural landmarks; and the biggest setback in restoring Moku'ula. **(48:45 to 56:18)**

**Policies and Actions Related to Goal 2.3: Responsible Stewardship of Resources, Culture and Character (56:18 to 2:14:35)**

Jennifer Maydan gave a brief background on the Draft List of Policies and Actions related to Goal 2.3: Responsible Stewardship of Resources, Culture and Character, and explained the Design Policies for Lahaina Town found on page 3. She noted that Annalise (via text) agreed with Theo's testimony that enforcement is absolutely necessary, but also that the current actions need to be better clarified. She noted that the current actions will serve as an interim as the actual Design Guidelines are developed.

Chair Nishiki gave a brief overview on what she hoped CPAC could accomplish in the next hour with discussion on the Draft Policies and Actions; however, Leilani Pulmano asked if presenters could give their presentations before discussion took place. There were no objections. **(56:18 to 1:04:42)**

### **Guest Presentation Related to Goal 2.4: Economic Opportunity Through Innovation and Collaboration**

Chair Nishiki asked CPAC members to hold their questions until after all guest presenters had given their presentations.

#### 2. Agriculture - Kaipo Kekona, Bobby Pahia and Vince Mina

Kaipo Kekona gave a brief background of Ku'ia Agricultural Education Center (KAEC); a history of Hawaii's agricultural landscape; and provided agriculture policy recommendations to CPAC for water, community wellbeing, and agricultural land use. **(1:04:42 to 1:25:35)**

Bobby Pahia talked about who he is and what he does as a farmer, and advocated to get resources to address the water issue so that there is transparency within the community. **(1:25:35 to 1:30:56)**

Vince Mina talked about his family's economic success in small farming, and the methods they use to make farming a viable and valuable profession. **(1:30:56 to 1:42:40)**

Questions from CPAC included submitting policy recommendations to CPAC in written form; thoughts on initiating Legislation to assign responsibility and provide funds for periodic stream cleaning, and require large landowners to maintain a vegetative buffer; how the West Maui community can use agriculture as an economic driver; soil remediation; how to deal with having less water in the future in regards to agriculture;

examples of cover crops and the best types to grow in West Maui; having an Agriculture Park/Ag Production House/Co-Op/Food Hub in West Maui; how to change our mindset on agriculture in the context of the Community Plan; and how one can make a living off of farming. (1:42:40 to 2:14:35)

## **RECESS/DINNER BREAK**

### **Policies and Actions Related to Goal 2.3: Responsible Stewardship of Resources, Culture and Character (Cont.) (2:14:35 to END)**

In respect for members' time, Chair Nishiki suggested looking only at the first section (Policies) of the Draft Policies and Actions and tabling the next section (Actions and Design Policies for Lahaina Town) for a future meeting. There were no objections.

Discussion/decisions for each policy were as follows:

## **POLICIES**

1. Maintain the scale, building massing and architectural character of historic Lahaina town.
  - Discussion:
    - Suggested tabling discussion until Yvette Celiz and Planning staff Annalise Kehler (Cultural Resources Coordinator) are present
  - Consensus Decision(s): **Revisit**
2. Ensure new development projects provide continued access to kuleana lands protected under Hawai'i Revised Statutes, Section 7-1. (2:16:23 to 2:20:12)
  - Discussion:
    - Leilani: Maintain mauka to makai public access along the tops of gulches – either in this policy or Policy 3. (Doesn't have to be a 200ft buffer; can be a trail, pathway access, etc.)
  - Consensus Decision(s): **See Jennifer Maydan's recommendation in Policy 3 discussion below. Keep as is.**
3. New permanent structures shall not be developed in or within 200 feet of the top of the bank of gulches. (2:20:12 to 2:34:22)
  - Discussion:
    - Leilani: Word policy differently to make the area around gulches available to a greater mass of people. Not sure about 200ft number; sediment runoff issue could be resolved with low-impact development design.

- Karen: Change “200 feet” to “500 feet” to protect all streams and gulches, which is what was recommended by experts

Chair Nishiki noted that specific wording/numbers doesn’t have to be decided right now. Discussion was held between several members regarding the importance of a number; Chair Nishiki noted that she thinks it’s important to include a specific number to have a baseline to work with.

- Planning staff Jennifer Maydan’s recommendation: rather than adding Leilani’s suggestion (see Policy 2 discussion above) to Policy 3, make it a NEW policy and have it in Goal 2.5: Safe Healthy Livable Communities for All. Working on drafting that now, will add in and present on October 24.
  - Dylan: Concerned that the intent of this policy would mean that you wouldn’t be able to build in Honokohau anymore. Language should be better defined.
    - Jennifer Maydan clarified that policy would apply to new development only, not existing development already near the gulches. Only applies to anything that triggers the Community Plan (subdividing, etc.).
  - Karen: Reword to “No new permanent structures shall be developed in or within 200 feet of the top of the bank of gulches, streams, and wetlands (except those consistent with native Hawaiian cultural practices).”
  - Consensus Decision(s): **Revisit to determine specific wording/numbers.**
4. All new development shall implement recommendations of the Maui County Planting Plan for street and parking area trees, avoiding the plants that are on the Hawai’i Pacific Weed Assessment high risk list. **(2:34:22 to 2:36:42)**
- Discussion:
    - Ravi: Amend “avoiding” to “no plants on the Hawai’i Pacific Weed Assessment high risk list”
    - Karen: Include “and existing development”; add “native or endemic species shall be utilized”
  - Consensus Decision(s): **Edit**
5. Require implementation of low-impact development practices in developments in West Maui to reduce stormwater runoff and protect water quality.
- Discussion: None
  - Consensus Decision(s): **Keep as is**

6. Require developments with pools within the Special Management Area to use Best Management Practices for cleaning and maintaining the pool, specifically prohibiting draining of pool water directly to the ocean. **(2:37:00 to END)**

- Discussion:
  - Karen: Add “encourage draining into a landscaped area”
  - Don: Add “best management practices” somewhere in policy
  - Jennifer Maydan clarified that single family homes do not apply to this policy.
  - Chair Nishiki: Take out “Special Management Area” and apply policy to everyone.
    - Jennifer noted that the policy won’t be able to apply to everyone; Chair Nishiki subsequently suggested leaving SMA in, but adding an action item that relates to this policy.
- Consensus Decision(s): **Edit and add an action to make back washing into the street illegal.**

Policy 7, Actions 1-12 and Design Policies for Lahaina Town were not discussed due to time constraints.

**NEXT MEETING IS ON OCTOBER 10, 2019. MEETING ADJOURNED AT 8:43 P.M.**

