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**MAUI PLANNING COMMISSION
REGULAR MINUTES
SPECIAL MEETING – WEST MAUI CP
JULY 28, 2020**

A. CALL TO ORDER

The special meeting of the Maui Planning Commission was called to order by Chairperson Lawrence Carnicelli at approximately 5:35 p.m., Tuesday, July 28, 2020, online via BlueJeans; **Meeting ID: 388 025 193**

Mr. Carnicelli: Good afternoon everybody. It is...I'm going to call to order the special meeting of the Maui Planning Commission specifically dealing with the West Maui Community Plan on July 28, 2020. It is 5:35 p.m. Hawaii Standard Time for those of you on the mainland. I am Lawrence Carnicelli, I'm the Chair. Also, in attendance right now is Vice-Chair Christian Tackett.

Mr. Tackett: Good evening Chair.

Mr. Carnicelli: Good evening. Commissioner Stephen Castro.

Mr. Castro: Good evening Chair and Commissioners.

Mr. Carnicelli: Good evening. Commissioner Kelli Pali.

Ms. Pali: Good evening everyone.

Mr. Carnicelli: Good evening. Commissioner Kawika Freitas.

Mr. Freitas: Aloha Chair and fellow Commissioners.

Mr. Carnicelli: Aloha. Commissioner P. Denise La Costa.

Ms. La Costa: Aloha auinala, enjoy.

Mr. Carnicelli: Good evening. And Commissioner Dale Thompson.

Mr. Thompson: Aloha, and good evening.

Mr. Carnicelli: Aloha, and good evening. Director, Planning Director Michele Chouteau McLean.

Ms. McLean: Good evening, Chair.

Mr. Carnicelli: Good evening. Corporation Counsel Michael Hopper is not in attendance but he is at the ready if we do need him and we need to solicit opinions or whatever it is from him. We can text him and he'll come on the call ASAP. Also, in attendance is Long Range Planning, I don't know what your title is, but Jennifer Maydan is your title.

1
2 Ms. Maydan: Good evening Chair and Commissioners. My title is Planning Supervisor in the
3 Long Range Division.

4
5 Mr. Carnicelli: Welcome, and also on the call is Pam Eaton.

6
7 Ms. Eaton: Four hours ahead of you.

8
9 Mr. Carnicelli: It's five o'clock somewhere. So, quorum has been established so we will go
10 ahead and start the meeting. So, a couple of housekeeping items for those of you that have
11 never attended a Maui Planning Commission meeting. The way we'll do this is we will introduce
12 the item, we're going to do a short presentation by Jennifer Maydan and then we'll take public
13 testimony after her orientation on the plan and kinda where it is, we're going. If you would like
14 to testify, please direct chat Director McLean and ask her if you would like to testify and then
15 we'll keep a list of testifiers. Do not use the chat function to communicate with any of the
16 commissioners directly that is forbidden. Also, if everybody would please keep your video and
17 audio muted unless you are testifying. So, Director did I miss anything, is that kinda...

18
19 Ms. McLean: You got it, Chair. Thank you.

20
21 Mr. Carnicelli: All right, I guess we'll go ahead and start with your transmittal.

22
23 **B. PUBLIC HEARINGS** (Action to be taken after each public hearing.)

24
25 **1. MS. MICHELE CHOUTEAU MCLEAN, PLANNING DIRECTOR, transmitting**
26 **the West Maui Community Plan Advisory Committee's recommended**
27 **revisions to the West Maui Community Plan pursuant to the provisions of**
28 **Chapter 2.80B of the Maui County Code. (J. Maydan)**

29
30 **a. Orientation on Draft Plan**

31
32 **b. Section 1 Plan Framework**

33
34 **c. Section 2 Policy Framework**

35
36 **i. Goal 2.1 Ready and resilient systems.**

37
38 **ii. Goal 2.2 A complete, balanced and connected transportation**
39 **network.**

40
41 Ms. McLean: Thank you, Chair. This evening you are conducting your first public hearing on
42 the West Maui Community Plan Advisory Committee's recommended revisions to the West
43 Maui Community Plan pursuant to the provisions of the Chapter 2.80.B of the Maui County
44 Code, and this was transmitted to you by myself. It's been a terrific effort from our Long Range
45 Division and of course, the CPAC members and today on the agenda as you said Chair, you

1 have an orientation on the plan and then you'll be reviewing Section 1 and 2 of the goals in
2 Section 2, and with that, I will pass it over to Jen Maydan.

3
4 Mr. Carnicelli: Great. Thank you very much, Director. Jen.

5
6 Ms. Jennifer Maydan: All right, mahalo Chair, and mahalo Michele, and good evening
7 Commissioners. I just have a brief orientation presentation tonight. So, I'm gonna go ahead
8 and share my screen. All right, did that work? Can you see my screen?

9
10 Mr. Carnicelli: Got it. Yeah, I got it.

11
12 Ms. Maydan: All right, I'm on the last slide, so let's go to the first slide. There we go. Unless
13 we want to start at the end. All right, good evening Chair and Commissioners. We are excited
14 to be here tonight to kick off your review of the draft West Maui Community Plan. As Chair
15 introduced also with me is our Division Chief, Pam Eaton and Kate Blystone, one of our senior
16 planners is also on the call, and at future meetings we will have other staff attend as well
17 depending on the sections being reviewed.

18
19 So, in the last year we came before your commission a few times to give you updates on the
20 community planning process and today you begin your review of the draft plan. I have a very
21 brief presentation to remind you of the phases of the community plan update process, confirm
22 your meeting schedule and give you a quick orientation to the draft plan, then you'll begin your
23 review of the draft plan sections that are on today's agenda. I'll just ask if you can hold
24 questions until the end, but please do let me know if you have any trouble hearing me or if
25 anything goes wrong with the presentation slides.

26
27 First, a quick reminder of the phases in the community plan update process. Phase 1 includes
28 research, data collection and agency coordination and we started this process in early 2017.
29 Phase 2 is community engagement where there's a lot of activities where we engage the
30 community through interviews, meetings, workshops, open houses and online activities and we
31 officially kicked this off in August of 2017 through April of 2019. Phase 3 is the Community Plan
32 Advisory Committee or CPAC review. The CPAC had 37 meetings over the course of ten
33 months from July of last year to May of this year. This phase included the involvement of the
34 West Maui community as well as many County departments. The draft plan you have before
35 you today was molded by all of these voices and now it is your opportunity to use your expertise
36 as planning commissioners to recommend amendments to the draft plan. So, Phase 4 which
37 we are in now, your review, planning commission. According to Code you have up to 180 days
38 to review the plan and according to the schedule that you all have developed you are planning
39 to take about half that time of three months. Phase 5 then is Maui County Council approval.
40 They have up to one year to review the draft plan, listen to testimony and adopt the plan by
41 ordinance.

42
43 So, you're all aware of the meeting schedule including six meetings starting today through
44 October 13th with meetings falling on your regular Tuesday schedule. The schedule clearly
45 outlines which sections you will be reviewing at each meeting so you can come prepared to
46 each meeting with any questions or recommendations for those applicable sections and as, of

1 course as Chair mentioned, the schedule of sections can be revised, meetings can be added if
2 needed, so we'll work with you on that.

3
4 Okay, onto a brief orientation of the contents and layout of the draft plan. I trust you've all read
5 it and have a grasp of how it's laid out. In total there are five sections with three of the sections
6 really being the meat of the plan. These meaty sections are Section 2 Policy Framework,
7 Section 3 Growth Framework, and Section 4 Implementation and Monitoring.

8
9 Section 1 Plan Framework contains the background information, key challenges and most
10 importantly the vision and five goals. The West Maui vision provides a guiding light for the
11 community and County and it was created by the community during the engagement phase, and
12 it was confirmed with minor tweaks by the CPAC. The five goals are a refinement of the vision
13 and give the structure to policies in Section 2, and the actions in Section 4. Section 1 Plan
14 Framework is on your agenda today and we encourage you to perhaps not spend too much
15 time on this section since it's just an introductory section.

16
17 Section 2 Policy Framework contains the policies organized by the five goals. As you are all
18 aware, policies are used by staff planners, yourselves and other decision makers in reviewing
19 various...(inaudible)...and projects. On your agenda today are the first two goals and their
20 corresponding policies. You'll review the remaining three goals and their policies at your next
21 meeting.

22
23 Section 3 Growth Framework is the heart of the community plan. It contains the community
24 plan designations which I presented to your commission in May. It also contains the community
25 plan map which maps future desired growth using the community plan designations. And as
26 you read the draft plan and reviewed the maps, you probably noticed that some undeveloped
27 areas within the Maui Island Plan growth boundaries are designated for growth while other
28 areas remain designated as Ag. The Maui Island Plan growth boundaries in West Maui provide
29 more than enough land to accommodate projected growth to 2040. The community plan map
30 provides sufficient designated areas to accommodate this projected growth. The growth
31 framework section also explains the community plan map with the description of areas of
32 change and areas of stability. We really anticipate that your commission will spend most of its
33 time reviewing and discussing the growth framework.

34
35 The final meaty section is Section 4 Implementation and Monitoring and it contains the actions
36 to be implemented by the County over the 20-year life of the plan. It's a to-do list of actionable
37 items for County departments to help achieve the community plan's vision and goals.

38
39 All right, just one, few more just CP comments before I answer any questions that you may have. In
40 your meeting packet you received a list of recommended amendments from the
41 Planning Department and comments from various County agencies for your commission to
42 consider. The Planning Department recommendations are applicable to the sections on your
43 agenda today, and only one agency comment from the Department of Housing and Human
44 Concerns is specific to the sections on your agenda today. We will transmit any further
45 recommendations prior to the meetings with the applicable sections, and if we receive any
46 additional comments from other County agencies, we will also transmit those to your

1 commission. So, with that, mahalo for letting me take the time to give you an overview and I'll
2 stop sharing. All right.

3
4 Mr. Carnicelli: Awesome. Thank you very much Jen. Commissioners do you have, does
5 anybody have any questions for Jen before...that you feel are applicable you know what she
6 just talked about before we take public testimony? Is there any need for clarification on
7 anything at this point? The only, the only thing since you brought it up, the only thing that I'll say
8 is, is in the comments back from the departments, from the different agencies, sometimes when
9 they just...they reference the numbers and it might be an implementation action instead of a
10 policy, so like that...I don't know...I mean, I don't know, I mean, it is what it is at this point, but
11 that would just helpful to get sorta clarification on that. Commissioner Tackett.

12
13 Mr. Tackett: Yes?

14
15 Mr. Carnicelli: Oh, I thought you were raising your hand to talk.

16
17 Mr. Tackett: No sir, my apologies.

18
19 Mr. Carnicelli: Okay...flagging me down or whatever it is. So, Director, do you have anything
20 else you want to add before we take public testimony?

21
22 Ms. McLean: Nothing else to add Chair, thank you.

23
24 Mr. Carnicelli: Okay, Ms. Eaton, is there anything else that you would like to add before we take
25 public testimony?

26
27 Ms. Eaton: No, thank you though, thanks so much.

28
29 Mr. Carnicelli: Okay. So, what we're gonna do is we're gonna open up the floor for public
30 testimony and as I said at the beginning if you would like to provide testimony to the Planning
31 Commission please direct chat Director Michele McLean in the chat function of the BlueJeans
32 here, and a couple things that I just want to get clear for everybody, so everybody's time is
33 precious and we want to be as expeditious as we can and I want to help everybody who wants
34 to testify to really do the most with the time that they have. So, everybody will get up to three
35 minutes. We don't provide more than three minutes. It's not, three minutes and ten seconds,
36 it's not three minutes and thirty seconds, it's not four minutes, and we want to hear what you
37 have to say, but the reality is if you go three and a half minutes it's not fair to the person that
38 stopped at three. So, at three minutes, Carolyn will say three minutes, I will then say thank you
39 very much and I would ask you to conclude. So just to be clear, we're going to try to be
40 respectful of each other so please try to stay within the boundaries of three minutes.

41
42 Also, we've only got Section 1, Section 2.1 and Section 2.2 on the agenda. We did receive a
43 bunch of testimony that included things outside of that realm. I'm going to ask everybody to
44 keep their testimony to just those items, that's it. As a Planning Commission, whatever's
45 agendized is the only thing that we can talk about, it's the only that we work on is what's
46 agendized so please keep your testimony to just those things that are agendized.

1
2 Also, testimony is not a time to ask us questions, it's for you to provide testimony and to give us
3 your manao. So, I'm gonna ask you to just please do that. Last thing, oh, you know what
4 before I go any further, I forgot to thank the CPAC members 'cause I know some of them are on
5 this call right now, and 37 meetings, hours, and hours, and hours, and hours, and hours, ten
6 months I think that it's important that we acknowledge the work that the CPAC members did to
7 transmit this to us. It is much easier to edit than it is to author, so our job is actually easier than
8 what it is that the CPAC members did, so I think that it's really important that we acknowledge
9 the work that came before us.

10
11 The other thing too, that I think a lot of people have heard me said, and if you haven't, we're not
12 gonna be another CPAC. We not here to just reiterate and do the same thing that they did. The
13 Planning Commission is going to hear seven different...the Maui Planning Commission is going
14 to hear seven different community plans, each community needs to be and should be selfish,
15 they should say this is what we want, we want you know, nothing but affordable housing and
16 parks, and you know, and no tourist in our area, and you know, whatever it is that we feel is
17 what we want our community to be. Planning Commission is looking at this holistically. We're
18 looking at okay, you know, as soon as we're done in West Maui, we'll go to South Maui, they're
19 gonna want certain things and you know, so anyways, so, we're looking at this from a holistic
20 standpoint and that's sort of the orientation that I would like to take from the Maui Planning
21 Commission so then therefore we're not just reiterating and doing the same thing, so yes, that
22 community has brought us this particular plan, their recommendation, we're gonna look at it
23 from a completely different lens. We're gonna look at it from the lens of the Maui community
24 looking at this particular community's community plan. So, if you want to frame your testimony
25 to then understand the way with which we're going to look at this, that would be helpful for us.
26 So, the biggest part is I think we just want everything to be reasonable.

27
28 The last thing that I would also like to say is, one of the things that I pride the seven of us is that
29 we can disagree and we allow disagreement and we encourage it and we have everybody...we
30 allow everybody to voice their opinions so I encourage you guys to do the same thing as
31 testifiers is to bring all of your different opinions, to disagree with us, to agree with us, whatever
32 it might be, and then we're all...I think we're a better community for that, so enough of me
33 waxing on, hopefully people understand a little bit of how it is that we're gonna approach this
34 and so then therefore we get some good, quality testimony to help us. So again, Section 1,
35 Section 2.1 and 2.2 that is what we're addressing tonight. So, with that all being said, Director.

36
37 Ms. McLean: Thank you, Chair. Just one procedural note, Jen mentioned that the Commission
38 has 180 days to make their recommendations on the plan, that clock starts ticking tonight, so it
39 kicks off with this public hearing, so this is day one. I want to recognize Chair, that we received
40 written testimony from three individuals so just acknowledging that for the record, and so far, we
41 have four people who have indicated they wish to testify, and the first individual is
42 Mr. Dick Mayer. Dick if you want to unmute your audio and video. There he is.

43
44 Mr. Dick Mayer: I'm sorry, you'll have to see me. Okay, first I just want to comment on
45 something Jen Maydan said, when it goes to the County Council it will actually be two versions
46 that go to the Council, the GPAC version will go as a complete document and also the Planning

1 Commission document will go there. So, it's not a question of updating the GPAC thing it's
2 actually two versions that will go forward and you can check the 2.80.B on that.

3
4 One of the things on the agenda is the list of commissioners and I love Lawrence Carnicelli, I
5 love his humor, we have good interactions with each other, but I want to raise a concern and
6 that is that he is working for one of the largest land developers and has been in West Maui, and
7 I would ask that he not only recuse himself from the chairmanship but from the commission
8 itself, from the discussion as well as the voting. I think it would be...it would raise issues of
9 image as to what the Planning Commission is doing and it's a real concern, I know it's a legal
10 issue and a ethics question but I'm gonna ask that he withdraw from this, come back and testify
11 as many times you want at the meetings as a public citizen which you have every right to do,
12 but I think to be chairing the Planning Commission in this very important role is not appropriate
13 and I'm asking that. Now this is nothing personal, I would say that to any one of you and say it
14 to myself if I was sitting in a chair that he's now sitting in as the Chair of the Planning
15 Commission making a major recommendation on West Maui and at the very least he should
16 recuse himself from any discussion and voting on anything south of Lahaina in the West Maui
17 area, I think those are...that's one option out of perhaps recuse himself entirely, but certainly
18 from that part of it. Thank you very much, and I'm well under three minutes.

19
20 Mr. Carnicelli: Thank you very much, Mr. Mayer. Is there are any questions for the testifier?
21 Commissioner La Costa.

22
23 Ms. La Costa: Thank you, Chair. Mr. Mayer?

24
25 Mr. Mayer: Yes.

26
27 Ms. La Costa: You have experienced Lawrence's behavior, behavior is probably not the right
28 word, his acumen and his knowledge and how he is as a person. I've known him for a long,
29 long, long time and I think that if he were feeling that he could not be impartial that he would in
30 deed recuse himself. I understand your feeling, but there's six others of us who definitely would
31 and will not allow anyone to tell us what to do, how to do, why to do, so with all due respect I
32 think that the meeting can be run impartially and if Mr. Carnicelli, Chair Carnicelli decides he
33 doesn't want to vote because it is a conflict I know he will recuse himself, so I just wanted to put
34 that on the record. Thank you.

35
36 Mr. Mayer: And I was concerned about appearance. I think it's the...I would hate to see
37 somebody down the road questioning the recommendations of the Commission. Some of the
38 items will be seven to nothing or six to one and whether he votes or against something may not
39 be relevant, but there'll be times when you're voting and it may be very close and his vote might
40 be the deciding vote on an item even if it's not something that will even affect his area, but it
41 might be...and so I'm just saying that you may want to consider and get a ruling if you have to,
42 but I think it's very important that there be no appearance of impropriety, and I have no...and I
43 say this to anybody, it's not a...it's a generic comment that I'm making, the Chair should not be
44 somebody who works for one of the major land developers in the district. That's the comment
45 I'm making, but thank you Denise for the comment.

1 Mr. Carnicelli: No, and I appreciate you bringing that up Mr. Mayer, and I was expecting to hear
2 something like that you know from somebody today, and I guess I could address that either now
3 or at the end of the testimony, but I think since you brought it up, you know, if there's other
4 people that might want to also broach the subject. So, I've said all along and maybe I need to
5 say this because now we're on the record ...(inaudible)...is yes, I work for Olowalu Elua
6 Associates who owns a large portion of land in Olowalu. Before even CPAC was even a thing,
7 before, you know this whole thing started, I as soon as I went for them, I got an opinion from the
8 Board of Ethics regarding my employment. The Board of Ethics came back and basically said
9 that I can participate in discussion, however, I should not vote on anything that affects Olowalu
10 Elua Associates. I have adhered to that, and I think that that's the ethical portion of this, right. If
11 we want to talk about ethics and the ruling from the Board of Ethics because I didn't wait for you
12 know, to get here to have that opinion. This is important to me too. So, I went and proactively
13 did this you know, year and a half, two years ago whatever the number is. So, when it comes to
14 the West Maui Community Plan, when it comes to Olowalu and anything that has to do with
15 Olowalu not only am not going to vote, but I'm not going to participate in conversation. As a
16 matter of fact, I'm not even gonna chair at that particular time. My intent is when anything that
17 has to do with Olowalu comes up I'm gonna hand the gavel over to Vice-Chair Tackett, he can
18 chair the meeting, you guys then six of you can have conversations and come to whatever
19 conclusion you want that directly affects Olowalu.

20
21 The other part of this that I guess want to, you know, and I've chewed on this for a long time
22 because I've a couple of people, I went to 35 of the 37 CPAC meetings and this conversation
23 has...it's been come...brought to me more than once. You know, people having the same
24 concerns as Mr. Mayer, you know, it's just like even if it's just the eye test. So, if we've already
25 said okay, ethically this is what I am supposed to do, then we just talk about integrity. The real
26 word is integrity that we need to talk about. I've been a commissioner for four and a half years.
27 I think I've been extremely integral. I think that the six of you can attest to the integrity with
28 which I bring to this commission and how seriously I take this volunteer position that we all
29 volunteer for.

30
31 I think that there many things that happened in CPAC that were not integral at all, lacked a
32 tremendous amount of integrity, but that's just my opinion. So, if we want to go to integrity then
33 we can start pointing fingers at a lot of different people and we can start trying to draw lines
34 however we want. So, the last thing I'm gonna put is this, I don't subscribe to the plantation
35 mentality, I'm putting this on the record, I do not subscribe to the plantation mentality that I'm
36 gonna go ahead and I have to vote as the boss man says. I vote how I'm gonna vote, I vote my
37 conscience, I vote my beliefs, sometimes I vote for things that you think I would vote against
38 and sometimes I go the other way. So, I personally believe that my integrity is intact, I will
39 proceed forward in an integral way, and as any point in time this is true with the commission at
40 any point in time, if any of us is out of line, you call us out. If I'm out of line, call me out. Not all
41 chairs are called out. I know you guys would. I know you guys have integrity so I know that if
42 I'm out of line you're gonna say like you know what Lawrence, you're out of line. You know
43 Lawrence you shouldn't participate in this, you know Lawrence maybe you should step down on
44 this one, and I don't take it personally, like Mr. Mayer said, I don't think it was personal, I don't
45 take it personally. I mean I have a good relationship with Dick. Yeah, and so, you know, I
46 just...I'm sorry that I'm waxing on again, and...but I think that this is important because it is

1 important to me too, 'cause I don't want it to feel like oh, okay well it just gets to Council and
2 throw it out because oh, Lawrence was a part of that because that doesn't serve the community
3 at all either. So for me, I'm glad that Mr. Mayer brought this up now, and I'm just gonna go
4 ahead and address it now, and if any of my fellow commissioners have any questions for me or
5 comments that they want to make about you know, me serving as chair or me stepping down
6 when it comes to you know, anything Olowalu Elua, then you know, I welcome that, please
7 share your concerns, if you have any questions that would be great. So, I'm glad that Mr. Mayer
8 brought it up so I could address it.

9
10 Mr. Mayer: Thank you.

11
12 Mr. Carnicelli: Thank you, Mr. Mayer. I appreciate it as always.

13
14 Mr. Mayer: And best wishes to all of you.

15
16 Mr. Carnicelli: Likewise. Director, next testifier.

17
18 Ms. McLean: Thank you, Chair. The next testifier is Chad Fukunaga. Chad, you can unmute
19 your audio and if you choose, your video.

20
21 Mr. Carnicelli: Aloha, Chad. You're muted, I can't hear you. You're still muted at my end at
22 least. Maybe it's your internal mic. Ah, there we go, I hear something. I heard when you
23 grabbed it, it rustled but I can't hear your voice.

24
25 Mr. Chad Fukunaga: Hello, okay can you hear me now?

26
27 Mr. Carnicelli: Yeah, we got you. So please state your name for the record.

28
29 Mr. Fukunaga: My name is Chad Fukunaga, and I haven't had the pleasure of meeting you
30 guys. I work for Kaanapali Land Management and Pioneer Mill Company. I'm also in front of
31 you today representing the many years and many people who have volunteered their time to our
32 Kaanapali 2020 community group. We have a few projects that will be brought before you at
33 appropriate times that would be the Puukoolii Village Mauka, Kaanapali 2020 and the Pioneer
34 Mill site. We appreciate all the work the CPAC has done, however, we do have some concerns,
35 some questions, some suggestions that we would like to bring up at the appropriate time, but
36 however tonight I just wanted to take the time to introduce myself and thank you guys for what
37 you guys are doing and I look forward to further discussions as this process continues.

38
39 Mr. Carnicelli: Thank you Mr. Fukunaga. Are there any questions for the testifier? Yeah, you'll
40 definitely have your time in front of us to be able to explain, you know, what it is that you guys
41 have and are proposing. So, look forward to seeing you in the future. Thank you.

42
43 Mr. Fukunaga: Thank you.

44
45 Mr. Carnicelli: Director.

1 Ms. McLean: Thank you, Chair. The next testifier is Jon Kindred.

2
3 Mr. Jon Kindred: Hello, good evening Mr. Chair and Members of the Maui Planning
4 Commission. My name is Jon Kindred, I am the President of Plantation Estate Lot Owners
5 Association. Given the instruction from the Chair a few moments ago, I think I'm gonna defer
6 the testimony I was intending to give tonight in order that we provide it at point at a later meeting
7 when it's more specific to the relevant item on the agenda. So, I'm gonna relieve you of that
8 remaining two and a half minutes of my time, but I want to thank you all for your service to Maui
9 County and I look forward to seeing you in future meetings. Thank you.

10
11 Mr. Carnicelli: Thank you, Mr. Kindred. I appreciate that. We did get your written testimony by
12 the way so we do have that one file, but if you want to resubmit that when we get to that point in
13 the community plan that's great too. Is there any questions for Mr. Kindred? Seeing none,
14 thank you very much. We will see you in a couple of weeks.

15
16 Mr. Kindred: Mahalo.

17
18 Mr. Carnicelli: Director.

19
20 Ms. McLean: And Chair the last person signed up to testify is Karen Comcovich.

21
22 Mr. Carnicelli: Please unmute your audio and if you wish your video as well.

23
24 Ms. Karen Comcovich: I think you can hear me but for some reason my video won't go on.

25
26 Mr. Carnicelli: No, you were on. There you are.

27
28 Ms. Comcovich: All right, there I am. Aloha, I'm Karen Comcovich, I was on the West Maui
29 CPAC this past year. I really wanted to compliment the Planning Department especially the
30 Long Range Planners on the amount of involvement they've facilitated from the community.
31 They made sure that the broader community was involved in every step of the West Maui
32 Community Plan from the beginning when they had the smaller meetings and different layouts
33 to the online outreach. They did a lot to make sure that the entire community was involved in it
34 as opposed to just the people who normally show up to meetings which I was very impressed
35 by. This is pretty short, I just wanted to introduce myself and say that I will be here as a
36 resource at almost all the meetings, I will have a lot of opinions on the other meetings but this
37 one not so much. Thank you for respecting the time and effort the West Maui CPAC put in to
38 listening to the voice of the broader community, and I look forward to being part of this.

39
40 Mr. Carnicelli: Thank you very much. It's good to see you on the other side of this. Any
41 questions for the testifier? Thank you very much Ms. Comcovich, appreciate it.

42
43 Ms. McLean: Chair, we have other individuals who have since signed up to testify. Next
44 Mark Deakos.

45
46 Mr. Mark Deakos: Yeah, thank you Commissioners. Can you hear me okay?

1
2 Mr. Carnicelli: We can.
3
4 Mr. Deakos: Okay, I'll keep it short. I just wanted to echo what—
5
6 Mr. Carnicelli: Mark, Mark I'm sorry to cut you off, Mark, I just need you to identify yourself for
7 the record.
8
9 Mr. Deakos: Yeah, Mark Deakos, 24-year resident West Maui.
10
11 Mr. Carnicelli: Thank you.
12
13 Mr. Deakos: And just wanted to echo what Dick Mayer said. I...yeah, I was glad to hear what
14 the Chair said recommendation from the Ethics Committee was to not vote on any decisions
15 related to Olowalu Associates, so I was glad to hear that. I was a little confused with the follow
16 up. I wasn't sure if it was invitation to the rest of the commissioners to invite the Chair back in
17 on the votes if they wish, if they thought there was no ethics issue they could ask the Chair to
18 go...to be a voting member on those topics so I was a little concerned, but I...it sounded like
19 everyone agreed that on those particular topics the Ethics recommendation would be
20 appropriate and there wouldn't be a decision, a vote from the Chair, so I just wanted to echo
21 Dick Mayer's concerns and appreciate and do respect the Chair's decision on those conflicts of
22 interest. Thank you.
23
24 Mr. Carnicelli: Thank you, Mr. Deakos. And just for the clarity's sake, even if they ask me to
25 come back in, I wouldn't. So, I appreciate the transparency. Any questions for the testifier?
26 Seeing none, thank you very much Mr. Deakos, I'm sure we'll see you again at future meetings
27 as well.
28
29 Mr. Deakos: Thank you, Chair.
30
31 Mr. Carnicelli: Director.
32
33 Ms. McLean: Thank you, Chair. The next person to testify is Kai Nishiki.
34
35 Ms. Kai Nishiki: Aloha, Chair, Members.
36
37 Mr. Carnicelli: Good evening, please identify yourself for the record.
38
39 Ms. Nishiki: My name is Kai Nishiki, and I'm offering my public testimony as an individual.
40 Mahalo to Commission Members who attended many of our CPAC meetings. I know that our
41 committee members came from quite diverse backgrounds and it was definitely a challenge at
42 times to bring all of our viewpoints together into a cohesive plan. Each member brought
43 passion and commitment and contributed immensely to our collaborative vision for West Maui.
44 It was great to work with the Planning Department and witness their dedication and integrity to
45 ensure that the plan accurately reflects our community's vision.
46

1 Our task was complex and required us to take sizeable amounts of community input from two
2 years of Planning Department outreach in West Maui in addition to receiving input from...input
3 during our weekly, our bi-weekly CPAC meetings from public testimony, various County
4 department presentations, community resource people, and then convert it all into an effective
5 plan that we are proud of. Despite the Covid disruption, we followed the leadership of
6 Vice-Chair of the County Council and Budget Chair Keani Rawlins-Fernandez who used online
7 technology to work through the budget process during quarantine, and the CPAC finished off
8 our meeting schedule via online meetings as well. So, we want to say special mahalo to Keani.
9 Also, want to say mahalo to Councilmember Tamara Paltin and her staff who attended every
10 CPAC meeting.

11
12 We urge the Planning Commission and the County Council to respect our community's wishes
13 and expeditiously approve and adopt the plan without significant amendments. With
14 South Maui just beginning the review of their community plan and the rest of Maui soon after, I
15 would hate to see the message be that these community plans are a waste of time. Our
16 community members put in hours and hours of time. You guys are a volunteer board so you
17 understand this. So, we just ask you to please respect our community and tweak it as little as
18 possible. Mahalo.

19
20 Mr. Carnicelli: Thank you, Ms. Nishiki. Any questions for the testifier? Seeing none, thank you.
21 Director.

22
23 Ms. McLean: Thank you, Chair. Next to testify is Joseph Pluta.

24
25 Mr. Carnicelli: If you would unmute your audio and if you wish unmute your video. There you
26 are.

27
28 Mr. Joseph Pluta: Can you hear me?

29
30 Mr. Carnicelli: We can. Please identify yourself for the record.

31
32 Mr. Pluta: ...Pluta, I had the pleasure to serve on the West Maui CPAC, and I acknowledge and
33 appreciate my fellow community members who served with me, and those who participated in
34 the process. It was a pleasure to serve the West Maui CPAC and I know a lot of the
35 commission members who—

36
37 Mr. Carnicelli: Joe, I'm sorry to cut you off, but I need to just identify yourself for the record?

38
39 Mr. Pluta: Oh, I didn't do that, I'm sorry.

40
41 Mr. Carnicelli: Just say your name.

42
43 Mr. Pluta: My name is Joseph Pluta.

44
45 Mr. Carnicelli: I'm sorry I just...I cut you off, I just needed to put that on the record. I probably
46 should have waited until the end, I apologize.

1
2 Mr. Pluta: Okay. So, anyway I was on the CPAC and I attended all the meetings except for
3 one, 37 I guess out of 38 meetings or something like that, and it was a great, a great time and
4 saw a lot of you commissioners there at some of these meetings as well. Thank you for that.
5 And I know that you know with me that there was a lot of discussions, a lot of time and the
6 Planning Department did a fantastic job, so thank you to all concerned. But I'm sure that those
7 commissioners who were in attendance and have also went to some of the long range
8 community stakeholders meetings throughout the community by the Planning Department even
9 prior to the commencement of the CPAC where they were getting input for over a year, they
10 came with recommendations.

11
12 And one of the recommendations that they came with, the Planning Department came out with
13 for example, was in Section 2 Policy Framework, Policy Framework 2.5.16, the draft states
14 increase long-term...increase the inventory of long-term housing units whether owner-occupied
15 or long-term rental and whether single-family or multi-family by phasing out and converting
16 existing vacation rentals to long-term occupancy. Well, it was the staff planner's whose
17 recommendations in accordance with the community stakeholders meetings at these areas they
18 stated that certain properties such as Papakea and the Kapalua Bay Villas were over 80 percent
19 of the units were rented short-term and have been in a hotel configuration should be
20 consistently stay that way and shouldn't be residential should be zoned hotel, resort hotel
21 instead. And I stated that as...when it was my turn to talk on the CPAC that any properties that
22 are there that are in the million-dollar range on the ocean that are where you got over
23 65 percent of the inventory it's been committed to be short-term rental will never be committed
24 or converted to long-term rentals because it's just not feasible, it's too expensive. Nobody
25 working in the west side is going to be able to afford those kind of rents to stay in rental
26 properties like that so they should be included as well.

27
28 Well, instead of that happening or the staff recommendation happening, a motion was made to
29 instead change the language and prohibit them from being able to do that use and to stay in
30 residential instead and that wasn't what the wishes were of these various stakeholders and
31 these groups so there was things that were decided in some of the CPAC meetings that were
32 very closely decided, barely –

33
34 Ms. Takayama-Corden: Three minutes.

35
36 Mr. Pluta: Oh, thank you.

37
38 Mr. Carnicelli: Thank you, Mr. Pluta. Just so you know is on August 11th, our next meeting we'll
39 be doing 2.3 and 2.4 and 2.5, so I believe the item that you were talking about was 2.5 so you
40 can come back on August 11th and speak to that item again.

41
42 Mr. Pluta: I will. Thank you.

43
44 Mr. Carnicelli: Any questions from the Commission for the testifier? Seeing none, thank you
45 very much for your service on CPAC as well.

46

1 Mr. Pluta: Thank you.

2

3 Mr. Carnicelli: Oh, wait, wait, wait, Joe.

4

5 Ms. McLean: Chair?

6

7 Mr. Carnicelli: Joe, hang on, Commissioner Pali has a question for you.

8

9 Ms. Pali: I just wanted to ask you the question, I think you were saying that your three minutes
10 were up, because I'm hearing that everyone collaborated, I'm hearing that this is a
11 representation of what everyone wanted, and I feel your testimony just may have confirmed that
12 there was a small area in which there were many that disagreed and so can you just identify
13 that area so I can make a note for it for future?
14

15 Mr. Pluta: Well, I just gave one example, 2.5.16 on the zoning. There was quite a number of
16 issues where I don't believe the staff planner's recommendations and the community...the
17 overall community meetings were representative of what the CPAC decided upon instead. So,
18 you know, it's just it is what it is. The CPAC in my opinion in several of these issues and I'm not
19 sorry I'm not prepared right now to name every...all of them, but there was quite a few of them
20 where I don't think it was representative of what the community wishes were, just what a small
21 minority of the CPAC did.
22

23 Ms. Pali: Okay, I think that's...I appreciate that, I appreciate that, thank you.

24

25 Mr. Pluta: Thank you.

26

27 Mr. Carnicelli: Any other questions for the testifier? Seeing none, thank you very much,
28 Mr. Pluta.

29

30 Mr. Pluta: Thank you.

31

32 Mr. Carnicelli: Director.

33

34 Ms. McLean: Chair, there are no other individuals who have indicated they wish to testify.

35

36 Mr. Carnicelli: Okay. However, we will still give people an opportunity if you would like to testify
37 please unmute yourself, and if you wish unmute your video as well, and step forward. Identify
38 yourself and step forward please. Anybody else who would like to testify? Going once, twice,
39 okay so if there are no objections we'll go ahead and close public testimony. Seeing no
40 objections, public testimony is now closed. So, Jen if you would go ahead and unmute yourself
41 and kinda as we talked...oh, Commissioner Freitas?
42

43 Mr. Freitas: Thank you, Chair. I have a question. We have come tonight because there were
44 people that weren't able to come earlier or make meetings during the day so we created this
45 evening one and kinda gave us a timeframe. What if people are still getting on, and they still

1 wanted to testify, you said it's done for this meeting or is it possible to leave it open? I'm not
2 really sure how that works or is that or is that just too bad for them?

3
4 Mr. Carnicelli: Well, it's not too bad. I guess, Director I'm gonna let you answer this question.

5
6 Ms. McLean: Thank you, Chair. I think the Commission has a fair amount of leeway. You need
7 to conduct the public hearing which you have done. That's a requirement in 2.80B and at future
8 meetings you need to provide an opportunity for testimony and as long as you do that you have
9 met the requirement. But you do have leeway whether you do it at the beginning and that's it
10 and no more testimony or you leave it open or you provide an opportunity at a later point, you
11 have a fair amount of discretion in that way.

12
13 Mr. Freitas: Okay, the only reason I mention that is since we've started I have seen...I can see
14 names of people joining the call and as in the last three or four minutes there's been probably
15 about six or seven people, so I just was worried if that was...they're not going to be able to be
16 heard tonight and wanted to see what that is. So, sounds like we're not, so that's fine. Let's
17 move along.

18
19 Mr. Carnicelli: Thank you, Commissioner. So, Jen I'll pass it to you and you can walk us
20 through.

21
22 Ms. Maydan: All right, thank you Chair. So, Commissioners as I mentioned in your packet you
23 have a list of recommended amendments from the Planning Department, you also have
24 comments and some recommendations from agencies. The recommendations from the
25 Planning Department are applicable to tonight's agenda, whereas the comments from the
26 agencies are applicable to the whole plan and I believe there's only one that is applicable to
27 tonight, and Chair also asked members if you were able to provide any changes that you
28 wanted to discuss tonight to provide them ahead of time so I received recommended changes
29 from Chair and from Commissioner Freitas, so I would like to go through the plan not
30 necessarily on a page by page basis which I think is a great recommendation. So, I can lead us
31 to the page where there is the first recommendation if you would like me to Chair?

32
33 Mr. Carnicelli: Sure. I think I'll leave it open. I mean, if you say like our first page is 13, but if
34 somebody says oh wait, I got something on page 7 then...go ahead, sorry.

35
36 Ms. Maydan: Absolutely. You're the captain of this ship, Chair, I'm just here to help. So, our
37 first comment is from Commissioner Freitas and it's a global comment pertaining to the whole
38 document and I can share my screen if you'd like if that would be...if that's what you would like
39 commissioners as far as the emails I received.

40
41 Mr. Carnicelli: Think that would be helpful.

42
43 Ms. Maydan: Okay, give me one second. Okay, there we go. Commissioner Freitas noted that
44 he...that some of the place names, he notes that some of them do not have diacritical marks
45 and specifically he notes missing kahakos over the first and last "a" within Lahaina as well as a
46 missing okina between the "i's" in Piilani. Just to some background as far as our attention to

1 diacriticals for Hawaiian words, we use the Hawaiian Board of Geographic Names as our
2 reference for Hawaiian spellings and correct diacritical use and our understanding that is...that
3 for Lahaina there are alternate spellings with the two kahakos is an alternate spelling but the
4 standard spelling is Lahaina without the kahakos over the "a"s so that's why we went with that
5 spelling and same for Honoapiilani. It's the State Department of Transportation and the Board
6 of Geographic Names does not use the okina so we did not, so that's just a bit of information for
7 you to consider as you talk about this recommendation.

8
9 Mr. Freitas: So, are you saying...I get to talk now?

10
11 Mr. Carnicelli: Yeah, go ahead.

12
13 Mr. Freitas: Okay, when it comes to Hawaiian place names it's very important to me. Maybe in
14 the past a lot of these towns and...like Lahaina has been spelt that way so it's just become...we
15 don't want it to just become okay, and there's gotta be a time when things are start...we start
16 putting the right markings in, Kauai, like the Island of Kauai if you're reading something and
17 there's no marking you're going to say Kauai, but I'm noticing more people are starting to say
18 correctly when the markings are put in. I've also noticed that a lot of HTA and our other
19 agencies are starting to put the okina in Hawaii so people are starting to pronounce it correctly,
20 so whatever you use, is probably the stuff that is continuing to not have us put our correct
21 language out there. You mentioned Honoapiilani many times because it goes...that road goes
22 right through this district and to misspell it continually...not acceptable. There's more probably
23 in there, but those were just the two I found in the first two sections. I notice you put Kaanapali
24 correctly so I thought hey, why stop halfway go all the way, let's do it, let's do it for all of the
25 plans coming up after this. Let this one be the first one, we want West Maui's to be the best and
26 the model for the rest. Thank you.

27
28 Mr. Carnicelli: No, thank you for that, Commissioner Freitas. I, I personally am on board with
29 that he's saying especially if you're talking about this document's gonna live for the next 20 or
30 30 years because I know in my own life, and in people that I'm coming across I think that's
31 becoming more and more important. You know the okinas, the kahakos, and everything like
32 that. So, if...I guess we can see how everybody else feels about it, but I would be on board with
33 just saying okay, you know just do a blanket word search or whatever it is in the entire
34 document and we just say, okay all Hawaiian words have include all the, you know, all the
35 proper diacritical marks, you know, and just say okay, that's just a recommendation and boom,
36 we're just gonna do that across the entire document.

37
38 Mr. Freitas: I think it's to be consistent because no sense you only put the place names and the
39 ahupuaa and make those, and then all the other words, you just push to the side.

40
41 Mr. Carnicelli: Sure.

42
43 Mr. Freitas: I saw that some of them were correct, let's do it all.

44
45 Mr. Carnicelli: Got it. I believe that's...is that you P. Denise that's raising your hand to speak?
46

1 Ms. La Costa: Yes, sir.

2

3 Mr. Carnicelli: Go ahead.

4

5 Ms. La Costa: I concur, this is Hawaii nei and we are in place that is so special that should be
6 treated historically and correctly and you should have the okina and the kahako and all the
7 diacritical marks that create and maintain the language rather than just being in estimation lazy
8 and leaving them out because it's always been done that way, so I concur with
9 Commissioner Freitas and all of the correct diacritical marks should be included in every word
10 that is applicable. Thank you.

11

12 Mr. Carnicelli: Okay. Do we have consensus on that? Okay, let's just say that we have...oh,
13 yeah okay, so we have consensus on that change then, so if we could go ahead and make that
14 and then we'll just go to the next thing.

15

16 **There was consensus to use diacritical marks for all words that require it throughout**
17 **entire document.**

18

19 Mr. Carnicelli: Thank you Kawika.

20

21 Ms. Maydan: Okay, next I believe is a Planning Department recommendation so let me pull that
22 up.

23

24 Ms. La Costa: Excuse me, Chair. Not all of the information on Commissioner Freitas' email
25 were taken into consideration, do we do these or just go to the next one?

26

27 Mr. Carnicelli: She's gonna do it. She's gonna walk us through sort of chronologically 'cause
28 the next thing in order is an agency comment or is it the Department's comment and then we'll
29 come back and forth, whatever, she's got it.

30

31 Ms. Maydan: All right. Thank you, Chair. So next comment is on page, it's from Page 12 to
32 Page 18, and this is from the Department making a recommendation to move the content of
33 those pages up until Section 1.3 to an Appendix rather than having it in the body of the plan.
34 And this recommendation comes from our Director if you have any questions on it.

35

36 Mr. Carnicelli: Any questions? Do we have consensus? Everybody okay with that? Okay,
37 consensus.

38

39 **Section 1 – From the Department, Pages 12 – 18 to move content of those pages up until**
40 **Section 1.3 to an Appendix rather than having it in the body of the plan, approved by**
41 **consensus.**

42

43 Ms. Maydan: Okay, next is back to Commissioner Freitas, Page 13 regarding the...I believe
44 regarding the statistics in the box, the bottom box for community engagement. He's asking that
45 we show a date that the statistics were compiled, so stating, as of, and a date. So, we can
46 certainly do that to provide accuracy.

1
2 Mr. Carnicelli: Everybody okay with that? Okay, great, consensus.

3
4 **Page 13 – Community Engagement at a Glance box that a date be shown when the**
5 **statistics were compiled, approved by consensus**

6
7 Ms. Maydan: Page 14, Commissioner Freitas' comment refers to under Research, the bullets
8 that we have he's recommending adding, cultural and, to the Historical Preservation bullet, and
9 just to provide your commission some context this a list of the resource papers that our Division
10 wrote with subject matter experts as resources to the community plan. So, I mean, the title of
11 the document that's put together is Historic Preservation and it is meant to encompass cultural
12 in historic.

13
14 Mr. Carnicelli: Commissioner Freitas.

15
16 Mr. Freitas: Okay, I understand. And so, my next one on tourism would that fall under another
17 of the bullet points as well?

18
19 Ms. Maydan: So, yeah, we did not do a research paper specifically on tourism. There's some
20 information incorporated within some of the land use and economic prosperity but there is not a
21 specific research paper that we put together that was targeted towards tourism. So, adding that
22 bullet wouldn't necessarily make sense here.

23
24 Mr. Freitas: Yeah, I would like to ask that because your first sentence says, the research phase
25 include identifying current conditions, issues, and opportunities. I think tourism is a huge
26 condition and issue and opportunity. To leave it out would not be good. I would like to see that
27 added, please.

28
29 Ms. Maydan: We completely agree that tourism is a very important component of West Maui
30 and our whole county of course, but we did not have a paper specifically geared towards it.
31 Tourism was like I mentioned, it's covered in many of the other research papers but not
32 specifically on its own. So, I don't know that it would make sense to add a bullet here because
33 a research paper does not exist that covers just tourism.

34
35 Mr. Carnicelli: These are the technical resource papers that you can even go on the website
36 and you can click and you can pull up, that's like all these little blue boxes that's like
37 representation of each different paper that you can go read. So, you know, unfortunately we
38 didn't have a paper done on tourism. We probably should do one now.

39
40 Mr. Freitas: Chair, I was reading that not knowing that they were taking a...it says format, and I
41 thought it was research in general in these different areas.

42
43 Mr. Carnicelli: Oh, okay.

44
45 Mr. Freitas: And I feel like, oh gosh, you gotta be kidding me, if you're leaving tourism out of
46 that. My bad on that. Thank you.

1
2 Mr. Carnicelli: No, no, no, all good, all good. It's all good. P. Denise.

3
4 Ms. La Costa: Thank you, Chair. I would like some clarification please on the bullet point of
5 Cultural to Historical, this is Historical...the paper says, historic. You can talk about history
6 without including the culture that made the history what it is and I have to concur with
7 Commissioner Freitas that cultural should be added to that because history and culture are
8 combined or they're interwoven as opposed to one and the other.

9
10 Mr. Carnicelli: Here, let me ask you, let me ask you a question, Jen. Can we change the name
11 of the paper? I mean, the paper's just sitting there. Can we change the title of the paper as well
12 to say cultural and historic preservation and then you change the bullet to also say, Cultural and
13 Historic Preservation or would it not be appropriate based on what the, what the paper actually
14 is?

15
16 Ms. Maydan: No, it is absolutely accurate of what the paper is. I would just say that in our mind
17 historic preservation is a blanket term that incorporates cultural preservation. So, we certainly
18 did not ignore cultural preservation and if it's a really strong feeling of the commission to change
19 the title of that paper, that is possible.

20
21 Mr. Carnicelli: Commissioner Freitas.

22
23 Mr. Freitas: I look at us going through this page and page, and when it's all said and done,
24 another district may pick this up and use some of what we put on because a lot of these things
25 would be the same. If you use that same over here, research and leave that out, we go to the
26 next one, and they're gonna bring up where's the cultural preservation in there. So, we're
27 gonna...it will keep coming up I think at least in our state. So, let's do that change if possible.
28 Thank you.

29
30 Mr. Carnicelli: Okay, let's take that as a informal motion. Is everybody okay with it?
31 Consensus, okay. So that's our recommendation Jen is to go ahead and change...change the
32 paper and then the bullet point title, please.

33
34 **Page 14 – Change bullet point and technical resource paper title to Cultural and Historic**
35 **Preservation, approved by consensus**

36
37 Ms. Maydan: Okay, moving on, I believe the next one is Commissioner Freitas' as well.
38 Page 24, last paragraph, third sentence I believe it is. His recommendation is to word...to add
39 the word, six. So, that the sentence reads, within this moku are five of the six named
40 Honoapiilani...

41
42 Mr. Carnicelli: I don't know if that's accurate. If that's accurate then let's make the change.

43
44 Mr. Freitas: The reason is that Honoapiilani, the bays of Piilani is a very historical and very
45 meaningful to the Lahui and our people, and there are six, and the sixth one is Hononana which
46 is outside, just outside of this district, and you were good in putting five of which means there's

1 more. I thought it would be good and a educational tool in this presentation to add, or put
2 the...five out of what? You know, is it just five out of the ten or five out of twenty. No, there's
3 only...you know, there's only six. So, unless someone...I see him on the call, Keaumoku Kapu,
4 do you feel that that's...I don't know if he can come on and answer, do you feel there's more or
5 is that correct?

6
7 Mr. Carnicelli: Well is...we'll trust you on this one, Commissioner Freitas that's fine. I mean, if
8 we find out later...'cause we still gotta...you know, there's still gonna be a time to go back and
9 change it, so I think at this point in time I'm personally okay with that. Is anybody...is everybody
10 all right with this? Do we have consensus on adding, of six? Okay, great. Consensus, if you
11 would go ahead and make that change, Jen.

12
13 Ms. Maydan: Okay.

14
15 Mr. Freitas: Thank you.

16
17 **Page 24 – last paragraph add, “of six” so that the sentence reads, “Within this moku are**
18 **five of six named”, approved by consensus**

19
20 Ms. Maydan: Now we're moving back to Planning Department recommendations I believe.

21
22 Mr. Carnicelli: The RAM on your computer is gonna get a workout.

23
24 Ms. Maydan: Okay, so now we're moving into Section 2. So, Chair, I don't know if we want to
25 see if there's anything, anybody would like to bring up in Section 1 before we move onto
26 Section 2?

27
28 Mr. Carnicelli: Sure. Commissioner Pali.

29
30 Ms. Pali: Yes, I have a few notes, and I apologize I was not organized enough to get my notes
31 out. I think...I just kind of going through this, first of all, it's beautiful, and I do thank everyone
32 for collaborating on this, and it's very easy to read which is always very helpful, but as I was
33 kind of starting to read through it, I started to question how some of this information came about.
34 And I was...it was difficult for me to sort of do my fact checking without resources available at
35 the end or the bottom of each page as some typical research papers would have to make it
36 easier. I just had found two pages of just general references for like the whole book, and so, I
37 actually don't have the available time to try to look at each of these general statements to try to
38 fact check a lot of the stuff. And so, I just wonder...I get that there's been 1,500 people that
39 have chimed in, I appreciate that there's been all these meetings but I don't know...I just, my
40 general comment initially is for instance, as an example on Page 28, there's questions, you
41 know will new residential growth lead to economic growth and better jobs? There's two
42 paragraphs there and I actually don't believe that in that paragraph, either paragraph it actually
43 answered the question. And then I don't know how to substantiate this information. And then
44 you jump down to the bottom of the page about how well West Maui manage traffic, and it kind
45 of swung from you know, businesses are restricted for you know, a very...a restricted pool of
46 potential employees who live on West Side but then now they're forced to drive from outside of

1 the area to these long commute distances. And so, I was just a little confused by...it just
2 seemed like it was a little different, some potential conflicting information. I know that one
3 represented one-time frame in 2015, and another, jumps to 2017 but just as a innocent reader
4 kinda going through it was kind of confusing. And so, I just wanted to make a note that I think
5 as I've been new commissioner, I think just fact checking is just something that's really
6 important to me and I want this to have teeth. I think this is a very, very important document like
7 Commissioner Freitas said that it's a potential model for the rest of the communities going
8 forward and it's not that I don't want...I want to add more work, but I think it would behoove us
9 to consider putting your references potentially at the bottoms of each page that identify with
10 what's on that page so that we can sort of validate these facts as we're moving forward because
11 if we're calling something facts, and then based off of those facts we have this suggestion or
12 remedy but then we can't substantiate the facts then does that not persuade or potentially
13 change the solution we're offering. So, I just feel like they go hand in hand and that would just
14 be my generic comment, not to take away from all of this information that was done which I
15 appreciate greatly, so that's it.

16

17 Ms. McLean: Chair, could I respond to that?

18

19 Mr. Carnicelli: Absolutely, go ahead, Director.

20

21 Ms. McLean: Jen may want to as well. I want to respond to that with some of...in the context of
22 some of the recommendations that the Department made, and that is to imagine this plan being
23 as user friendly as possible. And I think your suggestion would be user friendly on one hand,
24 but I think it would make the plan more academic than would make it user friendly to the
25 average person trying to use it. That's why we recommended that a lot of that information in the
26 front be placed as an Appendix so that when you open the plan you start right in with the
27 policies, with all of the resource information being in the back.

28

29 I don't know how the technical resource papers are incorporated into the plan, but those have
30 footnotes and all of the references that you're probably looking for Commissioner Pali because
31 those were what the staff used to draft the plan. So that has all of the, you know, all of that
32 meat. So, Jen, do you want to add anything to that?

33

34 Ms. Maydan: Sure, thank you, Michele, and thank you, Commissioner Pali for your comments
35 that I appreciate that. Yes, Michele is absolutely right that in writing this plan we definitely want
36 it to be user friendly. We want people to jump right in and basically see what's the plan. And
37 our technical resource papers really is where we have the analysis and the documentation of
38 resources and those are much more heavily cited. I think we could take a look at this and see if
39 there's areas where we have specific data and if it would be helpful to provide that source right
40 there. We could certainly do that, but I agree with the Director that we really don't want it to
41 become heavy in that way. That really is...was our intention with creating the technical
42 resource papers that those will live on and people can look to those as resources to dive deeper
43 into a topic, but that the plan really provides the direct policies and actions and the maps so that
44 people know what the plan is. But thank you very much for your, your comments, I
45 definitely...those are important.

46

1 Ms. Pali: Yeah, and if I just may, I almost feel like some of these, although you as a group had
2 to address it almost may not even be needed now that the policy and the recommendation and
3 the growth framework has been established. I don't know even if it's helpful even keeping it in.
4 I almost would recommend potentially moving it out or like Planning Director said, maybe just for
5 additional reference in the back or something maybe.

6
7 Ms. Maydan: Chair, if I may make a comment?

8
9 Mr. Carnicelli: Go ahead.

10
11 Ms. Maydan: The intro...Thank you. The Introductory, Section 1, we were trying to find a
12 balance of providing an introduction that leads you into the plan, gives you a little bit of
13 background and framework and then leads you into the body of the plan without it being too
14 heavy. It is helpful to have an introduction that provides framing before you just jump into the
15 plan, but we were definitely trying to find that balance of what is enough or what is not enough.
16 And in our Code, in Maui County Code, 2.80B, one of the requirements is that we identify some
17 of the higher level issues and opportunities in the region and that is what we've done on...in a
18 broad way under West Maui today starting on Page 25, and those are those questions that
19 Commissioner Pali referenced, identifying some of what those higher level issues are. So, from
20 our standpoint we would prefer to leave it in the Introduction as far as framing and an
21 introduction to the plan, but your Commission may have a different recommendation.

22
23 Ms. Pali: Okay, yeah.

24
25 Mr. Carnicelli: Commissioner Pali.

26
27 Ms. Pali: Yeah, I total...I get that, and it makes sense. I kinda love everything up till about
28 Page 28, so if you could then just take a stab at it for me just as an example, in just a few
29 sentences, what's the answer to, will new residential growth lead to economic growth and better
30 jobs because I keep reading these...as an example, two paragraphs over and over and just
31 didn't find the answer to that question. And so, I'm led to believe that...is it, is it that there is no
32 answer and that's problem or tell me...can you help me through that just one particular section?

33
34 Ms. Maydan: Sure. So, how we framed this is the reason we use questions is sometimes
35 they're just more conversational and people can relate to the questions rather than just listing a
36 title as far as saying economic growth and jobs. We were putting them in a frame of a question
37 so they were a little bit more relatable to people. So, in the paragraphs that follow the
38 questions, no, we are not attempting to answer them. We are attempting to just describe the
39 issues that the community is dealing with and that the plan with its vision, goals, policies and
40 actions attempts to address.

41
42 Ms. Pali: Okay. So, I mean, thank you. I don't find myself lacking common sense, and I get
43 that...so the leading question is...so yeah, I don't know...because yeah, I'm kind of having, I'm
44 having an issue with that format, but maybe it's just me. So, you have a question and these
45 paragraphs continue to just show the problem in the area, but then the plan itself addresses
46 each question is that what you're saying?

1
2 Ms. Maydan: ...(inaudible)...that section is just identifying...yeah, this section is identifying the
3 high-level issues, just kind of a summary of the issues of the existing conditions in the
4 community plan area. This is where we directed a lot of our research, this is where the
5 community let us know that they're concerned and so that's where a lot of the policies and
6 actions were directed were towards these issues.

7
8 Ms. Pali: Okay, and would...you don't...your group didn't feel like cheating a little bit, and giving
9 us the answer ahead of time? At the end of each kind of commentary, and going, and so look
10 on policy and then you address, I mean, you know what I mean, like an answer key or
11 something? I mean, talk about being simple, right? I'm just...I think that might be a
12 recommendation.

13
14 Ms. Maydan: I think, I think I'd like to hear more specifically of what the recommendation would
15 be. I think I understand what you're saying Commissioner Pali as far as perhaps they were
16 references to specific actions that say, action X is trying to address this, this issue.

17
18 Ms. Pali: Yeah, 'cause...

19
20 Ms. Maydan: While that—

21
22 Ms. Pali: It left me thinking, huh, did they forget to answer the...I didn't catch on that I'm gonna
23 get my answer somewhere else. There was nothing leading me to understand that the answer
24 is somewhere else, and I feel like a user should not have to read 300 pages to figure it out
25 especially since your teeing up the questions so to speak. So, if this is the way you're making it
26 relatable which I do like. I love questions. Questions are nice, it makes you think through
27 things, but then you don't get the answer immediately here would it not be...the suggestion
28 would be, would it not be easy at the end of your little, you know, section to point the reader to
29 understanding that the question will be addressed at some point later on in the plan or you know
30 just I don't know...I don't know the answer but I just know that it was a little confusing in the
31 beginning and I was making notes and question marks and I was a little lost until you just
32 explained it.

33
34 Mr. Carnicelli: So, if I could...if I could just jump in and maybe as a recommendation kind of
35 trying to a balance here between the legitimate concerns that Commissioner Pali has and then
36 the understanding of where the Department's coming with and what they're trying to accomplish
37 is maybe what you're saying Kellie is, do we then at some point in time, maybe at the end of the
38 paragraph or somewhere they go like, oh, and you know, traffic is addressed in Section 3.2 or
39 something like...you know, like almost like make reference to, you know, a policy area where
40 we talk about traffic or where we talk about job growth or something like that, so...

41
42 Ms. Pali: Okay, I think I figured it out, sorry Commissioner, Chair.

43
44 Mr. Carnicelli: Okay.

45

1 Ms. Pali: Jennifer, are you saying that instead of really, will new residential growth lead to
2 economic growth and better jobs? Really, the thought is we believe new residential growth will
3 lead to economic growth and better jobs? Was that the consensus of the CPAC that we do
4 believe this will happen?

5
6 Ms. Maydan: I would have to say that wasn't necessarily discussed but...with the CPAC as far
7 as that specific...I mean, this specific sentence—

8
9 Ms. Pali: Right.

10
11 Ms. Maydan: ...(inaudible)...look at and say, consensus. So, I hate to say that, I mean, they
12 certainly reviewed this and recommended putting it forth to your Commission. Perhaps it's just
13 worded in a way...is it just that—

14
15 Mr. Carnicelli: Hang on, hang on Jen, hang on Jen, this is what I'm gonna do, is I'm gonna just
16 hit the pause on this one right now, because this was one of things we talked about before is if
17 we get bogged down on any one thing, let's go ahead, 'cause I think if we come back to it...we'll
18 come back to it at the end of the meeting, but let's go ahead and move—

19
20 Ms. Maydan: No problem.

21
22 Mr. Carnicelli: And then if...we can come back to this it might make more sense. So, let's just
23 go ahead and go to the next thing, but we'll hit pause on this one and come back. So, Jen
24 what's the next item on the chopping block.

25
26 Ms. Maydan: If we're ready to move on—

27
28 Mr. Carnicelli: Oh yeah, that's right you said...does anybody else have anything on, in
29 Section 1 before we go to Section 2? We're done with Section 1 then. We'll come back to
30 Commissioner Pali's question after that. So, then okay Jen, let's go to Section 2, thanks.

31
32 Ms. Maydan: Okay, thank you, Chair. In Section 2, it's a Planning Department
33 recommendation on Page 33, and again this is...the recommendation is to move the first three
34 paragraphs to an Appendix, and again, this is a recommendation from our Director to get to the
35 policies quicker. We wrote this because it was definitely important as we were writing the plan
36 to really show the integration of issues that issues for traffic, housing, climate change, they don't
37 stand alone that they really area integrated so that's why we have these three paragraphs, but
38 this recommendation here is to move these first three paragraphs on Page 33 to an Appendix.

39
40 Mr. Carnicelli: And I don't know, Director did you want to speak to that at all as to...Jen got it?

41
42 Ms. McLean: Yeah, it's similar to the prior Departmental recommendation, it seems that that's
43 more background information or guiding information.

44
45 Mr. Carnicelli: Okay, is everybody okay with this change? We have consensus? Okay, no
46 objections we have consensus. Thank you.

1
2 **Section 2**

3
4 **Page 33 – Department’s recommendation to move the first three paragraphs to an**
5 **appendix, approved by consensus.**

6
7 Ms. Maydan: Okay, we’ll stay on this sheet, Page 38, Policy 2.1.7. The recommendation from
8 the Department is to add, where feasible at the end of the policies so that it reads, require all
9 projects to incorporate defensible space around their perimeter and ongoing maintenance of
10 defensible space where feasible. And Chair, I believe you also, had a recommendation
11 applicable to this policy. So, I could pull that up now if you’d like to consider both those
12 recommendations at the same time?
13

14 Mr. Carnicelli: Yeah, mine was instead of, where feasible was as per recommended by the
15 Maui Fire Department is, is...you know, where feasible, it just becomes sort of a...it becomes
16 subjective. I mean, if we’re gonna have a new project they’re going to get, what’s it called, input
17 from the Fire Department and...is, I mean they’re the ones that are the experts so I think, it’s
18 just like okay, if they’re recommending it then we put it in, if they’re not then...so, that was my
19 thought on it instead of just saying where feasible and then it becomes subjective some person
20 rather than saying like let’s put the experts in charge of it.
21

22 Ms. McLean: Chair, I can go along with your recommendation on that. It’s not just for new
23 projects so we would have to get the Fire Department’s input any time this question came up,
24 but I think that’s a reasonable way to go.
25

26 Mr. Carnicelli: Okay, so then you bring something up that’s gonna be a repeat thing for me in
27 my recommendations here ‘cause if you’re saying all project so that means the community plan
28 is now...(inaudible)...in saying, okay, some project we’re call a project that now exists and may
29 have existed for 50 years, if we...and again, it says, where feasible, that project’s now gonna
30 have to put a defensible space around it. So, when we have existing things, like I’m looking at
31 this differently. Like if you have an existing structure how is the community plan going to
32 enforce, okay, this existing structure now has to do something? Right, it just...it is...it exists and
33 now we’re changing the plan to make this nonconforming with the community plan. I can get if it
34 was new projects, yeah, let’s do this, but to say okay, we’ve got a...you know, it’s kinda like the
35 one, I think the next item where it’s like, okay retrofit. You know, the community plan is not
36 going to make community...you know, community buildings be retrofitted. I get it’s a good idea,
37 but when you gave us the...what’s the purview of the community plan and when is it law and
38 when is it aspirational, you know, existing buildings isn’t something that it’s law, it’s more
39 aspirational at that point. So anyways, if you could make comment for me on that one.
40

41 Ms. McLean: The purpose of this...(inaudible)...first of all, this is a policy. It’s not an
42 implementing action so in terms of its applicability to existing development it would come into
43 play potentially if there’s some sort of discretionary review of that area. It also it just expresses
44 the general sentiment of what the West Maui community is looking for this was in light of the
45 Lahaina fires, so if it is an existing development it could be important that they have defensible
46 space around it even if it has been there for 50 years, but in terms of are people suddenly going

1 to be out of compliance and be subject to enforcement, no, that's not the case. It's what is the
2 policy. So, as I said Chair, I'm good with your recommendation if the Maui Fire Department
3 says, oh this place that's been there for 50 years has to provide defensible space, well, you
4 want to listen to what the Fire Department is saying, yeah.

5
6 Mr. Carnicelli: Okay. So, are you guys okay with then adding this as per the recommend—
7 recommended by the Fire Department? Any objections? Seeing no objections, okay,
8 consensus. Thank you, guys.

9
10 **Policy 2.1.7 – To add, “as per recommendation of the Maui Fire Department”, Require all**
11 **projects to incorporate defensible space around their perimeter and ongoing**
12 **maintenance as per recommendation of the Maui Fire Department, approved by**
13 **consensus.**

14
15 Ms. Maydan: Okay, continuing on with your recommendations, Chair, same page, Policy 2.1.8.
16 I'll allow you to(inaudible)...

17
18 Mr. Carnicelli: Okay. Yeah, I mean, well I just...it said, change to read, require new buildings
19 that will serve as emergency shelters to be built to hurricane standards. I mean, my thought
20 process was just the same as what we had just talked about where we're talking about...again,
21 good idea that anything that's gonna be a shelter should be to hurricane standards, right. I
22 mean, that's just like it is common sense, it just makes sense. The problem that I was wrestling
23 with is saying, okay, does the community plan now say we've gotta go retrofit whatever building
24 is a shelter. Let's just say, I don't know, the Civic Center in Lahaina isn't to hurricane standards
25 so the community plan's now saying okay, we gotta go do that, and again, that's what I'm saying
26 is I actually put that the retrofit part should go in an implementing action, right, like let's put the
27 retrofit part as an implementation, and then let's put the new buildings under, okay, you gotta
28 build them to standard, but the retrofit part goes into the implementation that was the thought
29 process that I had had. So, either Jen or Chair or I mean, sorry, Director. I'm missing it? Am I
30 just missing how I'm reading it?

31
32 Ms. McLean: I don't think you're missing anything, Chair. It's again, looking at these as policies
33 and not having the immediate force and effect of law, and similar to the defensible space is
34 that's something that's really important and if it applies at some point to existing structures or
35 existing properties then it's important that it does. I don't know off the top of my head if there
36 are implementing actions related to this.

37
38 Mr. Carnicelli: Well, we got 257 of them. There might be one of them.

39
40 Ms. McLean: There could be.

41
42 Mr. Carnicelli: Might be 253.

43
44 Ms. McLean: So, I don't feel strongly one way or the other, we'll leave that up to you folks to
45 make your call on it.

1 Mr. Carnicelli: Okay, so I guess my recommendation was to make it read, that require new
2 community buildings that will serve as emergency shelters be built to hurricane standards, and
3 that we put a similar implementation action that says that community buildings that will serve as
4 emergency shelters shall be retrofitted to hurricane standards 'cause that was what my change
5 was, was to bifurcate those two things, put the retrofit into implementation and then put the new
6 buildings into policy. Any objections? Okay, seeing none, we'll go ahead and make that
7 change then Jen.

8
9 **Policy 2.1.8 – Add the word, “new”, Require “new” community buildings that will serve
10 as emergency shelters be built to hurricane standards, and a similar implementation
11 action that says, that community buildings that will serve as emergency shelters shall be
12 retrofitted to hurricane standards approved by consensus.**

13
14 Ms. Maydan: Okay Chair, this change will apply to the policy, but I would ask that you make
15 that recommendation for the action when we get to the implementation section, please.

16
17 Mr. Carnicelli: Okay, can you please...like I'm not going to remember it. I'll write a note, I'll
18 write myself a note.

19
20 Ms. Maydan: I'll try too, but that's not on the agenda tonight.

21
22 Mr. Carnicelli: I know, I know, that's why I was not remember it.

23
24 Ms. McLean: There are nine of us, ten including Pam, so hopefully one of us will remember
25 that.

26
27 Ms. Eaton: I got it written down, check.

28
29 Ms. McLean: Okay, Pam.

30
31 Ms. Maydan: Okay, moving on. Same page, next policy, Policy 2.1.9, change require to
32 encourage.

33
34 Mr. Carnicelli: And the...and this again, was my change and the reason why is when you look
35 at public and private water systems, these are systems that are regulated heavily by the PUC,
36 right. I mean, there's all kinds of federal and state regulations over the top of public and private
37 water systems and for the community plan to make this a requirement it could potentially be
38 contradictory to what the PUC actually wants, and so that's why I just put encourage rather than
39 require because, because of just the nature with which water companies
40 ...(inaudible)...Thoughts, comments, concerns? Okay, are there any objections to that change?
41 Seeing none, all right we'll do that one. Thank you, Jen.

42
43 **Policy 2.1.9 – Change “require” to “encourage”, to read, “Encourage public and private
44 water purveyors to coordinate water development in order to optimize pumpage, mitigate
45 saltwater intrusion, prevent impacts to streams, and preserve regional resources,
46 approved by consensus.**

1
2 Ms. Maydan: Okay, moving on. Policy 2.1.10, insert as available after design...(inaudible)...
3
4 Mr. Carnicelli: Yeah, 'cause I think is it says, gray water as it allows, and then appropriate
5 design and plants as available. You know, I mean, again just trying to create some sort of
6 reasonableness to it is all, I'm just saying, okay, as available, I don't know. I mean, I can take it
7 or leave it, that was just what came up. You guys are okay with design and plants, the plants as
8 available? Commissioner La Costa.
9
10 Ms. La Costa: What does, as available mean? Does it mean that someone doesn't have the
11 money to buy it, does it mean that they aren't available on island, does it mean that they're not
12 grow well in that landscape, what does as available mean please?
13
14 Mr. Carnicelli: Yeah, I...that's a great question and it might be an inappropriate change then
15 because...I mean, but right now it doesn't mean, and we don't know the answer to those
16 questions now either, right? I wouldn't think that it would, you know, mean that they couldn't
17 afford it. ...(inaudible)...mean, okay, want the appropriate microclimate design and plant.
18 Commissioner Tackett.
19
20 Mr. Tackett: In that sentence, could we also put promote native species because as you go
21 around the different climates of the island, you'll get things that can grow with the amount of
22 water that...(inaudible-audio feedback)...just a question.
23
24 Mr. Carnicelli: Right.
25
26 Mr. Tackett: Would be nice to promote the native plants.
27
28 Mr. Carnicelli: Right, right, right. Jen, is there another spot in the plan, I'm trying to remember
29 where native species is addressed or would it be here?
30
31 Ms. Maydan: Chair, I believe it is somewhere but I would need to search, I don't know off the
32 top of my head, but I can, I can search 'cause I certainly do remember having conversations
33 about weed risk assessments and using native plants that absolutely was a topic of the CPAC.
34
35 Mr. Carnicelli: Right, right, right. I think remember, and I think I remember reading it
36 somewhere too. So, well let's make a note, I mean I don't know if we have time to find it right
37 now, do we?
38
39 Mr. Tackett: I don't think it has to say that, that necessarily is the way that it has to be, but I
40 think that a plug in that direction that yes, using drought resistant, using native plant, drought
41 resistant and microclimate appropriate designs or something like that, can we just get it in
42 there?
43
44 Ms. Maydan: Chair?
45
46 Mr. Carnicelli: Yes.

1
2 Ms. Maydan: There is policy in Section 2.3, it's Policy 2.3.4, on Page 46 and it reads, all
3 development shall implement recommendations of the Maui County Planting Plan for street and
4 parking area trees encouraging the use of native and endemic plants...(inaudible)...that are on
5 the Hawaii Pacific Weed Assessment High Risk List shall not be utilized.
6
7 Mr. Carnicelli: There we go.
8
9 Ms. Maydan: So that's on your agenda tonight, but native plants are covered in another policy.
10
11 Mr. Carnicelli: So that's covered what your concern is, Christian, yeah?
12
13 Mr. Tackett: Understood. If you don't want to include it, but you want to include the other types
14 of plants that fall in those backgrounds I completely understand. I'm good with it.
15
16 Mr. Carnicelli: Okay. Commissioner La Costa.
17
18 Ms. La Costa: If I heard correctly, it was talking about parking areas, and I don't think that this is
19 strictly for parking areas is it or did I misunderstand?
20
21 Mr. Carnicelli: No, 2.3.4 is all developments shall is how it reads. All developments shall
22 implement recommendations of the Maui County planting plan...I mean, if you got your plan in
23 front of you, you can go to 2.3.4 and you can see it. Like I said, we're not there tonight but it's
24 kind of addressing what Christian wanted to put in 2.1.10.
25
26 Ms. La Costa: I think it should be included in there as well to reiterate it is, is good.
27
28 Mr. Carnicelli: Okay, well, but this is under water, right? I mean, if you look at policy, you know
29 2, is ready and resilient systems. 2.1.1 thru 2.1.5 is climate change and sea level rise, then we
30 got fire and emergency management, then we got water, so that's what 2.1.10 is under water,
31 and so, if you want to...I mean, native plants, I think just...they naturally conserve water, so I
32 mean if we want put that language in there that...I mean, I'm okay with it, it doesn't hurt.
33
34 Ms. La Costa: I'd like to put the language in.
35
36 Mr. Carnicelli: Okay, then what language would you like to see?
37
38 Ms. La Costa: That where it says, promote native species and those that are water resistant as
39 it says up above, using drought resistant and microclimate appropriate design and plants,
40 incorporate native species.
41
42 Mr. Carnicelli: ...(inaudible)...Carolyn, if you could mute whoever the feedback's coming from
43 that would be fantastic. So, if you, Commissioner La Costa if you could go again, go what
44 change you wanted to make again, sorry.
45
46 Ms. La Costa: That's all right, starting if using drought resistant and micro—

1
2 Mr. Carnicelli: Wait, wait, wait, wait...we're at 2.1.10.

3
4 Ms. La Costa: Right, 2.1.10, correct.

5
6 Mr. Carnicelli: Okay.

7
8 Ms. La Costa: Okay, I'll read the whole thing then. Require new developments to install
9 landscaping that reduces water use using drought resistant and microclimate appropriate design
10 and plants promoting native species and using...it should say, using instead of use...using gray
11 water where the State Department of Health allows it.

12
13 Mr. Carnicelli: Kate and/or Jen do you have that?

14
15 Ms. Maydan: Yes, thank you Chair.

16
17 Mr. Carnicelli: Any other...any objections to the changes that Commissioner La Costa would
18 like? Okay, so we'll go ahead and adopt that change then.

19
20 **Policy 2.1.10 – Insert “promoting native species, and using”, Require new developments**
21 **to install landscaping that reduces water use, using drought resistant and micro-climate**
22 **appropriate design and plants “promoting native species, and using” greywater where**
23 **the State Department of Health allows it, approved by consensus.**

24
25 Ms. La Costa: Thank you, Chair.

26
27 Mr. Carnicelli: Oh, Commissioner Freitas.

28
29 Mr. Freitas: Thank you, Chair. I have a question because this section 2.1.9 and 2.1.10 are
30 under the heading, Water.

31
32 Mr. Carnicelli: Yeah.

33
34 Mr. Freitas: And I can't believe that that's the only water issues on West Maui that was
35 addressed and in this plan. Will there be other water discussions in the plan? For example, in
36 the meetings that I went to there were concern about the Kanaha and Kahoma Stream because
37 one of it says, you know requiring public and private water. Where is that addressed in that
38 plan? I don't want to just bypass this water without addressing that unless it's covered later.

39
40 Mr. Carnicelli: Jen and/or...

41
42 Ms. Maydan: Chair if I may?

43
44 Mr. Carnicelli: Yeah, go ahead Jen.

45

1 Ms. Maydan: Yes, in this section under this goal that we're on, the goal is ready and resilient
2 systems much geared towards infrastructure systems, climate change resilience, water was
3 definitely a topic of the community and the CPAC you are absolutely Commissioner. It was a
4 very important topic. It is definitely also covered under Goal 2.3, Responsible Stewardship of
5 Resources, Culture and Character looking at water more as a natural resource and a really
6 important resource rather than just the infrastructure. So, while this is under this, and the
7 reason we created sub headers in this section is because this section really did cover quite a
8 few topics and it just helped the CPAC navigate where they were, but no, this is not the
9 exhaustive list of everything pertaining to water, you'll definitely see that under other goals and
10 policies.

11
12 Mr. Freitas: Thank you, you answered me perfectly. Thank you, Jen.

13
14 Mr. Carnicelli: Great. Thank you. Okay, Jen what do we have next.

15
16 Ms. Maydan: Okay, Chair just to clarify on the policy that we were talking about 2.1.10, you
17 guys did not adopt your recommendation of adding, as available. I just want to make sure that I
18 have that correct.

19
20 Mr. Carnicelli: Yeah, we didn't.

21
22 Ms. Maydan: Okay. So, moving onto Page 42, Policy 2.2.4, and Chair you have a
23 recommendation but I believe your recommendation is speaking to the Department's
24 recommendation so I'll pull up the Department's recommendation.

25
26 Mr. Carnicelli: Do the Department's recommendation first, yeah 'cause I was just...to me it was
27 more question of clarification, like defining terms, right is that's all, trying to get clear with the
28 terms. Is this the one that DHHC also commented on?

29
30 Ms. Maydan: Yes, you are correct. So, I can share all of it.

31
32 Mr. Carnicelli: Okay.

33
34 Ms. Maydan: Again, Page 42, Policy 2.2.4, the Department's recommendation is to add, large,
35 before commercial, and add, market, before multi-family so that the policy would read, require
36 all new large commercial and market multi-family residential development to install and maintain
37 charging stations to support the expanded use of electric vehicles in West Maui until further
38 technology advancements make this unnecessary, and yes, Chair you're correct that the one
39 agency comment that you have tonight is applicable to this policy and it's from the Department
40 of Housing and Human Concerns and they note that requiring the installation and maintenance
41 of charging stations at all multi-family residential developments, I'm not sure what this cost, but
42 as you know affordable housing becomes expensive with the addition of every requirement.
43 This is a death by a million cuts. So that was the agency concern.

44
45 Mr. Carnicelli: Director Tsuhako very nice. So, here's my...I mean, she didn't really make a
46 recommendation, she was just saying, hey listen, you know everything that we add to a

1 development adds to cost. So, you know, we might get charging stations but not washers and
2 dryers in units, right or something like that. My two questions are this, one is what's large
3 commercial, right? You know, if we... 'cause I get that we want to say okay, not just commercial
4 but large commercial, but where we drawn the line between, you know, okay, this now kicks in,
5 and then when you say, market, I'm assuming we probably are saying market rate, to use just
6 the terminology from you know the workforce housing ordinance, but as you guys know, that
7 then would include any multi-family residential development that has even one market rate
8 house, right. So if it was Tsubaki hundred say apartments, and one was market rate and 99
9 were, you know workforce then this still kicks in, and so then, so that's the part that where I'm
10 trying to like you know, is there a break that say, okay, we've now tipped over into large
11 commercial and then at what level of market rate residential or multi-family residential are we
12 going to? 'Cause the other part of that is if... I mean, I get where we're going with this, I mean,
13 the thought in this is great, you know, like we want to go more green, we want to have more
14 charging stations, but when we're saying like okay, where are we putting the burden, most of
15 the time multi-family residential on Maui is not market rate. Like there's very few market rate,
16 you know, multi-family going on right now. So, keep talking but I've asked the question twice is
17 what is large commercial, and what is market rate multi-family?
18

19 Ms. McLean: Thanks for the questions and clarifications, Chair. I think those—
20

21 Mr. Carnicelli: Michele, you're really, really loud, so you're gonna have to like, yeah, I don't
22 know turn your mic down or something like that, I don't know.
23

24 Ms. McLean: Sorry, okay. Is that better?
25

26 Mr. Carnicelli: It's a little better.
27

28 Ms. McLean: It's still loud?
29

30 Mr. Carnicelli: A little bit.
31

32 Ms. McLean: I'll speak more softly. For large commercial I don't have a square footage
33 threshold but we can come up with something that would be a pretty black and white way to
34 make the distinction. It's not bad to have it be subjective because if you establish a threshold
35 there's no leeway at all, but a threshold wouldn't be inappropriate, and then for the market, yes
36 it was intended to be market rate and so, I mean, from time to time we do still see luxury
37 condos, but it was intended for projects that are sold at market that do not have...they're not
38 going through a fast track process, they're not getting exemptions and waivers and tax credits
39 and so forth that they are purely private sector driven and sold at whatever price the market will
40 bear so that was the...that was my thinking behind market rate.
41

42 Mr. Carnicelli: Got it. I know that makes it more clearer, and I do like what you're saying, you
43 know as far as like "large commercial", you know if we say okay, it's I don't know, 75,000 square
44 feet are gonna start seeing a lot of 74,000 square-foot commercial buildings? You know, so I'm
45 kind of okay if we want to leave it to be a little bit ambiguous. The market rate multi-
46 family...Commissioner Pali you go ahead and jump in.

1
2 Ms. Pali: Yeah, so I don't want everyone to assume that just because they didn't go through the
3 affordable housing track and do hundred percent affordable homes that we don't have a working
4 group force that would present a project that chose not to go that route still be considered
5 market but still be for our working families and I'm just a little nervous of trying to take the
6 position when multi-family units like townhomes and condos that are for the working families are
7 built it would be up to their boards and their associations and how they want to manage their
8 budget if they want to outfit and save to put these charging stations in for their homeowners.
9 And so, I'm almost feeling a little nervous about adding in the market multi-family and
10 positioning ourselves to say anyone that wants to build, you know a multi-family then we're
11 going to just take the position on an owner, a board member and force this amenity on the
12 project. I feel like as a homeowner they have their own rights to determine what they want in
13 their project or not, and don't know if it's something that should be forced on all of the projects. I
14 don't know, I'm a little bit uncomfortable with the market multi-family. Definitely I think large
15 commercial projects, we're gonna be their customers and we want to promote this healthy
16 behavior and so...and it would promote businesses too, so I think that's safe, but I'm not sure
17 how I feel about the market multi-family forcing that.
18

19 Mr. Carnicelli: Yeah, it's kind of an interesting twist because if I look at this from the okay, the
20 Wailea multi-family that their affordability...(inaudible)...is offsite so we're saying yeah, they
21 should...you know, they can afford to have charging stations. The irony is those wealthy condo
22 owners get the benefit of the charging station and not necessarily the public, so it's, you know
23 it's a little bit weird. Commissioner La Costa.
24

25 Ms. La Costa: Thank you, Chair. So, I need to have as member of the Commercial Round
26 Table, we need to have some kind of threshold for large because some people may think that
27 you know, one building this size is large and somebody else, a building this size is large, so I
28 think that if it is set a minimum square foot like 90,000 square feet or 75,000 square feet, people
29 aren't gonna build buildings that are 74,900 feet just to get away from that. So, there needs to
30 be a threshold for the commercial community to know what is large in the County's definition.
31

32 And the other thing is I concur about the market rate. We don't know what's gonna happen in
33 the future will market rate...will people who are buying market rate have electric cars and need
34 charging stations? You know, we—
35

36 Mr. Carnicelli: But they do...they do address that as a technology advancements...you know,
37 as technology advances, right I mean, we might all be doing Star Trek you know whatever it is
38 at some point, so it may be irrelevant.
39

40 Ms. La Costa: Yeah, but my comment is so you're making people put them in and maybe they
41 aren't relevant any longer and then they'll take them out so you've got additional expense there.
42 And I know this is farther down the way but when you talk about, about green and policies and
43 things, you know, we also have to address the PV issue and it kind of wraps in here with
44 whether or not it's...is all the charging station. You know I'm the PV queen so I'll bring that up
45 later, but I don't...I think the market rate needs to go away and we need to have a definitive
46 number for large commercial buildings.

1
2 Ms. McLean: Chair, if I could make another comment?

3
4 Mr. Carnicelli: Yes, go ahead.

5
6 Ms. McLean: Am I too loud? I don't have an electric car, and one of the reasons I don't have
7 an electric car is 'because I don't know where I would charge it, and if we want to encourage
8 people to get electric cars, we need to be somewhat aggressive with requiring the charging
9 stations. So, if they're required at commercial then that's one place people know they can
10 charge. If it's required in new multi-family developments then that would be another incentive
11 for people to get them because oh, there's a charging station there. So, it's kind of if you build
12 it, they will come kind of thing just for your consideration. Thank you, Chair.

13
14 Mr. Carnicelli: Commissioner Tackett and then Commissioner La Costa.

15
16 Mr. Tackett: Can there, can there be verbiage in there that works around...that's an option for a
17 purchaser to have...so they can have...a purchaser could have that option if they want, but if
18 you mandate the whole thing then you'll raise, you'll raise cost for the project and none of us
19 know how long that that technology is going to be the technology of the day, and if you research
20 into the electric cars themselves and the batteries themselves they bring in their own problem
21 on where those minerals come from, how they get those minerals, and then how efficient they
22 are, and then how clean they are when the car goes away, so there's a lot of other issues
23 besides that, so I was just wondering if an individual owner could be given the option yes, I am
24 an electric car guy, and okay, if you want it then they'll put it in for you, but if you don't want it
25 then they'll built standard because the majority of us are driving the standard right now. So, for
26 in my opinion if you got a neighborhood with a hundred houses and ten of them have electric
27 cars but all hundred guys have to pay for PV installation then it's...I mean for the charging
28 station then it doesn't seem like it's doing justice to the cost especially when you start putting
29 out working class products you know, so that's my question.

30
31 Mr. Carnicelli: I don't know if Director you want to address that, but if you look at the Policy 2.2
32 the goal is a complete balance and connected transportation network, right? And so, if we look
33 at it again, we're talking about the community plan so this is sort of an overarching thing for all
34 of West Maui. I do remember this conversation I mean vaguely, I'm not gonna say verbatim, but
35 I do remember this conversation at CPAC and the intent of this was exactly what the Director
36 said, is going...it's kinda let's build it and they would come, you know, it's saying, hey listen, the
37 more that we can become self-reliant and off of fossil fuels especially living on an island then
38 the better we can be so it's like how is it that we can. I mean, what they're doing is they're
39 saying they want to mandate this but, you know, I mean it's a good thing, it's what we want, we
40 want more people to drive electric cars and less people to drive you know, big huge Cadillacs,
41 but people don't even drive Cadillacs anymore, but Commissioner La Costa.

42
43 Ms. La Costa: Thank you. Does a Lincoln count? So, my...I have kind of a double-edge sword
44 comment. If you mandate this and as the Director said, people will know that oh, I can go to
45 ABC Condo because they charging station will that create revenue for the building, and that's
46 probably an AOA thing, and so if they build it...if we build it they will come, does that mean that

1 50 people are gonna pull up and want to charge there and spread it among the people who
2 don't have cars or do it independently and get some revenue on it. So, it's kind of a you know if
3 mandate it then you're also gonna have to go into that unless the AOA specifically steps away
4 and says let us decide if we want to have it revenue generating or not.

5
6 Mr. Carnicelli: Okay, I think that...I think we've hit the threshold on this one, you know I mean,
7 let's go ahead and let's circle back to 2.2.4. Jen, why don't you go ahead and keep moving
8 because we're not gonna, I know we're sort of stuck on this one right now, so I think we'll...when
9 we come back to it, we might get, we might get more clear. Commissioner Tackett and then
10 Commissioner Thompson.

11
12 Mr. Tackett: I just don't...when I read it and then I listen to P. D. I'm thinking maybe I don't
13 understand it. I'm thinking what they're writing here is the multi-family residential developments
14 to install and maintain charging stations to support that expanded use. They're not saying, one
15 per person that purchases those units, they're just saying that on this property you're gonna
16 have that available is that correct?

17
18 Mr. Carnicelli: Yeah.

19
20 Mr. Tackett: Okay, then I remove my comments because that's not how I was, I was
21 interpreting it.

22
23 Mr. Carnicelli: Got it. Got it. Okay, cool. Commissioner Thompson and then we'll go to Jen.

24
25 Mr. Thompson: Excellent. Actually, can we jump to 2.2.2?

26
27 Mr. Carnicelli: Go back to that?

28
29 Mr. Thompson: Yeah.

30
31 Mr. Carnicelli: We'll let's just...yeah, yes, we can, yes, we can.

32
33 Mr. Thompson: Are we advocating toll roads and transponders and more taxes is that what
34 that's about? I'm ...(inaudible)...against toll roads.

35
36 Ms. Maydan: Chair, if I may?

37
38 Mr. Carnicelli: Go ahead Jen.

39
40 Ms. Maydan: Yes, this policy is speaking to support of a number of different mechanisms to
41 fund transportation improvements and those listed as options that have been discussed. This is
42 certainly for the most part a lot of this would be in the wheelhouse of the state rather than the
43 county, but this was definitely a discussion of the community and the CPAC and they wanted to
44 show support for mechanisms to support, to fund transportation improvements.

45
46 Mr. Thompson: Thank you.

1
2 Mr. Carnicelli: Okay, let's hit pause on 2.2.4 and we'll circle back to it at the end.

3
4 Ms. Maydan: Okay, okay, the next recommendation is from the Department, on Page 43,
5 Policy 2.2.8 and the recommendation is to add, connectivity before biking so that the policy
6 would read, require new development...redevelopment in Chapter 201H, Hawaii Revised
7 Statutes, in Chapter 2.96 Maui County Code, Housing Projects to include, facilities and
8 programs that support connectivity, biking, walking and public transit. So, it's just a minor
9 addition to the policy to add connectivity in addition to biking, walking, and public transit.

10
11 Mr. Carnicelli: Jen, I have a question. When you read that you said, Chapter 2.96 my version
12 say 2.97.

13
14 Ms. Maydan: That was me misspeaking. I apologize, Chapter 2.97.

15
16 Mr. Carnicelli: Okay, then I want to make it 2.96 'cause 2.97 is a hundred percent affordable, I
17 mean, that's the...that's fine actually leave it as...(inaudible)...okay, any objections to that
18 change by the Department? Seeing none, adopted via consensus.

19
20 **Policy 2.2.8 - Recommendation from the Department to add, "connectivity" before biking**
21 **to read, require new redevelopment in Chapter 201H, Hawaii Revised Statutes, in**
22 **Chapter 2.97 Maui County Code, housing projects to include facilities and programs that**
23 **support "connectivity", biking, walking and public transit was adopted by consensus.**

24
25 Mr. Carnicelli: So, Jen if you're not gonna do screen share we could probably take down the
26 screen share function.

27
28 Ms. Maydan: Am I not doing it?

29
30 Mr. Carnicelli: No, it's just a gray screen for me.

31
32 Ms. Maydan: Oh, I am so sorry. I thought I was.

33
34 Mr. Carnicelli: It's been just a gray screen for a while.

35
36 Ms. Maydan: Huh, that's bizarre. It's telling me you are sharing commissioner changes. It's
37 telling me I'm sharing your stuff, but I can certainly take it down.

38
39 Mr. Carnicelli: Why don't you take it down and try put it back up and see if it changes.
40 Suddenly everybody's head look really big.

41
42 Ms. Maydan: Is it showing your recommendations now Chair?

43
44 Mr. Carnicelli: Yeah, yeah.

45

- 1 Ms. Maydan: Interesting. Okay, I apologize for that. I was under the impression that was
2 bouncing back and forth and doing a good job. Okay, we are on your recommendation Chair,
3 Page 42, Policy 2.2.4...oh, no sorry. Page 43, Policy 2.2.10, and your recommendation is
4 insert, "include" after "systems to".
5
- 6 Mr. Carnicelli: Does that make sense? Did I read the sentence wrong?
7
- 8 Ms. Maydan: It reads...I can read it as it is.
9
- 10 Mr. Carnicelli: Yeah.
11
- 12 Ms. Maydan: Improve resilience as the transportation system to climate change-related
13 hazards such as sea level rise, flooding and wildfires.
14
- 15 Mr. Carnicelli: Okay, I'll withdraw my change. I'll withdraw my change.
16
- 17 Ms. Maydan: Okay.
18
- 19 Mr. Carnicelli: I don't...yeah, I read it wrong.
20
- 21 Ms. Maydan: Okay, well that takes care of agency comments, Department comments, and any
22 commissioner comments that I am aware of at this time.
23
- 24 Mr. Carnicelli: Okay, so anything? P. Denise.
25
- 26 Ms. La Costa: Thank you, sir. I think that include should be in there. It reads much more fluidly
27 when you have it. You know, it says, system to include and then because you have more than
28 one aspect there, so I think the word, include should be in there.
29
- 30 Mr. Carnicelli: Commissioner Thompson nodding it as well. Commissioner Pali is saying, no.
31 Okay, we may be at impasse on this one. Kellie, you want to say why you're okay leaving it as
32 is?
33
- 34 Ms. Pali: Because you're not improving, including. We starting with the action verb, improve.
35
- 36 Mr. Carnicelli: Right.
37
- 38 Ms. Pali: So, you would say then I'm improving including climate change related hazards.
39
- 40 Mr. Carnicelli: Well because including these things, right?
41
- 42 Ms. Pali: Right, but—
43
- 44 Mr. Carnicelli: We're improving the transportation—
45
- 46 Ms. Pali: --...(inaudible—more than one person speaking)...you see...

1
2 Mr. Carnicelli: To include...yeah, I mean, I'm—
3
4 Ms. Pali: I think it's fine the way it is.
5
6 Mr. Carnicelli: It's splitting hairs either way. Kawika.
7
8 Mr. Freitas: Chair, I think it's fine as is, I agree with Commissioner Pali. The way Jennifer read
9 it, it does...it's different when you add, include to me, so I would leave it as is. Thanks.
10
11 Mr. Carnicelli: And Commissioner Castro or Tackett do you mind either way?
12
13 Mr. Castro: I'm fine with it, I concur with Commissioner Freitas and Pali.
14
15 Mr. Carnicelli: Okay, so we're not gonna get a vote either way so I mean...we're not gonna get
16 an affirmative to change it so we'll just leave it for now and if for some reason we need to circle
17 back to it then we can. So, let's go back to...are we done with Section 2.2 everybody? Is
18 anybody else have any other things that they want to address in 2.2? Okay, so then let's circle
19 back to I believe we left Commissioner Pali's questions in Section 1 around her questions.
20
21 Ms. Pali: You know what, I'm just gonna withdraw all of that. I don't want to confuse the reader.
22 I was clearly confused. I read manuals and guidelines and procedures in my career and it just
23 threw me for a loop, and so I would just like to leave the comments of if we're throwing a bunch
24 of stuff into the appendix that might be a section on Page 28 to consider appendix. If not, I
25 would just recommend...I mean, it's still gonna go to Council maybe, maybe they'll get thrown
26 for a loop too or maybe not or maybe I'm just the odd man out here, but yeah, I just wanted to
27 bring my comments. I don't think that we need to hash it out or I don't think it's a big deal, but...
28
29 Ms. McLean: Commissioner Pali, I did have a thought on that that maybe right before those
30 questions start at the end of the prior section, we can say something like, this plan seeks to
31 address the following questions with its policies and implementing actions. So that you don't
32 expect answers you just know that that's what's prompting the later parts of the plan.
33
34 Ms. Pali: That's a very nice...that would be a very nice addition for weirdos like myself.
35
36 Mr. Carnicelli: Okay, so I think we have consensus on that one, so go ahead Jen...whether it's
37 Director, Jen or Kate or Pam if she's still awake note that change.
38
39 Ms. Maydan: I think we can do that.
40
41 Mr. Carnicelli: No, and I like that change.
42
43 Ms. Maydan: And Chair, I just want to say thank you Commissioner Pali, we appreciate it
44 when...when we're made known of something that doesn't quite make sense because
45 sometimes, we are so deep in this stuff that it makes absolute sense to us, so we appreciate

1 when someone points that out. So...and thank you, Michele for your recommendation I think
2 that is helpful.

3

4 Mr. Carnicelli: That's why you have an editor, outside person to ...(inaudible)...

5

6 **Section 1 - Before the questions start, at the end of the prior section, a statement be**
7 **inserted, "This plan seeks to address the following questions with its policies and**
8 **implementing actions", accepted by consensus.**

9

10 Mr. Carnicelli: So other than 2.2.4 was there anything else that we punted on to circle back to?
11 No?

12

13 Ms. Maydan: That is all I noted.

14

15 Ms. Pali: We were gonna rehash 2.2.4.

16

17 Mr. Carnicelli: Right, right. So, as it is right now, we've got, require that all new large
18 commercial and market-rate multi-family residential. Commissioner La Costa are you a CCIM?

19

20 Ms. La Costa: I am not, I am just Vice-President of the Commercial Roundtable and I've been a
21 member—

22

23 Mr. Carnicelli: So, what's large?

24

25 Ms. La Costa: To me, large –

26

27 Mr. Carnicelli: I mean, are these...I mean, as much as you say that you know if we make the
28 threshold 75,000, we're not gonna get a bunch of buildings that are 74,999 square feet. I think
29 that that's actually true that we would because we could see that in the SMA...7,500...that's
30 why I used 75,000 because a 7,500 square foot house has to get an SMA Permit and we see
31 7,450 square foot homes on the beach so they don't have to get their SMA Permit so it would
32 happen.

33

34 Ms. La Costa: We don't have enough commercial space outside of shopping centers I don't
35 think that are 75,000 square feet. So, I just think that the commercial realtors and commercial
36 guys and women would like to have some kind of definition of what is large. What is the
37 County—

38

39 Ms. McLean: Chair, if I could offer?

40

41 Mr. Carnicelli: Director.

42

43 Ms. McLean: I believe State Law requires an EV charging station for parking lots that have
44 100 parking spaces or more, and if we use the average parking requirement of one per
45 500 square feet then...and some commercial operations require more parking than that, some

1 less, but that would be a 50,000 square foot commercial development if across the board it's
2 one per 500 square feet, so 50,000 might be a reasonable threshold to use.

3
4 Mr. Carnicelli: I'm okay with it if we back it with math like that. I mean, it makes sense, right? I
5 mean, ...(inaudible)...Commissioner Pali.

6
7 Ms. Pali: I don't want to feel like I'm playing on two sides of the fence there but I think the intent
8 is to promote the development of these stations not find way technically to get around them, and
9 so I would say, that if we just kept it large, allowed Planning Department to start mapping these
10 out so when the developments start to come up if that area doesn't have anything nearby it then
11 that might be an establishment where one would be needed and so depending on where the
12 development is that would call for need and so if we're looking at the community and putting
13 them first I feel like that's something that would be able to be tracked and monitored by Planning
14 Department. So as a commercial real estate broker if they were selling a piece of property and
15 they know that these changes are there they could just say, hey and by the way depending on
16 what your neighbors already got going around this maybe something to expect and I think that's
17 okay. What I'm not okay with is just mandating associations taking on extra cost and increasing
18 homeowner's association dues so that public people can come in and use their EV stations I am
19 not okay with that.

20
21 Ms. McLean: Chair, if it's a private residential development they wouldn't necessarily be
22 available to the public it would still be considered private property.

23
24 Ms. Pali: So, when we say, market...new market multi-family residential development how is
25 that not always private then, I'm sorry...

26
27 Ms. McLean: It is private.

28
29 Mr. Carnicelli: No, it doesn't mean that—

30
31 Ms. Pali: ...wouldn't pertain to private but I think this would make it pertain to private, right?

32
33 Ms. McLean: It pertains to private developments but the parking spaces and the EV charging
34 stations would be private, they wouldn't necessarily be open to the public unless the property
35 chose to make them open to the public.

36
37 Ms. Pali: Got it. Okay, good. I'm glad you mentioned that 'cause earlier people were talking
38 about people coming into the condo project, and I'm like what, what, no way. The other thing
39 too, is I just don't want to throw out that any homeowner in a current condo project could easily
40 voice their desire for these and they could be moving now on putting these in existing condo
41 projects. And so, I would almost ask myself why aren't they doing it if there's just this great
42 need, and maybe to your point Michele is that maybe they're not there and so maybe if they
43 were easily available then maybe there would be a use so it's kind of going a little backwards
44 but I don't know I don't want the idea to think that they're not available now if owners of condo
45 associations even like Kihei Villages want to get a electric car they could easily work with their
46 current boards now to make that happen.

1
2 Mr. Carnicelli: So, I still think that we need some kind of clarity on market rate. Does that mean
3 any...like if there's any market rate units in that project this kicks in, is that what that means? If
4 there's one or is it, or is it like, I mean, 'cause like 2.97 is 100 percent, you if 2.96 is 25 percent,
5 201H is 50 percent, you know so, what's threshold where we say, okay market rate multi-family
6 residential now requires this?

7
8 Ms. McLean: That's a good question, Chair. As it's written right now it applies to all multi-family
9 housing. So...

10
11 Mr. Carnicelli: Well, it wouldn't if it was say, a hundred percent affordable, though right?
12 ...(inaudible)...a hundred percent workforce it's no longer market rate 'cause I'm including your
13 language right. I'm including the Department's language of large and then market rate before
14 multi-family right. So, large commercial and then market rate. So, if it was 2.97 hundred
15 percent affordable then this doesn't apply because there's zero market rate. I'm just saying,
16 okay is one, is it 50 percent, it is you know like what's the amount of market rate, if it's one that's
17 fine.

18
19 Ms. McLean: Right.

20
21 Mr. Carnicelli: We'll leave at is. I mean, I don't...I'm not trying to say it should be something,
22 I'm just trying to get...'cause again this is something that we potentially are going to have to
23 deal with right, like this is something that the planning commission specifically is going to have
24 to wrestle with and so I just need to have this clear so when six years from now when I'm no
25 longer on the...you know, none of us are on the commission anymore and this community plan
26 policy comes up they know what we meant.

27
28 Ms. Pali: Also, what if a project comes up and says, okay we're gonna make 25 percent of our
29 project affordable but the other 75 percent is market so now they're...are they then subjected to
30 this because those 75 percent are now market and now, they're still increasing their overall cost
31 because they're forced to do these additional things. I think...and listen, I think the charging
32 stations are a good thing. I don't want to misrepresent my position.

33
34 Mr. Carnicelli: Right.

35
36 Ms. Pali: I just...the mandating it's starting to infringe...I just feel like doing a good thing here
37 we have to realize we're sacrificing something else that we can't see or touch right now and
38 that's...we need to exchange, we need to do like a cost benefit analysis. There's a benefit to
39 having this but it will cost us what later, that's just the conversation I want to have.

40
41 Mr. Carnicelli: Commissioner La Costa.

42
43 Ms. La Costa: With all due respect, Commissioner Pali I have to disagree on the aspect of the
44 new large commercial. So, if there's a need then the new construction has to put in the stations
45 because nobody else around has been mandated to do that. So, I think there has to be a
46 balance and like Chair said, when we're all gone and somebody else is sitting in the planning

1 commissioner chairs and a project comes before them we have to be really definitive so that
2 there aren't questions and there isn't a contested case because well, you said this and we mean
3 that and yada, yada, yada, so I think that mandating for "x" specific square feet, 50,000 was the
4 Director's suggestion I think makes sense because there aren't that many buildings that are
5 50,000 feet so I just don't think it's fair to make the new guy come and put those in because
6 nobody else in the neighborhood has bothered.

7
8 Mr. Carnicelli: Okay, so then I've got a suggestion here. Let's go ahead and deal with these
9 two things separately. So, let's deal with commercial right now, so right now what we're dealing
10 with is we've accepted the department's recommendation of saying large, do we want to put a
11 number in there or not and I know we're not gonna have consensus so we're gonna need a
12 motion and a second and that way. So, require all new large commercial, moved by
13 Commissioner Pali. Okay, so seconded by Commissioner La Costa. Commissioner Pali go
14 ahead and speak to the motion then 'cause that's not including a number, that's just large
15 commercial.

16
17 Ms. Pali: Yeah, I think P. Denise just testified that she wanted to include the number.

18
19 Mr. Carnicelli: I know, but it's okay, she'll just vote against...the seconder can vote against the
20 motion.

21
22 Ms. Pali: Okay, so I just would take...I would take Planning's recommendation and just make
23 the change of new large commercial and leave it to them to figure out what that is.

24
25 Mr. Carnicelli: Okay, and then Commissioner La Costa, you want a number, correct?

26
27 Ms. La Costa: That is correct, Chair. So that there is no ambiguity. Thank you

28
29 Mr. Carnicelli: Okay.

30
31 Ms. Pali: Just for the record, sometimes I feel like ambiguity could also be flexibility as we're
32 working with the future and things, we don't know yet.

33
34 Mr. Carnicelli: Right, I mean is this is kinda one of those dammed if you do, dammed if you
35 don't. Anybody else like to speak to the motion? Commissioner Tackett.

36
37 Mr. Tackett: I think the, I think the proper avenue to take towards determining who does and
38 who doesn't is figuring out the difference between say, a small business store size or
39 commercial enterprise and a very large one, 50,000 square feet is fairly large. So, I think, I think
40 if anybody should be given a break it should be the small guy trying to start something small up.
41 So, I think, I think that that's, that's where I think if any break was to be given to anybody should
42 be small business, mom and pop business that gets that kind of break. And if a corporate
43 business comes in well, then that should be a different type of animal, so that's just my take on
44 how to determine the size. What is the typical size that a person that could start a building
45 would basically be able to come up with probably not gonna be 50,000 square feet you know
46 what I mean, it's gonna be, it's gonna be your...just take a look at what the small mom and pop

1 businesses are, go a little bit big from there and then just, and then that would be where I would
2 start from. Anyway, that's my suggestion. Thank you.

3
4 Mr. Carnicelli: Okay, anybody else like to speak to the motion? Commissioner Freitas?

5
6 Mr. Freitas: Thank you, Chair. A new commercial development...don't...aren't they required to
7 have "x" number of parking stalls based on the size of their project, correct? Is that correct, I
8 don't know?

9
10 Mr. Carnicelli: Director.

11
12 Ms. McLean: Yes.

13
14 Mr. Freitas: So, wouldn't then it falls back on what the Director had said, that they have to
15 provide one for every one hundred stalls, is that correct? So, we really don't need to put a
16 number on the size, it will be dictated by the size of the building that they have to build "x"
17 number of minimum stalls and therefore then they have to put the electric ports in. So, I would
18 go with no need to put an actual number.

19
20 Mr. Carnicelli: I see what you're saying 'cause it's, it's kind of almost like redundant because of
21 the parking trigger, because if it's a hundred stalls then you know, and our number equals a
22 hundred stalls then it's kinda like a redundancy so I see where you're coming from that makes
23 sense.

24
25 Mr. Freitas: It's not like they can lower that number to be below so they don't have to put it. If
26 the building is that big...well, maybe they make the building smaller, but then be it, so I would
27 say let that be the way it's determined.

28
29 Mr. Carnicelli: Okay. Anybody else like to speak to the motion? Commissioner La Costa.

30
31 Ms. La Costa: After hearing Commissioner Freitas' great remarks I will withdraw the number
32 50,000 and go with Commissioner Pali's original motion and second that.

33
34 Mr. Carnicelli: Okay. So, the motion...anybody else like to speak to the motion? Okay, so the
35 motion is to insert the word, large and there is no number before commercial. All those in
36 favor? Unanimous, okay so we did get consensus. We backed right into consensus. All right, if
37 we talk long enough, we're gonna do this.

38
39 *(Motion was made at approximately 00:28:38 of Chapter 2 of the audio recording.)*

40
41 **It was moved by Ms. Pali, seconded by Ms. La Costa, then**

42
43 *(Vote was taken at approximately 00:28:45 of Chapter 2 of the audio recording.)*

44
45 **VOTED: Policy 2.2.4, To insert the word, "large" to read: "Require all new**
46 **large commercial and market multi-family residential development to**

1 **install and maintain charging stations to support the expanded use**
2 **of electric vehicles in West Maui until future technology**
3 **advancements make this unnecessary.”**
4 **(Assenting – K. Pali, P. D. La Costa, D. Thompson, K. Freitas,**
5 **S. Castro, C. Tackett)**
6

7 Mr. Carnicelli: Okay, so now it says, large commercial and then, and...I'm gonna say market
8 rate not just market. I know that the Department's recommendation was to say market, I'm
9 gonna say market rate multi-family residential development. It's going to be interesting to put no
10 number on commercial and then put a number on the residential portions of it, if we do that that
11 will be interesting. You guys have a preference which way you want to go? I'll put it this way,
12 I'll put it...if we leave it to just the Department's recommendation where it says, market rate
13 multi-family residential development, I'm going to make the assumption that that means if there
14 is one. That's gonna be my assumption, right. If it's a hundred percent affordable this probably
15 I could make the case that this doesn't trigger, if there's one then there's multi you know, then
16 there's market rate. So, that's how I read it and I see Director you're nodding, why don't you go
17 ahead and chime in as well.
18

19 Ms. McLean: If there isn't any sort of threshold then if it's 100 units and one of those units is
20 market then it would trigger the requirement, yes.
21

22 Mr. Carnicelli: So do you have, I mean, this is one of those one where honestly I mean, I think,
23 you know we're sort of spinning on this and I'm gonna do this to you guys along the way, I want
24 your opinion, I know you try to stay neutral or the Department, you know, we want you guys to
25 make this decision, this is your part of the process but I think there's some times where we just
26 need help on that, so we'll go to Michele and then Commissioner Tackett.
27

28 Ms. McLean: Again, the language in the CPAC draft says, all multi-family housing and so to
29 exclude affordable projects from that is what the Department is advocating as the Department of
30 Housing and Human Concerns suggested. It's not often that you get a mixture of uses, but if
31 you do then it will be a requirement to install an EV station so it's narrower than what the CPAC
32 recommended. So, yes even if there's one unit.
33

34 Mr. Carnicelli: No, I'm glad that you said that Michele because that now suddenly the lightbulb
35 kinda went off, it's like going okay, it was all, now it's okay, we're excluding hundred percent
36 affordables so that, okay, that makes sense to me. Commissioner Tackett.
37

38 Mr. Tackett: I like that the affordables are excluded. I'm interested in how you determine how
39 many stations you would need and with that would that number change say if they did
40 50 affordables and they did 50 markets could they get a break on the 50 affordables but would
41 they have to put in a certain amount per because it does say stations and not station. How
42 many stations do they have to do and can they get a break on the affordable 'cause it would be
43 nice to see them get a break on the affordable anytime that affordables are built just to push that
44 envelope and of course, how many stations you know what I mean, how many stations do you
45 have to put in if you're going down the other road so that was my question.
46

1 Ms. McLean: Because the language isn't specific, one station would satisfy the requirement.

2
3 Mr. Tackett: I think that's, I think that's good, and is there a mechanism for them to not...so if
4 it's just one station I would be okay with one station in the multi-family requirement and then to,
5 and then to allow the hundred percent affordable some...a break in that scenario. I think that's,
6 I think that's pretty good. Thank you for clarifying.

7
8 Mr. Carnicelli: Thank you. Commissioner La Costa.

9
10 Ms. La Costa: Thank you, Chair. If we do a minimum of one because my question was the
11 same as Commissioner Tackett's how many are required per parking? So, if you have a
12 hundred parking stalls and just one is required if there are people who live there that have
13 electrical vehicles, electric vehicles rather and they want to have a charging station then would
14 they foot the bill for that? Is there...again, I'm sorry I keep throwing numbers in here but is there
15 any kind of threshold as far as number of parking spaces and number of charging stations for
16 the overall parking area?

17
18 Ms. McLean: The only existing requirement that I'm aware of is under State law that is if there
19 are 100 parking spaces then one EV charging station is required. If you have a multi-family
20 development with 50 parking spaces then there wouldn't be a State requirement to install any
21 charging stations. And under this provision as it's drafted a minimum of one would be needed,
22 and then if owners wanted more then that would be up to the owners and the AOA to figure
23 out if they want to provide more and how that would get funded.

24
25 Ms. La Costa: Thank you, Director.

26
27 Mr. Carnicelli: Well, if you think about, no and if you think about it too just from the standpoint of
28 how the ball bounces right, is at some point in time the developer is going to have to go in front
29 of the Council and get you know, either, you know community plan amendment, change in
30 zoning, something and then this, this particular policy will come up and it will probably be no
31 different than some of the conversations that we have, remember when like Costco came and
32 they wanted to add five pumps and we said, okay, no we want five charging stations, right for
33 their SMA Permit, we said okay you want five pumps, we want five charging stations and so
34 ultimately this is gonna be one of those things that probably...I'm guessing would be hashed out
35 in front of Council and they'll wrestle with the fact, okay, listen we're 50 percent affordable and
36 so then they're blah, blah, blah, blah, so I think that the intent of what it is that we're trying to do
37 here is there and I think again, for the what the community plan is, I don't know if we need to
38 drill down on exactly numbers of things, like numbers of charging stations...(inaudible)... and
39 believe that Commissioner Tackett had his hand up and then we'll go to you
40 Commissioner Freitas.

41
42 Mr. Tackett: I don't know if anybody can answer this but I'm not an electric car guy but if we do
43 require the one would subsequent charging stations be easier for them to add because you
44 have the infrastructure for the first one in place is that how that works or is there not enough
45 draw when you set up one, do you just set up enough draw for one and then you start from

1 scratch with any other ones that come up after that so I don't know if anybody understands that
2 on that level 'cause I really don't.

3
4 Ms. Pali: I can chime in, Chair.

5
6 Mr. Carnicelli: Yeah go ahead.

7
8 Ms. Pali: I have an electric car and there's different kinds of chargers, you have the super
9 chargers that need a special outfitting and special mechanism and then they actually do have
10 chargers that will go right into a 210 plug or a 220 plug and so if they did sort of lower grade
11 ones not like fast super chargers they could probably just tap off of an exterior outlet in the
12 building to be honest. You don't necessarily need a charging station and so I think if we require
13 one, I think if the new developments coming in they might go ahead and retrofit their buildings to
14 allow other types because I can tell you what, one is not gonna serve 250 units you know, a
15 hundred units you know. So, we'll let the association do that and worry about that. I think I'm
16 okay with the market rate and just requiring that at this point. Thank you.

17
18 Mr. Tackett: Thank you for enlightening me on that too because it's really hard to make any
19 kind of decision without that information for.

20
21 Mr. Carnicelli: Great. Commissioner Freitas.

22
23 Mr. Freitas: Thank you, Chair. I keep staring at this person's words, this is death by a million
24 cuts. It's a knockout blow to the affordable housing. I like what Commissioner Tackett had said
25 about not making it required for a hundred percent affordable. I also kinda like what he was
26 saying what if there was infrastructure required to be put in, just electric power laid out
27 periodically and for those that want to put in then they deal with putting their own in if you want
28 to go the other more inexpensive way like Commission Pali said, they can plug into an electric
29 right outside their property, but I'm not sure how many of you have lived in some of these multi-
30 family developments but sometimes you don't really have your parking next to your house, you
31 gotta park way far away so you don't have access to electric out of your house so maybe a
32 possibility would be to put like Commissioner Tackett said, I don't know either how difficult that
33 is or what the components to put infrastructure and make that the requirement, but definitely
34 none for the affordable housing so put it, put that market word in so that if there's one market
35 then they have to, but if there's no market and it's all affordable they don't need to. Thanks.

36
37 Mr. Carnicelli: Got it. So, let's go ahead and throw a motion on the floor. Is the Department's—
38

39 Ms. Pali: I'll do it Chair. I'll make a motion to finish up 2.2.4 require all new large commercial
40 and market rate multi-family development and so on and so forth. So, we're inserting the
41 word...there's a motion on the floor by Commissioner Pali to insert the word, rate, a second by
42 Commissioner Thompson. Any discussion on the motion at this point. I think we've kinda
43 circled it for a while. Okay, so all those in favor of the motion? All right, unanimous, it passes.
44 So, we did all of that to just go right back to the Department's recommendation an hour ago.

45
46

1 *(Motion was made at approximately 00:40:06 of Chapter 2 of the audio recording.)*
2

3 **It was moved by Ms. Pali, seconded by Mr. Thompson, then**
4

5 *(Vote was taken at approximately 00:40:40 of Chapter 2 of the audio recording.)*
6

7 **VOTED: Policy 2.2.4, to insert the word, “rate” after “market”. To read:**
8 **“Require all new large commercial and market rate multi-family**
9 **residential development to install and maintain charging stations to**
10 **support the expanded use of electric vehicles in West Maui until**
11 **future technology advancements make this unnecessary.”**
12 **(Assenting – K. Pali, D. Thompson, K. Freitas, S. Castro,**
13 **C. Tackett, P. D. La Costa)**
14

15 Ms. Maydan: Chair, as you probably remember the CPAC spent a lot of time on this individual
16 policy as well. I can't say we thought it would produce this much discussion but here we are,
17 good job.
18

19 Mr. Carnicelli: PV, all right, and then we'll just shoot all of our cars into space like...So, I guess
20 at this point in time is there anything else that...questions, comments, concerns that we
21 want...so I believe on the agenda, Director we do have the notice of the next meeting and the
22 discussion of the next meeting agenda.
23

24 Ms. McLean: Yes, Chair. Yep, August 11th, and I believe you'll have a half day with your
25 regular business and then the second half of the day after lunch would be on the continuing with
26 the community plan.
27

28 Mr. Carnicelli: We start I think it's like at 1:30 or something like that is what the agenda's going
29 to read.
30

31 Ms. McLean: I believe so, yeah.
32

33 Mr. Carnicelli: Okay, so Commissioner Freitas.
34

35 Mr. Freitas: Thank you, Chair. What section would we go from 2.4 to all of three?
36

37 Mr. Carnicelli: Jen, if you want to go ahead and drop that.
38

39 Ms. Maydan: Sure, Chair. So, the August 11th meeting is from...it starts at 1:00 p.m. and it is
40 Section 2, and it covers Goals 3, 4 and 5. So, all of the remaining goals within Section 2.
41

42 Mr. Freitas: Okay, thank you.
43

44 Mr. Carnicelli: Got it. Okay, so guys I thought that we did fairly good for our first meeting of
45 doing this. It is going to be helpful if we have...you know if we could get stuff to Jen ahead of
46 time and so then she can lay it all out, and Jen it would actually if we could get it to you early it

1 be better if you could put it all one page rather than going back and forth between things if
2 that's, if that's possible and then sorta hammer things out. So, anything that you guys think that
3 the way as far as structurally how we went through it that you would like to see different or
4 change? Maybe if something comes then you can email myself or Jen or Michele or Pam and
5 do that. So anyways, thank you very much for a very long day, nearly 12 hours or I guess
6 11 hours. Thank you for your service Commissioners, I appreciate everybody that's on the call.
7 Staff as well, Michele, Jen, Pam, Carolyn, the ever present and dutiful Carolyn,
8 she...(inaudible)...a lot of credit. So anyways, thank you everybody. Meeting is now adjourned.
9

10 **C. NEXT SPECIAL MEETING DATE: August 11, 2020**

11
12 **D. ADJOURNMENT**

13
14 The meeting was adjourned at approximately 8:19 p.m.

15
16 Respectfully Submitted by,

17
18
19 CAROLYN TAKAYAMA-CORDEN
20 Secretary to Boards and Commissions II
21

22
23 **RECORD OF ATTENDANCE**

24 **Present**

25 Lawrence Carnicelli, Chair
26 Stephen Castro
27 Kawika Freitas
28 Kellie Pali
29 P Denise La Costa
30 Christian Tackett, Vice Chair
31 Dale Thompson
32

33 **Others**

34 Michele McLean, Director, Department of Planning
35 Pam Eaton, Long Range Division Planning Program Administrator
36 Jennifer Maydan, Supervising Planner
37 Michael Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel (on-call)