

**MAUI PLANNING COMMISSION  
REGULAR MEETING  
JANUARY 23, 2007**

Approved: 2/27/07

**A. CALL TO ORDER**

The regular meeting of the Maui Planning Commission was called to order by Chairman Wayne Hedani at 9:04 a.m., Tuesday, January 23, 2007, Planning Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui.

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

Mr. Hedani: We'd like to open it up for public testimony at this time. Public testimony will be taken on any agenda item in order to accommodate those individuals who cannot be present at the meeting when the agenda items are considered by the commission. Public testimony will also be taken when the agenda item is taken up by the commission. Maximum time limit on individual testimony is three minutes. A person testifying at the beginning of the meeting will not be allowed to testify again when the agenda item comes before the commission unless new or additional information will be offered. Are there any members of the audience that would like to offer testimony at this time? Seeing none, we'll go ahead and move to New Business.

**B. NEW BUSINESS**

1. **A & B PROPERTIES, INC. requesting an Environmental Assessment Determination on the Final Environmental Assessment (FEA) prepared in support of its Special Management Area Use Permit application for the proposed Kahului Town Center Redevelopment project (primarily the Kahului Shopping Center site) located at TMK: 3-7-007: 005, 008, 009, 010, 027, & 050, Kahului, Island of Maui. (EA 2006/0008) (SM1 2006/0010) (A. Cua)**  
(The draft EA was reviewed at the September 12, 2006 meeting.)

**The proposed action involves the redevelopment of the existing Kahului Shopping Center into a mixed-use commercial/residential development, including retail, office, and other commercial spaces, 442 multi-family residential units, and related off-site and on-site improvements.**

**The proposed action does involve the use of State or County lands.**

**The Planning Commission may act to accept the Final EA as a Findings of No Significant Impact (FONSI), request more information, or require the preparation of an Environmental Impact Statement (EIS) based on the Hawaii Administrative Rules, Title 11, Department of Health, Chapter**

**200 regarding Environmental Assessments and Environmental Impact Statements.**

**The public hearing on the Special Management Area Use Permit will be scheduled for a future date after the Chapter 343, HRS process has been completed.**

Ms. Ann Cua: Mr. Chair and Members of the Commission, Colleen pretty much took you through basically what I was going to say. We're completing the Environmental Assessment process at this time. Once the process is completed, we'll go ahead and schedule the SMA permit and bring that before you in the context of a public hearing. The applicant is going to go through a power point presentation just to again familiarize you with the project very briefly, take you through some of the agency comments. The department did meet with the applicant. We went over the power point presentation. We asked them to include some additional items that we wanted them to cover with you today. So with that, I would turn it over to Mike Summers from Chris Hart and Partners, sorry, Grant Chun from A & B Properties.

Mr. Grant Chun: Good morning everybody. Thanks for having us this morning. Well, we've had an opportunity to meet with you all in February and September of last year. In February, we spent some time introducing the Kahului Town Center project to the Maui Planning Commission and in September, of course, we were here to spend some time together reviewing the draft Environmental Assessment for the project and today we're here to present the final Environmental Assessment.

In preparation for the final Environmental Assessment this is the process that we followed. As I indicated we met here on September 12, 2006, subsequent to that meeting we submitted the draft EA to the Office of Environmental Quality Control for publication in its bulletin. We engaged in consultation with agencies for comment on the draft EA and worked to address issues raised through agency comments in the production of the final document.

So today, we're here to respectfully request that the planning commission accept the final Environmental Assessment and issue a finding of no significant impact for this project.

This slide outlines the project team who has worked on the Kahului Town Center and we have representatives from each of these groups that will be here to answer any questions you might have following the presentation.

Just to refresh your recollection of the project. The Kahului Town Center is proposed for the block in the Kahului where the Kahului Shopping Center is located. It's bounded by

Kaahumanu Avenue, Puunene Avenue, Kamehameha Avenue and Lono Avenue.

This is a good aerial photograph of the area to give you a vantage point of the property and its surrounding area.

Essentially the proposed project will be a mixed use town center which will include commercial retail and residential uses as outlined here. The project site is just shy of 20 acres and the permits listed here are required for the project.

Our objectives for the project are essentially pretty ambitious, but essentially we feel that by reintroducing the traditional neighborhood that existed on this site before the Kahului Shopping Center was constructed we can go a long way towards reviving the town of Kahului.

As we discussed when we met last, this is Maui's biggest town yet it tends to lack a feeling of having a center of town. The strategy for achieving this goal include a heavy emphasis on pedestrian orientation in a streetscape that we hope people will find pleasant and welcoming.

Our design objectives include the use of architecture that is inspired by buildings that we love here on Maui. Again, emphasis on a pedestrian orientation, a mixture of uses and human scale, all big pieces of the strategy we're employing to achieve these objectives.

Just to recap, this is a conceptual rendering of the kind of feeling we're trying to achieve. You can see there's a heavy use of landscaping, very wide sidewalks and streets that are narrow enough so that crossing the street won't feel like a big deal. You also note in this rendering a variety of architectural styles that we hope will make this a really interesting and enjoyable place to spend time.

This is the site plan of the property and key elements that I'll just call your attention to are the reintroduction of the streets that existed on this block historically. Buildings that are pushed up against the sidewalks. Sidewalks that are wide, 20 feet in width actually. Parking hidden from the streetscape because they're in back of buildings. And a roundabout where the two streets intersect. There also features a park at the middle of the block here and in the short term as an interim activity we'd like to feature a farmers market in the vicinity of the park in the structures adjacent to the park and eventually we'd like to be able to have this space along the park as a nice pleasant place for restaurants and outdoor dining.

Just real quickly in the next slides, we'll run you through essentially the change in the streetscape that is proposed to occur. This is corner of Puunene and Kamehameha Avenues as it exists today and as proposed.

This is next view is of Lono and Kamehameha Avenues today, and as proposed. And you can see that with the buildings and their massing that vast expanses of parking are hidden and so the street becomes more pleasant and hopefully more inviting for pedestrians.

This is a view of Kaahumanu and Lono Avenue today, and as proposed.

And finally, a view looking up Kaahumanu Avenue towards Wailuku. This is Puunene and Kaahumanu. So essentially I just want to reiterate how excited we are about the possibility of this perhaps being the start of a renaissance for Kahului. For us, this is a very meaningful and significant effort and I want you folks to know how much we appreciate the positive feedback we've received from the commission in our past meetings.

Right now, I'm going to hand the microphone over to Mike who will be addressing the process that has occurred in preparation of the final Environmental Assessment. Thanks again for having us here.

Mr. Mike Summers: Mr. Chairman, Members of the Commission. My name is Mike Summers. I'm a land use planner with Chris Hart and Partners and today I'll be giving you a brief overview of the agency comments received during the review of the draft EA. I'd also like to note that we do have our entire project team here today including our civil engineer, traffic engineer, landscape architect and architect and they will be available at the end of the presentation to answer any questions you might have.

During the EA, draft EA review period the environmental assessment was transmitted to all the agencies that typically review a draft environmental assessment. I believe it was 20 agencies that we transmitted the application to. We received comments from 16 of those agencies and we will summarize some of those major comments today.

You should have all received from the Planning Department a bound document. I know Jonathan received an entire document. The rest of you would have received a document that would indicate the changes made to the draft environmental assessment. These changes would basically comprise the final environmental assessment. The changes would include changes to the report text.

You would notice that there would be underlines indicating additions to the report text and strikeouts which would be deletions to the report text. You would also have an archaeological monitoring plan that would be Appendix D in the final environmental assessment. Agency comments and responses that would be Appendix J. You'd have a revised traffic impact analysis report which would be Appendix I. A sewer impact study which would be Appendix K, and a summary of the draft U.S. Green Building Council LEED Neighborhood Development Standards which would be Appendix L.

Now in response to the application we received, of course, a number of comments and most of these comments focused or centered around four issues, those issues being traffic, drainage, wastewater and archaeology.

Beginning with traffic, regarding the project driveway along Puunene Avenue, we did receive a comment from the State Department of Transportation and SDOT indicated that it was basically not in favor of a new project driveway to Puunene Avenue from Quadrant 1. And basically more specifically their concern had to do with the possibility that you have right-turning vehicles exiting that driveway. That driveway is pretty close to Kamehameha Avenue and they were concerned that you'd have right-turning vehicles leaving the driveway and then quickly trying to merge left into the left-turn lane that would – you know, and then they would try to get onto Kamehameha Avenue and their concern was they'd cause a traffic issue with through traffic.

In response to that concern, our civil engineer did prepare a revised, maybe I should have said Kamehameha Avenue, left turn onto Kamehameha Avenue. In response to that concern our project engineer did provide a mitigation measure and that mitigation measure can be discussed in greater detail at the end of this presentation.

There was also a comment regarding pedestrian crossings at Puunene Avenue and Town Center Drive. We received comments from both the State Department of Transportation and the Police Department and they both requested that we try to mitigate or provide a safer crossing opportunity for pedestrians at that intersection. You're probably aware that Puunene Avenue is a very busy roadway. And in response, we have tried to accommodate pedestrians by providing a pedestrian refuge median along Puunene Avenue and also restricting turning movements out of Town Center Drive onto Puunene Avenue, the right turns only and turning movements into the project from Puunene Avenue to right turns only. And I would also like to note that we will continue to work with State Department of Transportation to explore additional mitigation measures to resolve pedestrian concerns.

There was also a comment by this Planning Commission in the review of the draft environmental assessment regarding pedestrian crossings at Kaahumanu Avenue specifically with respect to superferry traffic. The concern was that you'd get quite a bit of pedestrian traffic from the superferry and that we didn't have adequate crossing, potentially didn't have adequate crossing opportunities along Kaahumanu Avenue. And I would like to just point out that we do have two controlled intersections, Puunene Avenue and Kaahumanu Avenue as well as Kaahumanu Avenue and Lono Avenue and both of those intersections do provide timed crossings for pedestrians. And so we believe that with the addition of the superferry specifically that Puunene Avenue/Kaahumanu Avenue controlled intersection would be sufficient to accommodate those pedestrians.

Planning Commission also raised a concern regarding the potential for overlap between

superferry traffic and traffic generated by our project. Specifically what we're talking about here is the potential that you might have the peak period for the superferry overlap with the peak period for this project. And in the event that you have that scenario then obviously there would be exacerbation of traffic conditions. Just like to note that the state is basically telling us and telling the public that the peak period for the superferry will be from 11:00 a.m. to 1:00 p.m. It's a mid-afternoon peak period, whereas the peak period for our project would be 6:30 a.m. to 9:00 a.m. that would be a.m. peak period and the p.m. peak period would be from 3:30 p.m. to 6:00 p.m. So we do have different peak periods. But in the event that for example the superferry was significantly delayed then you might have situations where you would have an exacerbation of traffic conditions. And in response to your comment, we did have our traffic consultant conduct an analysis to see what that impact might be and that is included as Appendix, I believe it's Appendix K in your report and he would be available to address any questions you might have. But basically the study does indicate that of course there would be a significant exacerbation of traffic conditions if that situation were to occur.

Would also like to note that we are proposing mitigation measures. There's a number of intersections affected by this project. I do have some slides at the end of this presentation for our traffic engineer so that if you would like to have some additional discussion about what those mitigation measures are he would be more than happy to give that to you.

Planning Commission also raised a comment regarding drainage conditions on the site and the possibility that the applicant could accommodate more drainage on site than what is required by the County. As you're I'm sure are all familiar that when a property is developed you're required to contain the increase in runoff on your site. In response to that comment we did have our civil engineer go back to the plans and review and quantify what amount of increase our proposed drainage system could accommodate at full build out. And basically what that quantification determined was that at full build out we will have an increase in runoff of 21.55 cfs over existing conditions. Our system will accommodate 54 cfs which is approximately double that County standard. So in fact, relative to existing conditions, we'll actually see a decrease of approximately 32.45 cfs of runoff that's currently flowing to the ocean. So we're actually helping the situation there.

We did receive comments regarding archaeology from the SHPD. SHPD requested that we do conduct monitoring during the construction phase and the rationale for that was that you know this is a historic area and also there are sandy deposits on this site so they felt it was warranted. And in response we did prepare an archaeological monitoring plan. It's dated October 2006 and it was forwarded to SHPD and we're currently awaiting their acceptance letter.

We did receive a comment from the Planning Commission regarding public transit. The Planning Commission did indicate that they would like to see a drop off point within the

project for bus transit. And in response, we have provided a drop off lane at the Kinau entrance to the project from Kaahumanu Avenue.

An additional concern that the Planning Commission had – or it wasn't a concern, it was a comment, they requested that we clarify whether or not we'd be undergrounding the utilities along the major abutting roadways fronting the project site. And as a part of the road widening project along Puunene Avenue that's actually required as part of this project we will be undergrounding the utility lines along Puunene Avenue. Along Kaahumanu Avenue, I'd just like to note that basically that is a State highway and the State does not require undergrounding and moreover, those utility lines would be really – it's just not feasible to underground those given the capacity of the lines, etc. So undergrounding of utility lines will not occur along Kaahumanu Avenue. And the utility lines along Kamehameha Avenue and Lono Avenue are located on the opposite sides of the roadway. So again, those utility lines are not required to be undergrounded.

There was also a comment by the Planning Commission regarding the potential for emissions from utility lines and what the potential impact might be on residents of the project. And as a response, our consultant team did contact Maui Electric Company and Maui Electric Company indicated there would be no impact from those emissions on residents health at the Kahului Town Center.

Planning Commission also requested clarification as to whether we'd be using an onsite well for irrigation purposes, and I'd just like to note that fact we will be using an onsite well for irrigation.

Planning Commission also commented that they'd like to see the developer seek LEED certification and the applicant is currently assessing the feasibility of LEED certification for this project. And I would also like to note that we are committed to energy and conservation measures and some of those measures are discussed in your final environmental assessment on page, I believe it's 19 and 20.

Finally, the Department of Public Works and Environmental Management did have a comment regarding the capacity of the existing sewer system to accommodate the development of this project site. And so the applicant did hire Brown and Caldwell to conduct a sewer impact assessment and that study is included in your report as Appendix K and basically the study does determine that at full build out there will be more than adequate capacity within the County sewer system to accommodate this project. And that would both be the transmission lines and the plant capacity.

And with that, I'd just like to thank you very much for your attention to this project and again, we do have our project team available for any comments, questions, etc., that you might have.

Mr. Hedani: Questions from the Commission? Commissioner Freitas.

Ms. Freitas: Thank you Chair. Mr. Summers, is it across the street where presently there's like housing being built? You know it's yellow and steel? That's not this project, right? It's right across the street.

Mr. Summers: That's not this project. It's on Vevau Street and that would be student housing project.

Ms. Freitas: Okay, now when that was coming up, when you were before us before, didn't we talk something about that access there about them crossing the street. Wasn't there even at one time somebody said something about a raised walk or something?

Mr. Summers: We did talk about pedestrian mitigation measures for that project and there was – there's a lot of improvements proposed along Puunene Avenue – I'm sorry, along Vevau Street to accommodate the pedestrians including raised crosswalks, sidewalks, etc. Now at Lono Avenue or Vevau Street and Lono Avenue there's a proposal for a four-way stop sign and there would be crosswalks there as well. So definitely there has been consideration of the pedestrians from the Kahului Town Center and how they would be accommodated both in the design of this particular project, but also in the design of that project.

Ms. Freitas: Okay. And just one more thing before I let it go, the timing on these, it seems like there's some problem with how long the timing is on these crosswalks. So is that standard, you know, when they have the countdown of how much time you have to go across the street? Is that standard how much time you have or can they increase that?

Mr. Summers: You know I think that would probably be a better question for our traffic consultant.

Ms. Freitas: Okay, thank you.

Mr. Hedani: Commissioner Starr.

Mr. Starr: Yes, and thank you for all the work that's been put into this...(inaudible)... deep and voluminous study. I realize – now on the preliminary analysis of superferry traffic, Appendix F, it mentions that a copy of the draft EIS for the superferry was obtained and reviewed and that the EIS for the superferry was consistent with discussions with consultant preparing the EIS and with Harbors and so on. Since it's been mentioned in this document as a supporting document I really wasn't aware that such a document had been prepared and that it was available for the public. But since you do mention it and it is a supporting document for this I'd like to obtain a copy of that, is that possible?



Mr. Summers: I'm sure it probably would be. Now I'm not sure if it's a final document yet or if our traffic consultant obtained a draft document but let me have him address that.

Mr. Phillip Rowell: I believe in the previous draft, traffic study that we submitted back last year there was a copy in that ..(inaudible).. as an attachment. But you didn't get that report I guess? But I can get you a copy. I have a copy. It was a courtesy copy from their consultant but I think it's been finalized now.

Mr. Starr: Okay, I would like a copy.

Mr. Rowell: There is a copy around here somewhere.

Mr. Starr: While you're up there just so happen to have a question for you and this is kind of in line with some discussion we had here about a month ago. I was reading your – some of the TIAR and the level of service and I was surprised to see at a lot of the critical intersections where the LOS is already at F, you're projecting that this project will actually decrease the traffic. I'm always somewhat surprised when I see that.

Mr. Rowell: Well first of all, let me – there are a number of factors that went in that. First of all, you're subtracting the existing traffic out of the system. So that will decrease your background numbers. But we've also got a number of improvements that not only is mitigation measures but improvements as part of the project. So some of those – well, not knowing which specific one you're talking about, I can't really answer but there are a number of factors you got to consider in that.

Mr. Starr: I'll have to –

Mr. Rowell: While you're looking at that, can I answer your question?

Ms. Freitas: Yeah, the timing.

Mr. Rowell: The pedestrian signals are actuated when somebody pushes the pedestrian button, and once they push that button they get a certain amount of walk time, and then once that certain amount of walk time expires then they start getting the flashing don't walk sign and that's when you get the count down. In Hawaii, I'm told that there's a – it's a standard seven seconds for the walk and then the flashing don't walk is based on the width of the roadway. You're allowed four feet per second to cross a roadway. That is the standard. I think in Hawaii they use five or five and a half or something like that. So in answer to your question there is a standard but that is variable. What they're actually giving depends on the width of the road.

Ms. Freitas: So can you alter that standard? Or is that – that is what it is?

Mr. Rowell: You can alter it, yes. But keep in mind it's at the expense of green time on the road.

Ms. Freitas: Okay, yeah and I understand that for the flow and everything, but I walk Kahului all the time behind my mother on her scooter. And on her scooter, it's hard to get across the street in time. So already we're having a problem and just given what's going on on Oahu, we don't want to see that happening here. So, you know, I'm out there. I know it's not enough time so I'm just asking for some consideration in that.

Mr. Rowell: If there's a particular intersection or location you need to talk to the agency that is responsible for that intersection, either the State or the County and they're usually pretty receptive.

Ms. Freitas: And so like if we find it's too short, we just call them and say that –

Mr. Rowell: They'll probably do some type of assessment. They'll probably review the timing. You know, after that I can't –

Ms. Freitas: And they isn't you?

Mr. Rowell: No, it's not me. I don't work for the State.

Ms. Freitas: No, I understand that, but if we say in this project, you need to extend the times.

Mr. Rowell: Oh, you're talking about adjacent to this project?

Ms. Freitas: Yeah.

Mr. Rowell: Okay, I misunderstood.

Ms. Freitas: Well, I am talking about Kahului, but yes, I'm concerned about this project because of what it's adding.

Mr. Rowell: I guess what we could do – well, I could talk to the State and see what they would let us do. And if they wanted additional information then I could probably get it.

Mr. Freitas: You know, all that senior center is over there and all those seniors are going to want to come down here to this town center and so I can just see that draw happening and you know, I see all these elderly people there and it's sad. Luckily I go with some of them but not all of them have an escort.

Mr. Rowell: Okay, let me just say we're going to be talking to DOT on a number of issues because they to sign off on all our recommended mitigation and I'll talk to them about this.

Ms. Freitas: Okay. Just considering where it is and the seniors around there. Thank you.

Mr. Rowell: We'll just bring that up in our discussion, see what they need and if we can do something.

Ms. Freitas: Thank you.

Mr. Hedani: Commissioner Amorin.

Ms. Amorin: Thank you Chair. Good morning Phillip, I don't know if this question is to be directed to ...(inaudible)... to the presentation about traffic mitigation. So my concern is with the pedestrians because of the – there's going to be a lot more people at peak times and especially the superferry, my concern is for the pedestrians who are maybe physically not able to get across the street faster. Are the lanes or the walk areas are the dimensions going to be increased to allow for this heavier flow of pedestrians coming in and out of the area or the surface of the street going to be changed? I just wanted to know more detail regarding mitigation measures.

Mr. Rowell: I'm not aware of any plans to widen sidewalks. The standard width is eight to ten feet along there. Granted I think there will be an increase of pedestrians but I don't think we're going to see the throngs of pedestrians crossing Lono Street or Puunene Street or even Kaahumanu. I mean, I've been out there the last several weeks and you see one or two pedestrians straggling across Kaahumanu at a time. So it's not – the capacity of that crosswalk I don't think is an issue. As far as changing the texture, I think that is something that will come up when the State reviews our plans for the improvements. They may ask for that, they may not. But there might be some requirements, I don't know. Mike reminded me, we are proposing a pedestrian refuge median along Puunene.

Ms. Amorin: I beg your pardon?

Mr. Rowell: A pedestrian refuge lane so they do not cross the entire street at one time. We had a graphic last time of that and we have another graphic of this. But basically we got to widen, there's a section there of Puunene between our Town Center Drive and Kaahumanu that is only four lanes wide. And we're proposing to widen that to put in an additional lane up at Kaahumanu. And rather than just widening it at intersection, we're going to widen it the whole length of the roadway and use that remainder as a pedestrian refuge lane, median. But I still don't see any pedestrians or very many pedestrians trying to cross Puunene during the peak hour. I mean, right now there are none. We didn't see any during our counts.

Ms. Amarin: I think my main concern is Kaahumanu with the superferry. This is an amazing project, it's huge. And I think that crosswalk dimension there maybe for the superferry with people going back and forth, it's too small. You're going to have to enlarge on that.

Mr. Rowell: Okay, but question I –

Ms. Amarin: That's not your kuleana?

Mr. Rowell: The question I would have – let me back up now. I share your concern that's going to be some pedestrian activity between the superferry and this project. I mean, this is a pedestrian oriented project. And yes, I think pedestrians probably going to congregate at this center and then walk over to catch the ferry is what I think is going to happen. But I seem to be the only one that shares that. The information I'm having, getting back from the superferry is that those people and those vehicles are going to congregate and gather on the superferry side of Kaahumanu. So given that, you know, any of the improvements to accommodate the superferry pedestrians part of this project or is it part of the superferry?

Ms. Amarin: Phillip it's all about safety. It's all about safety.

Mr. Rowell: I understand. But again, that's my question. Now again, as we submit plans for that intersection to the State, that issue could be addressed then or widening the crosswalks, changing the texture, adjusting the timing, all those things will be addressed by the State. And we could sit here and recommend anything and it would still be subject to that final plan approval.

Ms. Amarin: Well, I just wanted to deliver the seed, but it is a safety concern.

Mr. Rowell: And eventually we're going to be going through that same discussion because we have recommendations for the intersection of Kane Street, Kahului Beach Road and Kaahumanu also so we get both ends.

Mr. Hedani: Commissioner Freitas.

Ms. Freitas: Okay, you know we're not real happy about you insinuating that the superferry's problem is the superferry's problem. Your project is to draw people to it. So superferry, seniors, whatever it is, that's the – I would think that A & B wants them there. So yes, maybe we don't have any control, but yes, we do want it in writing to them so when the superferry is coming up with their design and everything of what they're going to do, they know that we have a problem with their pedestrians instead of not doing anything and not saying anything and then they do what they want. You know these people that we look

up – the power point that we saw, I thought it was interesting because when they show how they superimpose what's going to happen and everything, it's funny because there were no cars. And so it's like they removed all the cars, and I wondered if that's how you do your traffic studies? No, I'm just kidding Phillip, sorry.

Mr. Rowell: There's one photograph that does have a long line of cars in front of the project. I asked Mike to please get a different photo, but I don't think he did.

Mr. Hedani: Other questions for the applicant? Commissioner Starr.

Mr. Starr: I'd like you to explain, walk us through this how Kaahumanu Avenue at --

Mr. Rowell: What table are you looking at?

Mr. Starr: Right now I'm looking at page 46 on Table 12 and Table 13, both of them show say Puunene and Kaahumanu, you're showing decrease in traffic as the thing gets big and I just can't buy that Center Street and Kaahumanu.

Mr. Rowell: Excuse me, excuse me, you're looking at the EIS, right? Not the traffic report?

Mr. Starr: Yeah, I'm looking at the EIS. You know, this is the second project in a row with Chris Hart that shows a decrease in traffic after the project is built and I don't buy it.

Mr. Rowell: Where are you at?

Mr. Starr: Table 12 and 13, page 46, 47.

Mr. Rowell: Which intersection are you at?

Mr. Starr: I'm looking at Puunene and Kaahumanu. I'm also looking at Center Street and Kaahumanu. It shows Center Street and Kaahumanu shows a 10% decrease in traffic after this gets built.

Mr. Rowell: Okay, Center Street and Kaahumanu is because we took out, we restricted that – we took out left turns and through movements, restricted movements to right in, right out and left in. So we took out some movements and redistributed them to another intersection.

Mr. Starr: How about Puunene?

Mr. Rowell: Puunene and?

Mr. Starr: Kaahumanu.

Mr. Rowell: When we took out, we subtracted out existing project or site generated traffic at that intersection, number one, and two, we redistributed traffic to account for what we call the pass by trips. Pass by trips are trips that are already along Kaahumanu that turn off into the driveway and because we had to redistribute some of that traffic to all the driveways along Puunene and the other driveways, the left turns that would now be turning out of side driveways and going through this intersection now are distributed to another intersection.

Mr. Starr: This sounds like the – I have a friend who's a musician and he always wonders why he never got paid for any of the music he did, and this sounds like the logic he gets from record company.

Mr. Rowell: No, I'm trying to answer your question. If it were a simple driveway and we didn't change any of the traffic movements, they would turn in, they would turn out, they'd all be balanced out, it would be the same.

Mr. Starr: It seems like all of the LOS F intersections you're showing as a decrease and then those intersections which are, you know, those minor one which are B's and so on, you're showing increasing and I just think that this is a shell game.

Mr. Rowell: No, it's not. First of all, I take a little of offense to that, and I explained to you that that main driveway in number one because we took movements out because it operates at F. We know the left turns turning out of that driveway will operate at F...(inaudible)... and they're unsafe. So we took them out and redistribute it to another driveway. Consequently, the volumes will go down. That's why we did – that is part of the plan and that was based on a discussion with the State.

Mr. Hedani: Phil, let me understand what you're saying. The current Kahului Shopping Center when you're exiting from Ah Fooks SuperMarket onto Kaahumanu Avenue you can execute a left turn right now, and what you're saying is that's going to be restricted to right turn only.

Mr. Rowell: It's going to be taken out. So you're taking volume away, you're putting it somewhere else.

Mr. Hedani: Yeah, I was concerned because that is a dangerous movement to try to – even right now trying to get across that intersection is pretty hazardous.

Mr. Rowell: We actually would have liked to have done that on both sides, but the State had some agreement that we couldn't enforce that on the other side until...(inaudible)...

Mr. Summers: Just in response to Jon's comment. I would like to note that these traffic studies are prepared by a professional engineer, licensed in the State of Hawaii and they're reviewed by a professional engineer at the Department of Public Works and they're also reviewed by professional engineers at the State Department of Transportation. So it's highly unlikely that the consultant working on this particular study would have the opportunity to, you know, fix the study to create a scenario that favors our condition, our project.

Mr. Hedani: Commissioner Freitas.

Ms. Freitas: John.

Ms. Cua: Mike.

Ms. Freitas: I'm sorry, Mike. So State regulations like that with traffic as you was saying they're the same regardless of what island? It's just State and they're the same. So they don't alter anything when they do like Lanai? I mean, don't they adjust them to according to the circumstance? Or is it just standard?

Mr. Summers: Well, I mean, they have standards that they need to abide by and I'm sure there's some flexibility within their department to make judgement calls on mitigation, etc.

Ms. Freitas: Okay, so that's where we have some room in that.

Mr. Summers: Yeah, there's obviously flexibility in the system to allow for mitigation and whatnot. But they operate within standards. I think Phillip would really know a lot more about that than I would. Might be a question that's more appropriate for Phillip.

Ms. Freitas: Yeah. No, it's just that you just came up and stated that, you know, these are the guys and we have to basically trust them.

Mr. Summers: What I'm saying is, every time you submit a report, one of your documents goes to State Department of Transportation, it's reviewed by at least four or five different engineers at SDOT including the Maui Office and the Honolulu Office. It's also reviewed by the Department of Public Works. And they're reviewing these studies, they have lots of comments about assumptions made in the reports. They request clarification. And if they're not satisfied with the response by our consultant then they write back and let us know that we need to do further studies. So I'm quite confident that the studies that we have in our reports are accurate. They're certainly not doctored to favor our project and I think if something like that were to happen, we'd definitely be called on it.

Ms. Freitas: Well, I'm speaking I think for this whole commission. I don't think anybody is

assuming that you would do anything, you know, to favor your project. You do what you're supposed to. I'm just – you know, we hear all the time when we're on the street about our traffic that we don't want it to be like another Honolulu. That's the word on the street. And so that's my concern. If we're using standards that are okay over there, we don't want them here. You know, that's just what I'm looking for is some flexibility so we keep Maui, Maui.

Mr. Summers: Yeah, I think that's a good comment.

Mr. Hedani: Commissioner Guard.

Mr. Guard: ..(inaudible)...

Mr. Rowell: Add a little bit to that. One of the – how long have you been on the commission for?

Ms. Summers: Five years.

Mr. Rowell: I know we've gone through a discussion many times about there are no written established guidelines, standards for when a traffic study is warranted. What the format should be. What the methodology should be. I've been arguing for that for years. I moved here from Los Angeles in '89. I've been practicing here since '89. Most of the cities have established standards, established guidelines that establish what the triggers area. I would really like to see something like that in Hawaii.

Going back to your comment about how the numbers change. There are some methods where rather than taking your existing and your background and your related and adding them all together so you can see how they all add up, there are some methodologies where you do a model. The reason I don't use that is it does change the volumes at intersections and I can't explain why, and here at least, Commissioner Starr's question I can tell him why those numbers went down because I built that table the way I did. And that's one of the things we're very meticulous about is when we look at the various conditions, we get case 1, case 2, case 3, case 4, where you see how those volumes change and which ones change and if we can't explain why, we go back to our spreadsheet and find out if we made a mistake.

Mr. Hedani: Any other questions for the applicant? Commissioner Starr.

Mr. Starr: Mr. Rowell, you know, I don't want to allude that you're not doing your job properly, but you know, I do feel that there's a problem with the system that makes it kind of work in – it's kind of as a result as desired and then perhaps, you know, since the study is being commissioned by the applicant, it is tailored in a fashion to meet those.



Mr. Rowell: Absolutely not.

Mr. Starr: Well –

Mr. Rowell: It doesn't work that way.

Mr Starr: I don't want to discuss it from that point. I want to look at it in a different light because there has been some discussion in this body about different ways that it's done with different jurisdictions. I know you mentioned that you came from Southern California and you had practiced there. Was that in a place where the EIS documents and other traffic studies were commissioned by applicants or in a place, and I know there's a second system where such studies are actually commissioned by the regulating agency?

Mr. Rowell: The process was a little bit different in that your projects fall into different categories. You have basically a categorical exemption, you have a negative declaration, and then you had the full EIS. If you, I worked for the City of Beverly Hills and if a developer came in that had a major project and it was determined that he needed an EIS then he would give the city a deposit and he would pay for the study, but the city would hire the consultant and manage it. If it was a negative dec, declaration, the developer or client would hire their own consultant. But the difference is that a negative declaration only focused on a particular issue. In other words, the Planning Department when they'd see a study they'd say okay, the issue is traffic and noise. So you go out and get a traffic engineer and you get a traffic consultant. The other major difference is that the planning commission didn't review the impact studies. The city had an environmental review board which was the traffic engineer which is ...(inaudible)..., the Planning Department, Public Works, two others, I can't remember, Parks and Recreation and somebody else and they were responsible for the technical review of all the studies. We simply made a recommendation to the planning commission. Planning commission didn't get involved in all this stuff. So the system was very different.

Mr. Starr: Thank you.

Mr. Hedani: Okay, any other questions for the applicant? Commissioner Guard.

Mr. Guard: With 442 units, this isn't in regards to traffic, this is probably for Mr. Summers. I'm looking at the community land use map on where, I believe there's some small parks proposed within the project.

Mr. Summers: Right.

Mr. Guard: Where's the nearest ones? I mean 442 kids that could be quite a few kids compared to Harbor Lights. Just where are they are anticipated to go without just being

downstairs outside closed shops at night?

Mr. Summers: Well, we do have a small pocket park. I believe it's about an acre at the intersection of Kinau Street and Town Center Drive. The project component that has a multi family I believe it's in quadrant 2 component of the project, that particular component actually has some small private park facilities built into the project. I believe there's a tot lot, some grassed area, etc., and our architect would be more than happy to show where that is on the plan. But you can see it right here. It's essentially here. There is also some recreation, private recreation opportunities provided on quadrant 3 that's indicated in your final EA. I believe there will be a pool and some decking with landscaping, etc. There is a park, a beach park, of course, across Kaahumanu Avenue which would be available to the children in this project. So it is an urban project. I'm not aware of any other parks directly around the project site. I know there's a library which would provide some opportunities for the children.

Mr. Guard: I guess I was just concerned, I saw this land use map in the new appendixes, just looking at that I think a lot of people think it is park, that it's all hotel and commercial. From those hotels, all the way across to the bank is that correct?

Mr. Summers: I'm not sure that all that's built out. I mean, what you're looking at is, yeah  
—

Mr. Guard: Yeah, I know it's not built out.

Mr. Summers: I think you'd get a better perspective by looking at the aerial photographs, but you know, I think that —

Mr. Guard: ...(inaudible)... intention of the developer.

Mr. Summers: Yeah, I mean, I believe when you look at it in the context of, you know, one, there really is a very nice beach directly across from this project site, and there's a park there. I mean, that in and of itself is pretty significant. Plus you've got onsite activities available for the kids, at least within quadrant 2. And I know that from having my own kids, it's really a nice benefit to be able to take them to a tot lot. Because you know, when they're at that age, you know, 4 to 5, that's where they like to be. And again, there is a gathering place within the Town Square park and you know, young kids especially don't need a lot of open grassed area to have fun. You know, they just need a ball and a little space and they're happy. We will of course, also be making a significant contribution to the Department of Parks and Recreation, and so there will be a contribution there as well.

Mr. Guard: Yeah, on figure 11 from the draft it looks like you can kind of — gets real hazy on, it might say beach there, and then I was going through this and it just looks like it's solid

hotel/commercial here zoning wise until you get to the MACC over here in blue it looks like.

Mr. Summers: Does that say community plan on the top of that?

Mr. Guard: This says land use. Community plan shows park.

Mr. Summers: Okay.

Mr. Guard: But just for, and I know there's a lot of I guess, here say about where the superferry may dock that if that whole park issue may disappear or not.

Mr. Summers: Well, I think in the future we're going to see that whole area probably redeveloped, but hopefully that existing undeveloped area might be added to the inventory of park lands. I think that would be a nice scenario.

Mr. Hedani: Commissioner U'u.

Mr. U'u: The question I have is off Puunene Avenue there's a church there. What are your plans? Because that's only church I know that directs traffic during hours of church. So what you guys plans? Do you guys have any future plans because it doesn't look like it's going to be there any more? Or will you help them relocate? Or what's happening there?

Mr. Darren Lake: Darren Lake with A & B Properties. We'll work with them to relocate them at the time that that would be removed from the site. But would be a later phase of the project.

Mr. U'u: How later?

Mr. Lake: At this point it would be determined by the market in terms of where the residential market is, but as proposed it would be probably at the earliest 2011, 2012.

Mr. U'u: How long is their lease? Do they have their lease there?

Mr. Lake: Their current lease I believe is a month to month lease with a certain amount of notice given to them. That would be their current lease.

Mr. U'u: So you guys willing to talk to them though?

Mr. Lake: Oh yeah, absolutely.

Mr. Hedani: Any other questions for the applicant? Commissioner Starr.

Mr. Starr: I want to ask about LEEDs. You know I'm really a fan of the LEEDs program. I think it really does help in many, many different ways. I would like – I kind of feel like what's happening is it's kind of being dangled before us, you know, as something that would – you know, is saying it would like to happen. I'm wondering what is the actual chance that the LEEDS guidelines leading to one of the levels of LEEDs certification can be attained on this project because I'd like to see it and I think that that's the way that, the wave of the future. We might as well get on it now.

Mr. Steve Marlett: My name's Steve Marlett. I'm with MC Architects, the project architect on the overall project. And yes, we are still investigating the feasibility of implementing just as a matter of practice a lot of the green building technologies and following the LEED guidelines. More importantly the U.S. Green Building Council is currently reviewing a couple of certifications that generally really fit this project quite well. One of them is the neighborhood development certification with LEED, and the other one, is the LEED multi family certification. Again, both of those programs are under review. They've implemented and released some of the preliminary draft standards and a portion of that table generally has been implemented into the appendix within the booklet that you've received. And the concept of that is to take it, a LEED certification from just a single building or the concept of a LEED certification to a single building and apply it to much larger neighborhood generally. So the ideas that are implemented into their relatively general ideas but installing water conserving low-flow fixtures, energy efficient landscaping,...(inaudible)... single pass cooling maintenance programs to prevent leaks of water and things like that. As far as overall energy conservation matters for natural cooling things like using reflective light colored roofing, radiant barrier insulation, roof vents, light colored paving, providing issues – tree plantings to shade buildings and paved areas like we're doing down the middle of Town Center Drive. Looking at the orientation and the design of building to natural ventilation and things like that. Implementation of solar water heating as much as possible. Implementation of things like energy efficient light fixtures, fluorescent fixtures, T8 ballasts, things like that. So we believe the approval of that LEED Neighborhood Development Certification will happen within the profile of this project coming on line and that's an issue that we're still investigating to see how it would fit with this project. Again, we don't know the final format of that certification and that's an issue that we're still investigating to see how it would fit with this project. Again, we don't know the final format of that certification so it's hard to address some of those issues. But again, what we want to try to do is keep this sort of as the poster child you might say of what the possibilities towards green building and energy efficiency actually is.

Mr. Starr: You gave us, just gave us a laundry list of things which, you know, if followed would certainly be admirable. Is am I to understand and I kind of like to hear from I guess from Grant on this, are these things that you intend to implement in the project?

Mr. Chun: Well, Jon, as Steve mentioned, the standards right now are in draft form and we

agree that they're admirable standards for us to work towards. As we work in fleshing out the plans and the construction drawings, you know, this is a phased long-term development and so we're going to have to assess that question over time as the standards are solidified. Because right now, you know, it's – number one we don't have specific construction drawings that we can assess in terms of cost and number two, the standards are not specifically defined yet. And I'm sure they will evolve as technology improves over time. So it's a commitment to constantly assess and reassess our ability to work within the standards.

Mr. Starr: Okay, I wish there were a more, you know, a more – a firm commitment being made because I think that that would really make this project even more newsworthy and even more noteworthy. I do believe that there's an attempt to really improve Kahului with it and so, you know, you're to be complimented on that. But it will be a lot more of a statement especially for the future if you're able to incorporate these things which do fall under that LEEDs list and you know, if not all of them, certainly enough to get a LEEDs rating. You'll be doing our community a lot of good. Thank you.

Mr. Hedani: Commissioner Guard.

Mr. Guard: This might be for Steve. Have you worked on any LEED projects or the certification here doesn't seem like it will be that difficult to get versus and my main question is prerequisites. If you don't do a prerequisite are you automatically not able to get a LEED certification?

Mr. Marlett: Generally to get the full LEED certification you got to sort of start from day 1 and there's a series of steps that you have to follow in quite detail. Part of that is that initial analysis and the checklist that's been included. So yes, everything that we're proceeding with on the project right now would allow or more importantly would not prohibit our ability to get that LEED certification. But to get the full LEED certification, there's certain steps in design development. There's third party review of all the systems, and you don't actually qualify for the full LEED certification until the building is actually a hundred percent completed, it's third party certified that it's completed and it actually works like it was originally designed and I think it's up to a year afterwards for users actually using the building to see if it still qualifies for certification. So generally, one of the idiosyncracies related to the LEED certification is you can design all day long but if it isn't fully implemented and actually works or how it has been originally designed and documented every step of the way, then you can't qualify for the LEED certification. It's again, it's you know, we can say we want to do it, we want to do it, and we want to do it, but it doesn't happen until it's actually built, occupied and then certified independently.

Mr. Guard: Well, just from looking at this you're definitely – just on redevelopment or urban infill alone gets you a pretty good portion of the way there.

Mr. Marlett: Correct.

Mr. Guard: And then I found out last week that I did not know and that's something for us to consider in future projects is that projects that may have a contested use or where it is you don't get negative points for. So even if you're possibly disturbing archaeological sites, that's not a negative against a project that you do. So something like this that appears to have – I mean, not too many people against it, that you still get the same amount of credits. There's nothing, there's no bonus points, but there's definitely nothing that takes away credits from other developments that may follow all the construction materials but it might not be in the best site possible, right.

Mr. Marlett: Correct. But what you're seeing with that checklist is that first phase of moving towards it. You know, preliminary design, look at the guidelines, see how you compare, redesign things if necessary at that point in time to align yourself with that checklist as much as possible.

Mr. Guard: And then even the number of people per like I guess square footage.

Mr. Marlett: Right.

Mr. Guard: So on a smaller unit, you get more points than a really large unit that's not used all the time because then you're not wasting resources or materials, correct?

Mr. Marlett: Good question. I don't know the detail of that to be honest with you.

Mr. Guard: But it looks like this project would be able to get more points than a lot of other ones.

Mr. Marlett: Correct. Because of its mixed use nature and flexibility with the types of uses and everything, yeah, it stands a very good chance of attaining that.

Mr. Hedani: Commissioner Amorin.

Ms. Amorin: Thank you Chair. Steve.

Mr. Hedani: Might as well stay at the microphone Steve.

Ms Amorin: Hi Steve. Anyway, my concern is for energy efficient and I think you're the man to answer my question. This is such a project, such an opportunity to use and update the resources of today, the technology, you know, I've been to a lot of different countries and that's old school with them as far as me going into a hotel room putting in my card key in the wall and the energy goes on. Pulling it out, energy goes off. It's such a unique

energy saver. Is that something that's going to be utilized with this project?

Mr. Marlett: Well, we're not quite to that. What you're talking about is a technology there that – like you said, they're using it in a lot of hotels where they're really shutting down that unit per say until you check in actually. You check in and flip the little card in there, they energize the building or that particular unit. I guess I don't know how that would necessarily apply to a condominium unit and whether you can actually do that or whether you can actually potentially control that with a single unit. So I'm a little bit out of my element there. I'd love to see it implemented but I'm not sure how. You know, it's equivalent of what you could do basically in your house, right.

Ms. Amorin: Well, you know, you can utilize it not only for a condo, but merchants retail anything. It's just using the technology and I heard maybe a couple years ago as a commissioner that somebody approached me from Maui Electric Company that they were starting to implement technology like this in Hawaii. And I'm just thinking wow, you guys have an opportunity to really – but you know, cost is a big factor. But I've been in places that have been using it over 30 years, and so you know, if we have an opportunity, why not seek it out.

Mr. Marlett: Yeah, I know the hotel industry does use that, and you're right it might be good to talk to MECO and see if they have a program or I guess I'm out of my element there.

Ms. Amorin: Save a lot of money on electricity.

Mr. Marlett: Yeah, I'm out of my element there to understand exactly how it can apply to like a retail space.

Ms. Amorin: I just thought I'd ask the question. Such a great project. Thanks.

Mr. Marlett: Thank you.

Mr. Hedani: Any other questions from the Commission? I have a question Steve. You know when you look at the site plan for the project, from the bird's eye view, there's a tremendous amount of parking area – I mean, the dominating feature is the parking areas and the lack of one tree per five stall requirement which is what I think the County has. Is that because it's decked or is there a way to?

Mr. Marlett: That is because it's decked. So what you're seeing here for instance on quadrant 3 is – and in here actually is those are the lower levels. We're showing the ground level and then there's two levels of deck above that actually. And so I believe in your booklet you'll see sort of the upper level and how those work. So what you would see from the bird's eye view up on this level it's a series, it's a park like atmosphere with pools

and decks and things like. And again, that's that contained park amenity you might say for the residents at that point. Same thing over here in quadrant 3. These two quadrants have generally ongrade parking in here and so anytime we're meeting – or you're seeing the ongrade parking we're meeting all of the landscape, meeting it or far exceeding the landscape requirements because especially on the Town Center Drive where we're really trying to use those large monkey pods and shade the area as much as possible ...(inaudible)...

Mr. Hedani: Okay, so what we're seeing in that picture is not the view that you would see from the top?

Mr. Marlett: Correct, correct.

Mr. Hedani: Any other questions for the applicant? Commissioner Starr.

Mr. Starr: Just one quick follow up on the LEED. I came out of that a little bit confused. Is the project being done in such a way that if feasible it will be able to attain the LEED certification or are steps that would need to be done to gain it eventually not being taken?

Mr. Marlett: We are proceeding down the LEED pathway right now and that's why that first phase which is that checklist. Again, we want to make sure we're not doing anything in the process that would prohibit the LEED certification. So we're following that path.

Mr. Starr: Good, that's what I was hoping to hear. Second, is that there's a reduction, I know it's not a question to you, there's a reduction in the runoff. I'd like to understand how that's being achieved.

Mr. Calvin Sato: Hi, I'm Calvin Sato with Sato and Associates. Basically what we're going to do is retain water on site using the – building underground under the park and in some of the parking areas. So it would be underground retention system.

Mr. Starr: Is there going to be any of – I forget what they're called, but I know some projects, and I know it's part of the LEED list is around say parking areas and sidewalks areas to have a grass strip and you know, filters in that.

Mr. Sato: Yes, we'll try to do that in the ongrade parking areas. There also could be some filtration systems inside the inlets.

Mr. Starr: Yeah, could you explain how that works just for our edification?

Mr. Sato: What would happen is that, we'd build landscape strips and the water would drain to the landscape strips and the grass would help filter out the water. And in areas



where inlets would be in paved areas there are filters built into the inlets where the water would go through a filter before it goes into the piping.

Mr. Starr: Okay, thank you.

Mr. Hedani: Any other questions for the applicant? I have a question for Phil. Phil, the last time we addressed this project we talked about the synchronization of lights along Kaahumanu Avenue. Is that something that you folks have taken a look at?

Mr. Rowell: I believe the question, are they synchronized?

Mr. Hedani: No, the question is have you taken a look at upgrading the synchronization process on Kaahumanu Avenue? I believe they are synchronized but they're like type 1904, yeah?

Mr. Rowell: I wouldn't say that. Yes, I did talk to the consultant that is actually reviewing the coordination and the specific question was, do you go to the next level up? You know, right now basically they have a – they run a program called Transit 7F that the objective of that program is to minimize delay regardless of level of service, but minimize delay. And with that, you reduce the air emissions and all the other pollutants go with it. And the way the system works is you run the program, you get a timing plan, you implement it. And that's kind of where it sits until you come through and upgrade it again.

The next level up is a program that takes data directly from the field. You have traffic counters in the pavements and it counts traffic. It sends that information back to a traffic control center and it reruns the Transit 7F program automatically and then sends some new timing program back to the signal. Unfortunately, it's incredibly expensive. Just this section would be several million dollars to implement. Once it's implemented, it's very difficult to maintain because you have to have a traffic engineer capable of looking at the traffic and making manual adjustments as is needed and staffing that could be difficult if not impossible. So basically I was told bluntly it was not practical.

Mr. Hedani: Okay. Every time I drive through Lahaina, you know we spent \$250,000 or the SVO people spent \$250,000 to synchronize nine signals going through Lahaina. Ever since the earthquake occurred, I'm positive that when the power went off, all the synchronization went right out the window.

Mr. Rowell: It might be possible.

Mr. Hedani: And they've never gotten it back to where it was when they first synchronized it. So I can appreciate the complexity of the problem that you're dealing with.

Mr. Rowell: I – no comment.

Mr. Hedani: Well, this would be even more difficult. We'd have to synchronize it so that the traffic flows freely and doesn't squash the pedestrians in the process.

Mr. Rowell: True. That's one more variable that either actually – you know, we're looking at Dairy Road right now and we're doing a.m. peak hour, p.m. peak hour, we're assessing midday, we're also assessing Saturday. So you could have up to four or five different timing plans that kick in at different times of the day. So it's very complicated.

Mr. Hedani: Okay. Commissioner Guard.

Mr. Guard: Again, this isn't for traffic, sorry. Thank you though. I don't know who this would be for. You mentioned sand on site. With either the drainage culverts that we're building or having to dig down is there any anticipation of how much sand you may be able to either save or use for concrete on site just so we're not covering up a good somewhat becoming a commodity on Maui for your own buildings?

Mr. Summers: Sorry, I'm not exactly sure how to respond to that. There are sandy deposits on site. I'm not sure that we've done a soils analysis or possibly we have. But at this particular point, I'm not sure if we could quantify that. I think that's an interesting question.

Mr. Guard: Well, if you're going to dig down to either store water to take off on site drainage, if we could do that and kind of capitalize on saving as much sand for future use instead of just paving right over something that we know is becoming a hot topic in the building industry for sure to say we could build quadrant 3 with all of the sand on site. I believe A & B leases out other spots for sand mining, if they have that for other operations to say hey, come get this sand out of here, we're going to do some development. Lets get as much sand as we can before we either fill it in with other aggregate and compact that instead of going right over sand.

Mr. Summers: It's an interesting question. I might just note that we will be coming back to the planning commission for SMA permit and certainly some of these questions that you might have where we may not have information available, we can always come back and try to see if we can address those questions at that date. But that's an interesting question.

Mr. Hedani: Commissioner Freitas.

Ms. Freitas: Mr. Summers, just one more question please. All of the project will be built out by you folks? I mean, you're going to build out the whole project or are there going to be some empty lots that you're going to be selling for somebody else to develop.

Mr. Summers: All right, let me have Darren Lake address that.

Mr. Lake: At this point, we intend to build out the whole project but that could change. We could potentially sell off a portion of it where another developer would build one of the buildings based on what we've proposed.

Ms. Freitas: Okay, and so the end result are you anticipating that the entire project is going to be a leased project? Will there be any private ownership in there?

Mr. Lake: For the retail space we're intending –

Ms. Freitas: Any. Housing, retail.

Mr. Lake: Yeah, we're intending to sell the residential portion as fee simple condominium units. And at this point, we're looking at selling the office, the second, third story office space as fee simple condominium units as well, but then retaining ownership of the retail space primarily so that we can control the tenant mix that would be offered so that we have an operating shopping center, efficiently operating.

Ms. Freitas: So I'm assuming whatever is permitted you will then relay that to whoever you sell it to and they will do what was permitted?

Mr. Lake: Yes.

Mr. Hedani: Commissioner Guard.

Mr. Guard: Quadrant 1, you had discussed possibly selling off pads initially when moving the bank or are you going to keep all those for ground lease?

Mr. Lake: We're investigating potentially selling off the areas where the buildings would be for pads, but whether those be – would be separate parcels or condominium units remains to be seen.

Mr. Hedani: Any other questions for the applicant? Commissioner Starr.

Mr. Starr: Yeah, for Mr. Hart. Do you have a copy of that power point you promised me at the December 12<sup>th</sup> meeting?

Mr. Chris Hart: That power point was delivered to Jeff Hunt who was supposed to deliver it to you. It was actually there prior to the second time that you asked me about it.

Mr. Starr: I'll ask Jeff. Thank you.

Mr. Hedani: Any other questions for the applicant? Seeing none, staff.

Ms. Cua: Mr. Chair, I just wanted to make a couple of comments. One, when we come back to you for the SMA permit as I mentioned and the applicant mentioned we are not able to schedule this, the SMA permit project until the environmental assessment process is completed as you well know. I have noted down the comments that you've discussed and is concerning to you which is the pedestrian traffic entering and exiting the project and the timing of the crosswalks at – on all the roadways. You want them to continue working towards achieving basic LEED certification and then the sand issue. That's all something that we can provide you an update on – as part of the SMA permit process. I did real briefly talk to Public Works as we were sitting there and Mike indicated that they have had instances where people call in about the timing of the crosswalks and it's usually with regard to the elderly. And they have actually lengthened the timing. So that is possible and that was the County's comments. And the County basically is dealing with Lono and Kamehameha and then the State would deal with Puunene and Kaahumanu. So we will be communicating with the applicant on that and have them give us an update. They still need to talk to the State about this driveway here. That's the driveway that the State is saying they do not want. So as part of their negotiations on that they can also talk to them about the timing of the signals.

So with that as Colleen mentioned, you have several options, to accept the final EA and issue a FONSI. If you do that the department would wait for the legal challenge period and then we'd go ahead and schedule the SMA that will come before you. You can defer the final EA today, and ask for additional information and we can bring it back to you or you can direct them to prepare an environmental impact statement if you determine that this proposed action may pose a significant impact and requires the preparation of a more detailed document which would be the EIS. The department after its analysis and in reviewing all the comments recommends that the commission accept this final EA and issue a Finding of No Significant Impact or a FONSI determination. Any questions.

Mr. Hedani: Any questions for staff? Thank you. Commissioners what's your pleasure.

Mr. Starr: Public.

Mr. Hedani: We take public testimony on this?

Ms. Cua: I guess so, yeah.

Mr. Hedani: Are there any members of the public that would like to offer testimony at this time? Seeing none, the public hearing is closed. Commissioners? Commissioner Guard.

Mr. Guard: Move to approve.

Ms. Freitas: Second.

Mr. Hedani: Seconded by Commissioner Freitas. Discussion? Commissioner Starr.

Mr. Starr: Yeah, I think this is a really good project and I also think a very thorough study been done. I will be supporting the document. However, I do want to express I guess to myself and the fellow commissioners and the public that I have very deep concerns about the traffic that we're going to be seeing on Kaahumanu when the thing gets built out and I don't really know if the onus is on the developer because they are building something that is designed to create a walking, livable community which is a right thing. But I do think that we're going to have big, big problems when the superferry comes and that's going to be the nexus. I think we're going to create a choke point and I wish I had some wisdom on what to do about it, but I feel like the buck's being passed two ways and we're in the middle. So, – and I also think I'd love to see the process changed to such where these type of studies some of them are done under the ...(inaudible)... of the commission or the department rather than all of them being subbed out and that's something we can discuss at a later date.

Mr. Hedani: Commissioner Guard.

Mr. Guard: I think the traffic ideally it is going to be some benefit that there are more entries and exits throughout the place and ideally that not everyone is going to come into this spot from the superferry. They're going to be going all over the island. Ideally they don't come between 11:00 a.m. and 1:00 p.m. which is probably the worst time at that intersection to have them come for either people trying to do their banking or going to eat lunch. If A & B has their ear at all, maybe they can help out with that. Midmorning might be a little easier.

Mr. Hedani: Any other discussion? Ready for the question.

**It was moved by Mr. Guard, seconded by Ms. Freitas, then unanimously**

**VOTED: To Approve the Recommendation to Accept the Final Environmental Assessment and Issue a Finding of No Significant Impact (FONSI) Determination.  
(Assenting - J. Guard, S. Freitas, B. U'u, J. Amorin, W. Iaconetti, P. Eason, J. Starr)**

Mr. Hedani: Carried. Thank you. Take a 10-minute recess.

A recess was called at 10:31 a.m., and the meeting was reconvened at 10:43 a.m.

2. **ELLEAIR HAWAII, INC. requesting comments on the Draft Environmental Assessment prepared in support of the Shoreline Setback Variance application for the Proposed Demolition of the Remaining Maui Palms Hotel Structure of the Former Maui Palms Hotel, a small portion of which falls within the shoreline setback area at TMK: 3-7-003: 007 and 009, Kahului, Island of Maui. (EA 2006/0013) (SSV 2006/0006) (T. Abbott) (The draft EA was circulated to the Maui Planning Commission at its January 9, 2007 meeting.)**

**The EA trigger is the work within the Shoreline Setback area. The SMA Permit for the Maui Palms Redevelopment Project was previously approved by the Maui Planning Commission. The Maui Planning Commission is the accepting authority for the EA.**

**The Planning Commission is being asked to:**

- a. **Provide concurrence on the filing the Draft Environmental Assessment and the Anticipated Findings of No Significant Impact (FONSI) with OEQC for publication.**
- b. **Provide comments on the draft Environmental Assessment.**

**The public hearing on the Shoreline Setback Variance will be scheduled for a future date after the Chapter 343 process has been completed.**

**The Commission may act on the requests for concurrence and comments.**

Ms. Ann Cua presented the Maui Planning Department's Report for Thorne Abbott.

Mr. Mark Roy: Hi, good morning Chairman and Members of the Maui Planning Commission. I have short power point presentation this morning regarding the project. My name is Mark Roy with planning consultants, Munekiyo and Hiraga. I'm here today as part of the project team representing the applicant for the proposed demolition project.

Before I start the presentation, joining me in the audience and able to respond to any questions is Kazuyo Sugiyama representing the applicant, Elleair Hawaii, Inc., and also we have Henry Inui from IM International Inc., the project architect. So I'll move onto the power point presentation.

The project as proposed involves the demolition of the last remaining Maui Palms Hotel structure at the Maui Beach Hotel property in Kahului. The property is bordered by

Kaahumanu Avenue to the south, Kahului Beach Road to the west, Maui Seaside Hotel to the west, and Kahului Harbor to the north. I'm sorry, the Seaside Hotel is located to the east of the property.

The property is currently identified by two tax map key parcels. As you can see here on this slide. In the middle of the two properties we have a U.S. Coast Guard owned parcel which occupies a portion of the common boundary between the Maui Beach Hotel and the former Maui Palms Hotel site.

The two-story building which is 3,000 square feet in footprint. I'm sorry, we have a misrepresentation on the power point. It should read 3,000 square footprint is actually approximately 6,000 gross square feet in gross floor area based on two stories. It's a two-story building. This two-story building is proposed for demolition and is utilized currently to support hotel accommodation and storage functions for the Maui Beach Hotel. The building was constructed in 1963 and does not meet age criterion for historic buildings. It is under 50 years old.

Completion of the proposed demolition will allow the applicant to proceed with the construction phase of the Maui Palms Hotel redevelopment project. An SMA Use Permit for the Maui Palms redevelopment project was approved by the Maui Planning Commission on January 22, 2002. The SMA approval in 2002, included the demolition of the former Maui Palms Hotel structures for which today's proposed structure for demolition is one of those structures at the old Maui Palms Hotel.

At the time the building proposed for demolition lay entirely outside the shoreline setback area fronting the property. However, since SMA approval the applicant has consolidated the Maui Beach Hotel and the Maui Palms Hotel lots, the two lots that I referred to in the previous slide into a single tax map parcel. The new shoreline setback line has been recalculated for the newly consolidated single lot and the building for which is proposed for demolition today, a portion of that building, the makai portion, approximately 110, 120 square feet in area now falls within the shoreline setback area.

The next slide gives you an idea of where the building which is being proposed for demolition falls within the context of the entire property. As I mentioned just now the entire property has been consolidated and is now a single property and as such, the newly calculated shoreline setback line now encompasses the yellow portion that you can see on this slide. So we have a small portion of the building which now falls within the defined shoreline setback area. Just a small portion of the overall building which will be demolished.

The applicant intends to demolish the building and this is a photo of the building if you're not familiar with the site down in Kahului. This is the remaining, the last remaining

structure of the Maui Palms Hotel. The applicant intends to demolish the building in two separate phases of work. Demolition of the mauka portion, the portion falling outside of the shoreline setback area is being targeted for some time in the first or second quarter of 2007. They're currently waiting demolition permits to allow them to proceed with the nonshoreline portion of the building.

For ...(inaudible - changing of tape)... 120 square feet section, a shoreline setback variance will be required. As the use of the shoreline area triggers the requirements under Hawaii Revised Statutes Chapter 343, an environmental assessment is in the process of being prepared for the project. The shoreline setback variance application is currently being held in abeyance pending completion of the environmental assessment process.

The draft environmental assessment for the project as I noted that was distributed to the commission at the January 9<sup>th</sup> meeting was published in the OEQC, the Office of Environmental Quality Controls Environmental Notice on January 8, 2007.

The Planning Department has determined that the Maui Planning Commission is the approving agency for the project and as such, we are requesting review of the draft environmental assessment for the project by the commission today prior to the expiration of the public comment period. The expiration of which is February 7, 2007. The project team is available for any questions specific to the project. That ends my presentation this morning. Thank you.

Mr. Hedani: Questions for the applicant? Commissioner Freitas.

Ms. Freitas: Would you happen to know how this is going to work with the Kahului Town Center going on across the street? I mean, is this going to be another part of the trucks on the road and construction going on timing wise?

Mr. Roy: Timing wise for the –I'm not too familiar with the proceeding project, but timing wise for this project and where I think you're referencing the demolition as opposed to the redevelopment?

Ms. Freitas: Yes.

Mr. Roy: The demolition of the mauka portion, the portion falling outside the shoreline setback area, the applicant intends to proceed with that portion of work as soon as they receive their demolition permit for the project. The demolition permit is in the County right now and is being reviewed. So once they completed that portion of work, we of course, need to finish the environmental assessment for the shoreline portion and request the shoreline setback variance from the commission before the applicant can proceed with the shoreline portion demolition. So there's two phases of work, and the applicant is intending



to do them as soon as they can receive all necessary approvals.

Ms. Freitas: Okay, so, when they demolish this, okay, all these materials they're going to be what, separated and trucked?

Mr. Roy: Correct.

Ms. Freitas: Correct. Okay, and they're going to do that on the site? I mean, they're just going to – as they're breaking it down, separate it and move it like that?

Mr. Roy: Correct. I was speaking to the applicant prior to the presentation and based on the previous demolition for the other structures for which are not on site now because they've been demolished, they didn't experience any I guess, problems with the removal of the waste off site. So yes, the trucks will be coming and picking up the demolition waste and removing it off site.

Mr. Hedani: Commissioner Starr.

Mr. Starr: After the demolition what will be the status of the land where the building was?

Mr. Roy: If I could direct that question to the project architect. We have Henry Inui who is involved in the Maui Palms redevelopment project. So he can outline the plans for the property following the demolition.

Mr. Henry Inui: Good morning everyone. I'm Henry Inui, architect from Honolulu. We submit building permit application for the new addition of the remaining portion of the land. It's going to be a four-story, 134-room hotel. And we submit application last year before Summer time. So it's being reviewed right now.

Mr. Starr: Will that encroach into the shoreline area?

Mr. Inui: No, no.

Mr. Starr: What will happen to – I guess when you demolish and then you excavate the foundation there's going to be a pit there left in the shoreline area, that yellow portion. What's going to happen with that?

Mr. Inui: Well, unfortunately we don't have ...(inaudible)... information of the building. But as you see the building is very simple. It's a bearing low structure with a CMU wall. So I don't think the foundation is too deep, very shallow, maybe mat foundation or spread foundation of just the wall area.

Mr. Starr: My concern is that it is part of the shoreline and it is part of a dune system and I just want to be sure that that shoreline portion will be functionally a part of the dune system when it's done.

Mr. Roy: In the context of today's project, the demolition project, I think the question that you're asking is once the shoreline portion is removed from the building, i.e., the entire building is taken away from the site, what will be there in its place. I guess the answer the short term until the applicant initiates construction for the redevelopment project is it will just remain as open space with the building completely removed.

Mr. Starr: I'm not quite getting the question answered which is that – perhaps I should phrase it differently. You know, when you take out the footings and all of that there's going to be a puka. I'm hoping that that puka will be filled with sand that's compatible with the dune system. Because that is part of the demolition process when you demolish and you remove a footing. You don't – I mean, are they going to leave a gaping hole there in the dune? What are they going to do?

Mr. Roy: The applicant will do all that's necessary to return the site to its previous condition. If I could just direct the commission's attention to the photo, you can see that the building is located in grassed area, a flat area, but the applicant will return that area to its existing condition.

Mr. Hedani: There's not going to be a gaping hole there Jonathan. It's not very deep.

Mr. Starr: Okay. All I'd like to hear is they'll use sand that's compatible with the dune system.

Mr. Hedani: I don't think they intend to fill the site, right?

Mr. Roy: If there's a gaping hole left when the building is removed, the applicant will fill it appropriately to return it to its existing condition.

Mr. Hedani: You'll regrade the site in order to level it off basically?

Mr. Roy: Correct.

Mr. Hedani: Commissioner Guard.

Mr. Guard: Correct me if I'm wrong. I think Jonathan's concern is that we're not going to be bringing in soil from Kula or the cane fields right on top of sand which wouldn't be allowed anyway. Is that correct Thorne? With a nod, that you just have to fill it in with beach quality sand not fertilize it. Just to take it to level grade with sand.

Mr. Abbott: Yes. And if I may speak to the commission. This is what would qualify under our proposed qualified demolition so that they would not have to go through an EA, they would not have to utilize your time. Your time could be spent on other more pressing matters if we ever get the rules changed.

Mr. Hedani: Thorne, why do they have to go through a two-step demolition? Why can't you just demolish the whole thing at one time?

Mr. Abbott: Because they were approved to demolish all the buildings but they didn't get to this one and the rules changed so now they're in the setback area because they reconsolidated the parcels. So this clearly a case where the applicant's trying to do the right thing, get things out of harm's way, probably will rebuild outside of the setback area and they have to go through expensive long process which is unfortunate.

Mr. Hedani: Any other questions for the applicant? Okay, staff recommendation. Oh, public testimony. Are there any members of the public that would like to offer testimony this subject? Before we go into the staff recommendation, I have one question. Is there any asbestos on the site because it was developed back in the 1960's?

Mr. Roy: Yeah, the applicant shared the commission's concern. Seeing that the building was built in 1963, they commissioned Vuich Environmental to undertake a survey of the building and I believe based on the results of the survey that it did identify elements of asbestos and lead-based paint. And so the applicant will proceed to remove all identified hazardous material and lead-based paints prior to demolition of the building.

Mr. Hedani: Commissioner U'u.

Mr. U'u: One more question. I know a year ago when they had that massive erosion there was a seawall or a retaining wall that was uncovered.

Mr. Roy: If I may ask the applicant to come up and address that question. I think maybe they have some history of the issue that you're referring to. The applicant cannot recall that particular issue that you're mentioning. I'm not sure where specifically it occurred in relation to this property.

Mr. U'u: On page 18, just curious. That is brought up by one of the hotel employees stating that she never saw anything until the past year when had that erosion. So there was a retaining wall on the site that was uncovered. I wanted to know if there's anything we can do about it now or if it's all right or?

Mr. Abbott: I will add a bit –

Mr. U'u: Second paragraph, page 18.

Mr. Abbott: I do know Bruce they did receive a state certified shoreline survey and if there were any encroachments or illegal structures that were built, that should have been picked during that survey.

Mr. U'u: But not if it was hidden for years it states here.

Mr. Abbott: That's true.

Mr. U'u: Just curious.

Mr. Roy: Could we just take a moment to liaise with the applicant on this particular question? Thank you. ...(inaudible)... taking the time away from the commission's time there but I've liaised with the applicant and the staff planner, Thorne Abbott, and seeing that we're at the draft EA stage right now, we would be more than willing to incorporate this as a comment from the commission and the applicant will go back and investigate the condition fronting the property and we'll incorporate a discussion regarding that comment in the final EA.

Mr. Hedani: Very good. Commissioner Starr.

Mr. Starr: Yeah, my curiosity got me. I'm intrigued about the Coast Guard having some property in there. Could you?

Mr. Hedani: I think there's a control light on there. A beacon for the ships coming in.

Mr. Starr: Oh, okay, that's the range, the range light.

Mr. Roy: Correct. There's a small navigational beacon. It doesn't take up the entire lot that we showed on that slide but it's just a small beacon.

Mr. Starr: Yeah, the upper range. Yeah, got it.

Mr. Hedani: Any other questions for the applicant? Staff.

Ms. Cua: Okay, Mr. Chair, Members of the Commission. In terms of procedural matters, the draft EA was published with OEQC on January 8<sup>th</sup>. The 30-day public comment deadline is February 7<sup>th</sup>, so we are now in the comment part of the procedure and that's why we're here today. We're asking first of all that you concur with our filing of the draft EA anticipating a FONSI determination. And then we're also asking to get your comments so that we can have the applicant include that and respond to it for the final EA.

Mr. Hedani: Commission Members? Commissioner Amarin.

Ms. Amarin: Move to accept.

Mr. Hedani: Move to accept.

Mr. U'u: Second.

Mr. Hedani: Seconded by Commissioner U'u. Discussion? Commissioner Starr.

Mr. Starr: I just want to be sure that specifically the comment is that if the retaining wall does become uncovered in the future that how will it be dealt with. I want to be sure that it will be properly addressed in the future.

Ms. Cua: So noted.

Mr. Hedani: Any other discussion?

Ms. Suyama: The other thing I would add is, your folks comments regarding the restoration of the area that's to be demolished, at least detailing it in the EA report that they are going to do some kind of mitigation and they are going to use beach quality sand.

Mr. Hedani: Okay, any other discussion? Ready for the question?

**It was moved by Ms. Amarin, seconded by Mr. U'u, then unanimously**

**VOTED: To Accept the Recommendation that the Commission Concur With the Department's Filing of the Draft EA Anticipating a FONSI Determination. And that the Comments of the Commission be Included in the Final EA Along With the Applicant's Responses. (Assenting - J. Amarin, B. U'u, J. Guard, S. Freitas, W. Iaconetti, P. Eason, J. Starr)**

Mr. Hedani: Carried. Thank you.

Ms. Cua: Thank you.

Mr. Abbott: Thank you for your comments.

Mr. Roy: Thank you.

A recess was called at 11:07 a.m., and the meeting was reconvened at 11:14 a.m.

3. **MAUI LAND & PINEAPPLE, INC. requesting an Environmental Assessment Determination on the Draft Environmental Assessment prepared in support of the Special Management Area Use Permit for the Kapalua Coastal Trail stretching some 3.5 miles from Lower Honoapiilani Road to Honolua Bay at Kapalua, Island of Maui. (EA 2006/0019) (SM1 2006/0026) (T. Abbott)**

**The EA trigger is the use in part of State or County lands or funds. The Maui Planning Commission is the accepting authority for the EA.**

**The Planning Commission is being asked to:**

- a. **Provide concurrence on the filing the Draft Environmental Assessment and the Anticipated Findings of No Significant Impact (FONSI) with OEQC for publication.**
- b. **Provide comments on the draft Environmental Assessment.**

**The public hearing on the Special Management Area Use Permit will be scheduled for a future date after the Chapter 343 process has been completed.**

**The Commission may act on the requests for concurrence and comments.**

Ms. Ann Cua: Mr. Chair, very briefly again, this is a draft EA we're looking at not the final EA. We did want to point out that the EA trigger stated – on our agenda it states that the use – the trigger is the use of State or County lands or funds, but we wanted to mention that it does include the use of conservation district lands and the use and use of the shoreline area. The department will be or is reviewing a special management area permit as well as a shoreline setback determination.

The document was transmitted to you at your January 9<sup>th</sup> meeting, and today we're basically here to get your comment on the draft EA. At this time I'd like to introduce Tom Schnell who will be taking you through a power point presentation of the project.

Mr. Tom Schnell: Hi Commissioners. My name is Tom Schnell. I'm with PBR Hawaii and Maui Land and Pine asked us to prepare the draft Environmental Assessment for this project and also the permitted applications.

I think I'm going to move this over on this side so we can see the trail and the pictures at the same time. I also gave you a handout so you can see details, but let me move this over. So the location of the Kapalua coastal trail starts at the Kapalua Resort. Let me get my pointer. This map is orientated north so north is up at this area with the Kapalua Resort over there and it travels 2.5 miles to Honolua Bay.

So this slide is orientated with the coast on the bottom and we can't see it very well, so if you can refer to your handout would be good, but the trails it provides increased lateral shoreline public access along the coast, 2.5 miles long starts from the Kapalua Resort at Lower Honoapiilani Road and goes all the way to Honolua Bay. It links five beaches along the way. It links existing shoreline access routes. There are currently shoreline routes, public access routes, like for example here's one right here. My pointer died. It links the existing routes to provide lateral access.

There's three trail spurs to the total length of the trail is 3.5 miles. The spurs – Okay, here's one existing beach access. There's another beach access at the site of the former Kapalua Bay Hotel.

I think the important part of this trail is that it also provides an alternative route to driving. So if you were at the Kapalua Resort and you wanted to get down to Honolua Bay, you could walk along the trail and you wouldn't have to drive your car down there. It's on a mile and a half.

Portions of the trail are already in place or already improved. For example, the public beach accesses are already there. They're going to be linked and joined together with this trail.

We'll get into more details here. Hopefully you can see better here. Okay, the trail starts here at Lower Honoapiilani Road. There's an existing public beach access and parking lot here. It goes in front of the – this is the Coconut Grove condominium project. It's already in place here. It's a paved trail at this part of the – This is the former Kapalua Bay Hotel which is going to be turned into the Residences at Kapalua Bay. As part of your approval of this project, there was a coastal trail approved as part of that. So that's under construction now.

There's an existing beach access that goes to the hotel site to get out to Hawea Point and that's in place. And we're going to link these trails that are kind of informal trails along the point. If you go out there they're just kind of dirt trails where everybody's walked around. This will formalize a route along that area.

It will continue past the Bay Villas which is right here, and it will along continue in front of Kapalua Place homes and this is Oneloa Beach. There's an existing public access that

goes up this way that will connect that. Here's the Ritz-Carlton Hotel right here. It will go in front of the Honokohua Burial Grounds. The burial grounds are right here and we will be going to the Burial Council actually on Thursday to seek their approval to put the trail in front of them. I should point out that the trail, it's not a continuous paved surface. In front of Coconut Grove it is a paved surface, in front of Residences at Kapalua Bay it will be paved, in other places it would be a more natural trail. It will be whatever the appropriate conditions for that surface require. I have some examples.

So the trail continues from the Kapalua Resort over here through D.T. Fleming Beach Park. There is a proposed crossing of Honoapiilani Highway here or here, there's an alternative route. We have some issues to work out with DOT to be allowed to cross their highway and we're currently working with them.

This is Plantation Estates right here and the Plantation Golf Course. The trail would come up on this side of the road, Honoapiilani Highway is here and it would traverse this area. Actually there's really nice views from this point and there is another trail crossing of the highway around this point to provide access to this beach Mokulaea Beach and it would end at Honolua Bay right here and we're proposing steps down from the highway to the bay to provide access to the bay.

Just wanted to walk you through some of the illustrations that we prepared that would kind of give you an idea what the trail will look like. This is at the parking lot at Lower Honoapiilani Road that is actually the beach access parking lot for Kapalua Beach. It would take up a portion of the parking lot, the trail surface will be paved in this area. It would continue this way onto Coconut Grove over here.

On Hawea Point, this is an example of what it would look like. This is a natural surface. We don't want to do a paved surface in this area. We want to keep it as natural as possible and ...(inaudible)... would mark the way and there would also be some appropriate landscaping with native plants to keep people out of areas there's a actually some sensitive plants in the area and it's also a nesting area for the Shearwater Wedgetail. It's a ground nesting bird so we want to keep people out of those areas.

This is what it looks in front of Kapalua Place. These are existing homes. These are their yards and this is a strip of land that Maui Land and Pine owns that they'll be able to put the trail in between this property line and the beach.

This is an example of where it goes to the Honokohua Burial Grounds right here. This is the ocean over here. We'd like to run it this way in between the ocean and the burial grounds. And I know this is going to be a sensitive issue. We're going to talk to the Burial Council on Thursday about that.



Through D.T. Fleming Beach Park. It will go through part of the parking lot, but here there's an existing road that provides access to the highway. This is a pedestrian bridge that will be built parallel to this existing roadway bridge and we want to do that to provide a separate path for pedestrians so they're not crossing the street or the roadway, you know, on the side of the bridge with cars.

Here's just an example of some of the crossings. We do have to cross the highway at some point and this was actually where D.T. Fleming Beach road intersects with Honoapiilani and we have a crosswalk system here.

Up near Plantation Estates, you tell it's Plantation Estates because here's the lava rock walls. This is on the mauka side of the highway and this is the proposed route through a grove of ironwood trees.

I think one of the most exciting and innovative things about the trail is when you get past Plantation Estates, there's very little room between the roadway and the cliff, so Maui Land and Pine has proposed to build a walkway, a boardwalk so that we can separate people off of the road, get them on this side of the guardrail and provide safety to walk over this area without. There's not that much room between the road and cliff. So this will provide a safe route to get all the way to Honolua.

We've already prepared the EA and we did commission an archaeologist to walk the entire route. There was a flora and fauna survey done. The design development report, portions of which you just saw were the illustrations of what the trail could look like. We did a crosswalk warrant study recently and basically that's a – it's a traffic study for pedestrians to tell you when a crosswalk is warranted and what type of crosswalk you should have.

Consultation, we met with Clifford Naole, who is the Cultural Advisor for the Ritz-Carlton. Department of Transportation we have been involved with. Department of Land and Natural Resources, it does go across conservation land. Maui Coastal Land Trust. The Planning Department. Thorne has been very helpful in the shoreline setback areas. UH SeaGrant has actually come out to the site and gave us some recommendations. Kapalua Place Homeowners Association. Maui Land and Pine has met with them. Coconut Grove Homeowners Association. Bay Villas Homeowners Association and the Ridge Villas Homeowners Association.

Probable impacts. Increased shoreline access. We think that will probably happen. Increased recreational opportunities. It's open to the public. Increased educational opportunities to learn about coastal ecosystems. There'll be interpretative signs along the way telling people about plants, native birds in the area. Increased cultural access. This trail provides 2.5 miles of complete lateral access for anybody that would like to go down there. Increased awareness of coastal geology. Increased health benefits of exercise. It

will provide an alternative transportation route. Lateral connection between beaches and public access routes. And we don't anticipate any negative impacts.

We'll be coming back before you for the major permits that are required for this in addition to the EA, but just briefly, the triggers were the use with the shoreline setback area, use of County or State lands and use within the conservation district.

We will need a special management area major permit which we'll be coming back for you. Also a shoreline setback structure and activity determination. Remember the boardwalk that I showed you and the pedestrian bridges? Those are structures that may be within the shoreline area. Many uses are permitted within the shoreline area. We want a determination from the Planning Department that these are permitted structures. And also we need to go to the Department of Land and Natural Resources for a conservation district use permit.

Conclusion. Provides increased lateral shoreline access, links five beaches and existing shoreline access routes. Provides an alternative to driving and no significant negative environmental impacts anticipated.

We are in the draft – actually the draft EA public comment period was from November 23<sup>rd</sup> to December 26<sup>th</sup>. But we haven't received your comments. So we're here to get your comments on it.

Mr. Hedani: Comments from the commissioners? Commissioner Freitas.

Ms. Freitas: Projects like this don't have to be ADA compliant, huh?

Mr. Schnell: There's provisions in the ADA rules that rugged natural trails there are exemptions as long as you provide portions and places where people can come out and use at least a portion of it, and the paved portions will provide that.

Mr. Hedani: Commissioner Iaconetti.

Mr. Iaconetti: First of all, for 50 years Kapalua Bay was called Flemings Beach and it was suddenly changed to Kapalua Bay. Now I can understand that for marketing purposes that would be important. But did you go through the usual steps to get the change of the name or was Kapalua Bay actually the original name and Flemings came in later?

Mr. Schnell: I believe I researched this issue for the Residences of Kapalua Bay project and I looked on the USGS map and could double check but I believe on USGS map it says Kapalua Bay and so we went with that name. But I realize that previously it was called Flemings Beach and now there's D.T. Fleming Beach Park. So I don't know if that was –

Mr. Iaconetti: Well, it resulted in my complete confusion when I'm trying to figure out what bay you're talking about. But if you went through the proper steps and got the names changed, fine. I assume you did.

Mr. Schnell: Actually I correct myself on the USGS map it's labeled Fleming Beach. You're correct.

Mr. Iaconetti: So isn't there a set of steps you take in order to change the name of an area?

Mr. Schnell: It may just be a – that's the anecdotal name that people have referred to it recently. We can certainly change it back to Fleming Beach in the draft environmental impact statement to be correct.

Mr. Iaconetti: I don't know if that's necessary. It's just as I say, it's confusing to me and other people when they start talking about Kapalua Bay, oh you mean Flemings Beach and I know there's D.T. Flemings Park and that used to be I think Slaughter House Beach.

Mr. Guard: Mokulaea is Slaughter House.

Mr. Iaconetti: And suddenly we have new names and the other names are more –

Mr. Bob McNatt: Mr. Chairman, can I interrupt this discussion a little bit?

Mr. Hedani: Bob.

Mr. McNatt: I'm Bob McNatt with Maui Land and Pine. Colin Cameron decided to change the name of Kapalua Bay or Fleming Bay Beach to Kapalua for marketing reasons about 30 some years ago. That's why it was changed. There isn't any formal process you need to go through for that. It's marketing name. Some locals still refer to it as Fleming Beach so that causes some confusion, but the County then decided to use D.T. Fleming Beach Park as the name for the beach in front of the Ritz-Carlton a few years later. It's pretty common practice now and that's how actually the USGS comes up its name is by common practice, what people have used in the past. There's no formal process to establish the names. We prefer to keep the name where the Kapalua Bay Hotel and Coconut Grove as Kapalua Bay and DT Fleming Beach Park, DT Fleming Beach as the other one in front of the Ritz. Slaughter House is actually a little bit further down. That's the – the name is Mokulaea Bay and that's the one we prefer to use is Mokulaea Bay there.

Mr. Iaconetti: I could understand that.

Mr. McNatt: Since the slaughter house is no longer there and hasn't been there for quite some time. So, I hope that clarifies our position and what we think the history is.

Mr. Hedani: Doc, if they take Kapalua Bay away, then the resort doesn't exist.

Mr. Iaconetti: Yes, I know that.

Mr. McNatt: Also it's been name number one beach in the world a couple of times as Kapalua Bay so we kind of like that too.

Mr. Hedani: I think it was the first.

Mr. McNatt: The first one, that's right.

Mr. Iaconetti: I had another question if I may? If you follow the path going from 13 to 15 you suddenly get away from the coastline. Now that's been explained to me because of the fact that the golf course is there and it would be dangerous for people to be walking along, crossing the golf course. I guess there's no way of correcting that problem. Which leads me to request and I don't know if any of the other commissioners would be interested but I personally would like to have a site visit for this area so that we really do understand. I think the path's a great idea and I think it's a real adjunct to the whole area. But as one of the commissioners, I would like to be able to walk along there and actually see what it looks like.

Mr. Hedani: Any other comments? Commissioner Guard.

Mr. Guard: I haven't been out here or down to Mokulaea since it was Slaughter House probably before the fence went up. So is that going to come down and either redo steps. I mean, this was when I was in high school they fenced it off because someone slipped down there and no one wanted to take responsibility I believe was the history of that, right?

Mr. Schnell: Well, I know there's a fence. There's the little parking area right there and there's steps that go down.

Mr. Guard: So is those going to be improved or those have been? You mentioned the ones at Honolua Bay, so I was just wondering. It was a popular site.

Mr. Schnell: The Honolua Bay steps are not there now. They would be an addition.

Mr. Guard: So I wasn't sure if you're going to do anything like that at Mokulaea.

Mr. McNatt: Bob McNatt again. Commissioner Guard, are you asking about Mokulaea?

Mr. Guard: Yes.

Mr. McNatt: There are steps there now that were installed by us and how do I say it, Na'a Hele Trails and also DLNR. So the steps are there. They need some work, but they will remain and the fence will remain also for safety reasons. There was an issue with people going down the cliff instead of using the steps – well, actually before the steps were done and there were a couple of lawsuits. So that's why the fence went up and we're maintaining that.

Mr. Guard: Any chance of I guess going to a more aesthetically pleasing fence type or rail?

Mr. McNatt: Yes, that would be a good idea.

Mr. Guard: I mean, if you're going to have a trail right there, to have to walk along a six to eight-foot high chainlink fence.

Mr. McNatt: Yeah, right now it's a six-foot chainlink fence so we should look at at least putting up a green vinyl covered chainlink fence or something. Something that looks better and maybe disappears into the landscape. Yeah, I agree. Yeah, we should look at that.

Mr. Hedani: Commissioner Freitas.

Ms. Freitas: Bob, do you think it would be a difficult process to do a site visit there?

Mr. McNatt: Oh, not at all. We'd love for you to come out and look at it?

Ms. Freitas: Really?

Mr. McNatt: Yes. We'll provide refreshments.

Ms. Freitas: I wouldn't want to hold the project up in any way. However, I think that this would be one that would be a good idea is a site visit.

Mr. McNatt: I think that's part of the – our hope is to get you out there to look at it and walk it.

Ms. Freitas: Oh, that would be great.

Mr. McNatt: Sure.

Mr. Hedani: Commissioner Amarin.

Ms. Amarin: Thank you Chair. This coastal trail sounds very excellent, but my question and my concerns, listening to your presentation Tom, you said that – I may be wrong, how

many public access are there? I think I heard three.

Mr. Schnell: There's more than three. Actually in the draft EIS, we included a diagram to show where all the existing public access are. And let me, it's figure 9, let me find it for you. It follows page 8 on the draft EIS or the draft EA. There's figure 9.

Ms. Amarin: And there's appropriate parking at each public access to come into the area?

Mr. Schnell: There's parking at several of the public access points, not all of them.

Ms. Amarin: I think it's great because you're linking like five beach areas. And then also that boardwalk, what is the length of that boardwalk?

Mr. Schnell: Do you know how long that is Yarrow? It's about 70 feet in length.

Ms. Amarin: 70 feet. And totally to be maintained by?

Mr. Schnell: The Kapalua Resort Association and Maui Land and Pine will maintain the trail and all the structures.

Ms. Amarin: Okay, putting this in place I just wanted to make sure. Is this free enterprise that we're doing or are you going to have tours and people. Just you know, I guess, what kind of people will be accessing? More for the public, the people who live in the area, the hotel users?

Mr. Schnell: All of the above, but there's no plans for guided tours or anything like that. No.

Ms. Amarin: Okay. Because it's such a beautiful area. Thank you.

Mr. Hedani: Commissioner Starr.

Mr. Starr: Yeah, I'm really glad to see this moving along. As far as comments go, I'd like to know if it's possible for it or portions of it to be accessible by bicycle?

Mr. Schnell: We talked about that and the decision was made for pedestrian because of the varying surfaces and some will be rugged and some will not be, some will be paved.

Mr. Starr: Anyway, I'd like a question whether it's possible for portions of it to be accessible for a bicycle.

Ms. Yarrow Flower: Good morning my name is Yarrow Flower. I'm a development coordinator with Maui Land and Pine. We looked at the possibility of having bicycle access,

but as Tom stated, because of the varying surfaces, especially out on the lava points it wasn't realistic. We are however, working on a larger trail plan throughout our West Maui land holdings which will incorporate bicycle trails both for street bikes and mountain bikes.

Mr. Starr: Will there be a way to get by bicycle to get from say, Kapalua Bay to Honolua by bicycle ultimately?

Ms. Flower: Not with a street bike. It would be on the highway. There will be eventually possible on a dirt bike. But I think that for the remote location it would be really difficult to get a bicycle out there unless you're willing to ride your bike on the highway.

Mr. Starr: That's taking your life at risk. I've done it.

Ms. Flower: I agree.

Mr. Starr: And it's really dangerous. I would like to have a comment in the process that there should be some way to travel laterally by bicycle in a safe fashion from Kapalua to Honolua Bay.

Ms. Flower: We could certainly look into that.

Mr. Hedani: Commissioner Freitas.

Ms. Freitas: See, I wouldn't agree with that one. I mean, they would have to make it so wide because if I were walking that trail I wouldn't want bikes around. It would just take away from the whole feeling of being there. I mean, bikes and people I don't think mix as well.

Mr. Starr: You know, I bicycle every day around the airport.

Ms. Freitas: Oh, you're one of the ones I don't like.

Mr. Starr: I mean, there's people walking their kids in strollers, their bicycles and it works great.

Ms. Freitas: Well, maybe for you. But I don't know about the women with the strollers how they would feel.

Mr. Starr: In real life it works.

Mr. Hedani: Are there any other questions for the applicant? Commissioner Iaconetti.

Mr. Iaconetti: Are we losing some of the parking over by – over by the beginning of it. You said you were going to make a path there. Is part of the parking going as a result of that?

Mr. Schnell: There's no loss in parking, no.

Mr. Hedani: Any other comments? Commissioner Starr.

Mr. Starr: On the southern portion of Oneloa Bay where it traverses above the beach, it looks like it's on the sand. What's going to be the surface of that there?

Mr. Schnell: That will be a natural surface trail. It will be compacted. It's actually dune land there and it will be compacted with shrubs on each side to maintain the trail.

Mr. Hedani: Any other comments?

Ms. Suyama: Can I just add one more thing?

Mr. Hedani: Colleen.

Ms. Suyama: In terms of the consultation with the public organizations, can you make sure that you also consult with Leslie Kuloloio and Dana Naone Hall of Hui O Makena Alanui because they were the original intervenors in the Ritz-Carlton where the Honokohua burials was established as well as the Memorandum of Agreement for Native Hawaiian Burials as well as the start of the Burial Council and I think it's important to include them in the consultation.

Mr. Schnell: Okay.

Mr. Starr: Can I add another name of Kahu Charles Maxwell?

Mr. Hedani: Any other comments? I have a comment Tom. Is there a reason why you didn't go through D.T. Fleming Park on the makai side of the park?

Mr. Schnell: Well, it does go through D.T. Fleming Park to the extent possible that it would be the best route through the park.

Mr. Hedani: I see. Okay. And if I had to vote, I would vote for alternate 18 which follows the coast versus crosses Honoapiilani Highway. I know you have a fantastic bridge over there but I would opt for the ocean view. Are there any other comments for the applicant? ...(inaudible - changing of tape)... recommendation. Are there any members of the public that would like to offer testimony at this time? Seeing none, public hearing is closed.



Ms. Cua: One comment. You expressed an interest in doing a site visit of this project and we wanted to let you know that there are two other projects in the resort that are going to be coming before you that are within the department right now. So we know of, you know, this project plus two others that definitely you could all at one time. The other two projects are the central resort project and the Ritz-Carlton project. Both of those are my projects and then Thorne has the Kapalua coastal trail. What we can do on the next agenda is put all those three projects for discussion, from now to then we can talk with the applicant, get some possible dates and at the next meeting maybe we can set a date for a site visit of all these projects. There may be others we'll be able to squeeze in, and like we always do, we get a full day for you. I don't think we have any public hearings that are ready to go, but we'll look at that too to see if we'll have the whole day of site visits and then possibly a meeting at night. So we'll have more information for you at your next meeting.

Mr. Hedani: Commissioner Iaconetti.

Mr. Iaconetti: I had one other question and I'm sorry I didn't bring it up before, where the path is passing before Coconut Grove's property and before the – some of the other properties, are you having any difficulty with them? Are they in favor of having the trail there?

Mr. Schnell: Well the path in front of Coconut Grove is already there. It's a paved path that's there that's been since the project is built. In front of the new Residences at Kapalua Bay, that's always been incorporated as part of the project. The homeowners in front of the Kapalua Place, the large homes there, would prefer not to have a trail in front of their property we know that.

Mr. Iaconetti: So none of them are actually giving you any problems as far as – I mean, the trail where it is.

Mr. Schnell: Well, I know Yarrow and Bob have talked to them extensively and they would prefer not to have the trail there. We think of an important public benefit to have the entire trail and coastline linked. We're trying to respect their wishes by staying away from their property as far as possible without being too close to the beach where it would maybe erode the dune in that area.

Mr. Iaconetti: Thank you.

Mr. Hedani: I appreciate your pursuing that and I think once the trail is built, the homeowners that are there would be the first ones that would use it.

Ms. Freitas: Yeah, you better believe it.

Mr. Schnell: Agree.

Mr. Hedani: Any other comments for the applicant?

Mr. Schnell: I just had one comment that I could add. As far as your processing and the site visit, right now we're in the draft EA stage and the public comment period ended on December 26<sup>th</sup>. So I've gotten comments from most agencies that I think we're going to get and I'm pretty much ready to go with the final EA. But you guys will also have a shot at the SMA. So if we could proceed with the EA process and wrap up the EA as quickly as possible and then depending on where site visit falls it will still be before your SMA.

Mr. Hedani: Commissioner Starr.

Mr. Starr: I just want to thank applicant for the work they're doing on this. I think it's a great project and something that will really be a lot of benefit and it's with ...(inaudible)... and appreciation for what you're doing. Thanks.

Mr. Hedani: Ann.

Ms. Cua: Mr. Chair, so as Tom mentioned even though the comment period is over, they are seeking your comments. I have about maybe four or five comments that we've heard and that we will put forth to the applicant in a letter. We will continue the processing with the applicant to work towards scheduling the project for public hearing before you as well as the site visit. So basically we're asking your concurrence of our filing of the draft EA with OEQC and noting the comments that we heard today.

Mr. Hedani: Commissioner Freitas.

Ms. Freitas: So move.

Mr. Iaconetti: Second.

Mr. Hedani: Moved by Commissioner Freitas, seconded by Commissioner Iaconetti to accept the staff recommendation. Discussion?

**It was moved by Ms. Freitas, seconded by Mr. Iaconetti, then unanimously**

**VOTED: To Accept the Recommendation that the Commission Concur With the Department's Filing of the Draft EA Anticipating a FONSI Determination and Noting the Comments of the Commission. (Assenting - S. Freitas, W. Iaconetti, J. Guard, J. Amarin, P. Eason, J. Starr)**

Mr. Hedani: Carried. Thank you. Thank you very much for that project. Excellent project.

A recess was called at 11:49 p.m., and the meeting was reconvened at 1:02 p.m.

Mr. Guard was excused from the remainder of the meeting.

Mr. Hedani: Planning Commission is back in session. We're on Item C-1.

### **C. COMMUNICATIONS**

- 1. MR. ELTON WONG, Project Manager of the KOBAYASHI GROUP, LLC requesting a Step 3 Planned Development Approval the proposed redevelopment of the Wailea Renaissance Hotel into the Wailea Beach Resort and Residences, a condominium/hotel and related improvements consisting of the demolition of the existing structures, the development of 193 condominium units (for sale with hotel amenities) on property and related infrastructure and landscape improvements at 3350 Wailea Alanui Drive, TMK: 2-1-008: 067, Wailea, Island of Maui and various improvements at the adjacent Ulua/Mokapu Beach Park parking area including resurfacing and landscaping at TMK: 2-1-008: 088, Wailea, Island of Maui. (PD3 2006/0002) (A. Cua) (The SMA Use Permit and Step 2 Planned Development approvals were granted at Commission's July 11, 2006 meeting.)**

**The Commission may take action on the request.**

Ms. Ann Cua presented the Maui Planning Department's Report.

Mr. Elton Wong: Good afternoon Chair Hedani, Commissioners, Director Hunt. My name is Elton Wong with the Kobayashi Group, the development manager for the project. We are here today seeking your approval for the planned development step 3 application.

Let me introduce our team that we have here today. Kathy Inouye and myself are from the Kobayashi Group, the development manager, Peter Mason is with Hill Glazier Architects, Mike Silva is with Ronald Fukumoto Engineering, the civil engineers, and Mike Munekiyo with Munekiyo and Hiraga.

The subject property is the Renaissance Wailea Hotel and Beach Resort and the Elua Park to the south. Wailea Alanui is to the – the main artery in Wailea is to the east. The Pacific Ocean is the west.

The hotel is currently operated under the Marriott brand as the Renaissance Wailea Beach Resort. In 1978, the hotel opened with 349 permitted keys, four restaurants, but two are only currently open.

The Wailea Community Association, Department of Planning and other governmental agencies, neighbors and planning commission have contributed to the project as designed today. The project evolved into a full demolition and its place will be the Wailea Beach Resort and Residences condo hotel consisting of 193 condos with hotel amenities. This is not a time share.

On the same property, the facilities will have a full range of hotel amenities normally found in a resort hotel. In this case, there's a lobby, two restaurants, two pools and bars, fitness space, all located along this ...(inaudible)... Back of house operations are located on the mauka side of the property with the spa. The majority of the parking is located underground which makes the site pedestrian friendly. An alternate transportation within the resort is butler driven buggies. The total parking is 442 stalls.

Condos will be two stories, up to 27 feet high along the 100-foot shoreline setback. Further from the shoreline the condo steps up to three and four stories up to 47 feet high. The 193 condos will consist of a 101 one-bedrooms, 28, two-bedrooms, 60, three-bedrooms, and four, four-bedroom units. The main entrance to the project is off Wailea Alanui in the middle and a second entrance is to the north.

Additionally, the Elua Beach Park to the south will be reworked to increase parking by 22 spaces and repave the lot and roadway. Thank you for your attention. This ends my presentation and we'll be available to answer questions?

Mr. Hedani: Questions from the Commission? Commissioner Freitas.

Ms. Freitas: Thank you Chair. I didn't understand what you said when you were talking about the underground parking and you said, something buggies?

Mr. Wong: Electric buggies. So electric buggies, all the parking is located here. So to get down to the bottom of the site there will be electric buggies that will take people or you can walk.

Mr. Hedani: It's a shuttle.

Mr. Wong: It's like a shuttle. So the units down there will not have car access.

Ms. Freitas: So everything you want to take into your unit, you take on this buggy?

Mr. Wong: Yes.

Mr. Hedani: A very attractive buggy.

Ms. Freitas: So like if you're moving furniture what do you do?

Mr. Wong: Moving furniture and big things we'll probably have, you know, vehicles that will go down there, but we want to make the site, you know, so the vehicle – emission free and a very nice environment. That's the intent.

Ms. Freitas: So when you get a unit, you get a buggy? They come with the unit? If you get a car, you get a buggy?

Mr. Wong: The buggies –

Ms. Freitas: I don't understand. So you park your car and you got your groceries and you want to go to your unit, what do you do?

Mr. Wong: Pretty much somebody will take you via buggy to your unit.

Ms. Freitas: Chauffeur driven?

Mr. Wong: Chauffeur driven.

Ms. Freitas Wow, Wailea. Interesting. Thank you.

Mr. Hedani: Fantasy Island.

Ms. Freitas: Yeah, it sounds like that. That's why I had to ask.

Mr. Hedani: Any other questions? Commissioner Iaconetti.

Mr. Iaconetti: I recognize that you're diminishing the number of units. Are you also diminishing the number of square feet of living area?

Mr. Wong: We're actually increasing the number of square feet.

Mr. Iaconetti: From what it is now?

Mr. Wong: From what it is now.

Mr. Iaconetti: So you're going to have smaller number of units but more living space and

more people?

Mr. Wong: No. Right now with 349 keys you could have that many families, right? But with a 193, the number of families will probably drop significantly.

Mr. Iaconetti: But the size of the families will get bigger?

Mr. Wong: It could be bigger but, you know, being condo/hotel, we think that not everybody is going to be living there and not everybody is going them in the rental program. So the population and the density will probably be a lot less than what we have now. We don't foresee it being as crowded as it is now.

Mr. Hedani: Commissioner Starr.

Mr. Starr: Is the golf course hole down there is that being redeveloped or is that going to be the same? How is that changing?

Mr. Wong: We understand that somebody has purchased the property and they're thinking about it but we aren't – that's not our property.

Mr. Starr: So where's your property line? Could you show us on – I'm thinking of the makai –

Mr. Wong: No, we don't own anything makai of Wailea Alanui.

Mr. Hedani: Mauka. The entire parcel is makai of Wailea Alanui.

Mr. Wong: Oh, I don't own anything, sorry, I don't own anything mauka of Wailea Alanui.

Mr. Starr: Okay. So, how about the shoreline portion? Is anything changing along the –

Mr. Wong: Yes, we have a Mokapu Building which is a 26-unit, which is situated right here and that will be removed. There's a sewer line that's in the setback right now and that will be rerouted around the property.

Mr. Starr: Okay, you're not putting in a golf course hole there, I mean, that looks like a sand trap.

Mr. Wong: It's just sort of like a faux beach that's being, you know, put back there.

Mr. Hedani: It's just a landscaping amenity, Jonathan.

Mr. Starr: So that will all be just like a grassy – is there going to be structures or anything built?

Mr. Wong: No structures within the shoreline setback.

Mr. Starr: Could you show where the shoreline setback is? And there'll be – I have a concern because there's, you know, kind of a steep berm and then the grassy area, actually kind of both sides of Ulua both here and further south, it's kind of been maintained at a much higher level compared to the beach. There's like a drop down to the beach. I'm wondering that's – how that's going to be dealt with?

Mr. Wong: That location is where the boardwalk is right –

Mr. Starr: And is that going to be changed like from the boardwalk and toward between boardwalk and the ocean?

Mr. Wong: We have approached the department to do some improvements, but they need to basically – they didn't want to have any significant changes made. So basically we couldn't come to an agreement to improve that boardwalk and so we took it out of our application. We will probably work with the County in the future and determine how we can improve that boardwalk when they sort of adopt some policy to do that. Right now there is none.

Mr. Starr: To staff, you know, my concern is that if there is a change on the boardwalk and between the boardwalk and the shoreline that I want to be sure that we're not okaying that here and that that will be another process that will be before us.

Ms. Cua: Well, what Elton is saying is correct. When they initially came in with this project they were hoping to include either redoing of the boardwalk in some way, shape or form. We met with Thorne, we met with Zoe, and the County is not ready or is not in a position yet to say this is the preferred treatment for pedestrian walkways at this point in time that will be a breakaway construction, that would not be detrimental to the shoreline. And for them, they wanted – they needed for this project to proceed and because the County was not ready to advise them, they decided to abandon any proposed work on that boardwalk and it's just continuing to be part of the discussions with the department. And whatever process that section of the project will have to go through at that point in time, that decision will be made at that point in time. So right now, there will be no change to that part of the project. So what you will basically see within the shoreline setback area is removal of a very large structure and also removal or abandoning in place of an existing sewer line which was a very big give on their part and we really appreciated them doing that. And so basically you're going to see a landscaped and sandy area where it's going to be expanded beyond what is there right now.

Mr. Starr: I'm glad they're not going to be working on that sewer line in the shoreline. I know we discussed that earlier, but if you bring in any fill in the shoreline area, can we be assured that that's going to be beach quality sand?

Mr. Wong: Yes.

Mr. Starr: Do we need to condition that or is that already conditioned or is it automatic?

Ms. Cua: It's not a condition of your original SMA permit, we're going to have to definitely look at as we did here the construction drawings. We're going to be in contact with them dealing more with the boardwalk issue. We'll make sure that they won't be bringing dirt within the shoreline setback area.

Mr. Starr: So we don't have to worry about it then, you're taking – And my one last question, could you show us a plan for the additional 22 spaces and how the beach park and parking will be configured?

Ms. Cua: I can –

Mr. Starr: Is it in here? I thought I looked and didn't see it.

Ms. Cua: I have the report that went – the SMA permit report that went to you. This is my copy of the report but you all had it. This was the report dated July 11, 2006. This is the layout.

Mr. Starr: Has this changed since we reviewed it in July?

Mr. Wong: No. It did get approved by the Department of Parks and Recreation.

Mr. Starr: May I pass this around?

Ms. Cua: Sure. And basically as mentioned the improvements are going to include 22 new parking stalls to – when added to the existing stalls there will be a total of 75 stalls. They're also going to be putting in a new street light and two new picnic benches as well as general landscaping and a new six-foot blue stone privacy wall between the property and the park.

Mr. Starr: Parking's really at a premium. I go down there and snorkel but a lot of times you can't park. There used to be a lot more parking when it was – that park was originally built there was parking allowed on the sides of the road and then the action of Wailea Community Association that was eliminated. So I'm glad you're adding the parking. Thank you.



Mr. Hedani: Any other questions or comments for the applicant? Commissioner Freitas.

Ms. Freitas: I apologize for taking the commission's time again, but I have to go back to this buggy thing. No, seriously did they present that last time we were?

Ms. Cua: Yes.

Ms. Freitas: You talked about the buggies?

Ms. Cua: Yes.

Ms. Freitas: God, I must not have been here because I would have remembered that one.

Ms. Cua: You can find it described in your report actually I don't know what page, but I can show you that later.

Ms. Freitas: Okay, not in the supplement one though?

Ms. Cua: No.

Mr. Starr: I don't think they called them buggies.

Ms. Cua: Yeah. I don't think they were called buggies.

Mr. Starr: Carts maybe.

Mr. Wong: Golf carts.

Ms. Freitas: Okay, so let me just get something straight. So if you're in your home and you need something in your car you call somebody and they come and get you and take you to your car?

Mr. Wong: You may do that.

Ms. Freitas: Wow. Okay. It's a little hard for me to digest. I'm sorry. I just am not used to this.

Mr. Wong: Again, we want to also encourage people to walk. You know –

Ms. Freitas: Yeah, just not everybody can.

Mr. Wong: Yeah, that is the alternate and the site is very steep. It goes from 80 feet down

to 17 at the beach. So it's – walking backwards is a little more chore than walking downhill.

Ms. Freitas: Yeah, you're not going to run to your car for anything. See what happens when you're absent.

Ms. Cua: The one other thing I wanted to comment on just to add to Elton's presentation is that on the height issue, the community plan and we went over this as part of the SMA but the community plan for the Kihei-Wailea area talks about at the shoreline buildings should be no higher than 25 feet and then they should work their way up to 75 inland. So I just wanted to point out that Elton mentioned that the project will go up to 47 feet high so that's well below what the community plan calls for. So I just wanted to remind you of that.

Ms. Cua then represented the Recommendation.

Mr. Hedani: Questions for staff? Commissioner Starr.

Mr. Starr: Yeah, is there a best management practices clause or condition regarding keeping soil and other debris out of the shoreline during construction?

Ms. Cua: Yes, you have as a standard condition of your SMA permit, I believe it's Condition no. 5, a condition that does just that. It talks about appropriate measures be taken during construction to mitigate dust, soil erosion, ambient noise levels, traffic disruptions.

Mr. Hunt: In addition, Condition 26 addresses that too.

Mr. Hedani: Any, I have a question. On the pedestrian path on the makai side of the property is that open to public access, lateral beach access?

Ms. Cua: I believe it is, yes.

Mr. Hedani: Commissioner Amarin.

Ms. Amarin: Thank you Chair. Ann, I have question. During the demolition period the Mokapu Beach Park will that be – be able to remain open during that course or are they going to – I see you're nodding yes. Affirmed, okay. I just wanted to make sure. It is such a popular park area. Thank you.

Mr. Hedani: Do we need to take public testimony at this point?

Ms. Cua: Yes.

Mr. Hedani: Are there any members of the public that would like to offer comments on this

project? If so, please step forward. Seeing none, public hearing is closed.

Ms. Cua: I've given you our recommendation.

Mr. Hedani: Commissioners, what's your pleasure? Commissioner Freitas.

Ms. Freitas: Move to approve as recommended.

Mr. Hedani: Motion to approve by Commissioner Freitas.

Ms. Amorin: Second.

Mr. Hedani: Seconded by Commissioner Amorin. Discussion?

**It was moved by Ms. Freitas, seconded by Ms. Amorin, then**

**VOTED: To Accept the Recommendation of Approval of the Step 3  
Planned Development.  
(Assenting - S. Freitas, J. Amorin, B. U'u, W. Iaconetti, P. Eason,  
J. Starr)  
(Excused - J. Guard)**

Mr. Hedani: Carried. Thank you. Thank you very much for your application.

- 2. DR. ROGER KEHLER, requesting a 5-year time extension on the Conditional Permit in order to continue to operate the Kihei Veterinary Office in the R-3 Residential District at TMK: 3-9-010: 076, Kihei, Island of Maui. (CP 910006) (J. Dack)**

**The Commission may act to make a recommendation to the Maui County Council on this request.**

Mr. Jeffrey Dack presented the Maui Planning Department's Report.

Mr. Hedani: Questions from the Commission? Are there any members of the public that would like to offer testimony on this item? Seeing none, the public hearing portion is closed.

Ms. Freitas: Wasn't he going to give us some verbal, – is said he was going to tell us something verbal?

Mr. Hedani: You were going to cover some comments? You were going to address some

things orally at today's meeting?

Mr. Dack: Actually I did. I just went briefly through.

Ms. Freitas: Oh, that was it?

Mr. Dack: Yeah, that was all there was. There was a possibility that – We thought there was a possibility that the applicant might come up and make a minor requested change to Condition 9, but you didn't hear that. So that opportunity I guess, if you closed that would you like me to move onto the recommendation at this point then?

Mr. Hedani: Please proceed.

Mr. Dack presented the Recommendation.

Mr. Hedani: Commissioner Starr.

Mr. Starr: Number 1 is a little ambiguous. I thought we were recommending or you were recommending approval for five years, but it looks like it was changed to – oh, 10 years from September 2001. Does that mean five years of the 10 years have already ticked by is that I'm seeing?

Mr. Dack: That's correct. Yes.

Mr. Starr: So in effect, it's five years?

Mr. Dack: It's five years, yeah. The original condition said five years from the certificate of occupancy date of that and so we just entered that date. Pardon me if it was a bit confusing. But yes, it is five years extension.

Mr. Hedani: Proceed.

Mr. Dack: That's all. Any further questions from the Commissioners?

Mr. Hedani: Any other questions from the Commission? Commissioner Starr.

Mr. Starr: I was just going to make a motion. Is that in order?

Mr. Hedani: Go ahead.

Mr. Starr: Move to approve as per the recommendations by staff.

Ms. Amarin: Second.

Mr. Hedani: Motion by Commissioner Starr, seconded by Commissioner Amarin.  
Discussion?

**It was moved by Mr. Starr, seconded by Ms. Amarin, then**

**VOTED: To Accept the Recommendation to Recommend a 5-Year Time Extension of the Conditional Permit to the Council.  
(Assenting - J. Starr, J. Amarin, B. U'u, S. Freitas, W. Iaconetti, P. Eason)  
(Excused - J. Guard)**

Mr. Hedani: Carried. Thank you.

- 3. MS. VALERIE LEWIS OKAMURA requesting a 5-year time extension on the Conditional Permit to continue to operate the Maui by the Sea Transient Vacation Rental in the R-1 Residential District at TMK: 2-6-009: 008, Paia, Island of Maui. (CP 2001/0018) (R. Loudermilk)**

**The Commission may act to make a recommendation to the Maui County Council on this request.**

Ms. Robyn Loudermilk presented the Maui Planning Department's Report.

Mr. Hedani: Questions from the Commission? Seeing none, you want to proceed with –

Ms. Loudermilk: Public hearing.

Mr. Hedani: Public hearing. Any members of the public that would like to offer testimony on this item? Okay, seeing none, the public hearing is closed. Staff recommendation.

Ms. Loudermilk presented the Recommendation.

Mr. Hedani: Commissioner Freitas.

Ms. Freitas: Robyn, the tax that she pays, that vacation tax, are all of them the same? Is that a standard tax or is it by how big the place is or the bedrooms?

Ms. Loudermilk: I do not know how the taxes are broken down.

Ms. Freitas: Do you know what she paid like in a year? Do you know?

Ms. Loudermilk: I do not know. If you would like to ask the applicant.

Ms. Freitas: I would. Because it's little and I'm thinking if everybody were legal we'd be getting all this tax.

Ms. Valerie Lewis Okamura: Good afternoon. Valerie Lewis Okamura. Yes, I pay GE taxes and TAT taxes and it comes to 11% .416 something like that. So there's a GE tax is 4%, TAT has 7%.

Ms. Freitas: ?? Okay, thank you.

Mr. Hedani: Any other questions for staff or the applicant? Seeing none, Commissioner U'u.

Mr. U'u: Motion to accept.

Ms. Freitas: Second.

Mr. Hedani: Moved by Commissioner U'u, seconded by Commissioner Freitas to accept the staff recommendation. Discussion?

**It was moved by Mr. U'u, seconded by Ms. Freitas, then**

**VOTED: To Accept the Recommendation to Recommend a 5-Year Time Extension of the Conditional Permit to the Council.  
(Assenting - B. U'u, S. Freitas, J. Amorin, W. Iaconetti, P. Eason, J. Starr)  
(Excused - J. Guard)**

Mr. Hedani: Carried. Thank you.

- 4. MR. MILTON ARAKAWA, AICP, Director, DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL MANAGEMENT requesting a 2-year time extension on the Special Management Area Use Permit and Shoreline Setback Variance condition regarding the initiation of construction of the Lahaina Watershed Flood Diversion System project located at TMK: 4-7-001: 002(por.) and 018 (por.), and 4-7-002: 004 (por.) , Lahaina, Island of Maui. (SM1 2003/0005) (SSV 2003/0001) (P. Fasi)**

**The Commission may take action on the request.**

Mr. Paul Fasi presented the Maui Planning Department's Report.

Mr. Hedani: Questions from the Commission?

Ms. Amarin: No questions, just move to accept.

Mr. Hedani: Okay, motion to accept by Commissioner Amarin.

Ms. Freitas: Do we need public hearing?

Mr. Hedani: Are there any members of the public that would like to offer testimony on this item? Hearing none, public hearing portion is closed.

Mr. Hedani: Motion by Commissioner Amarin for acceptance of the department recommendation.

Mr. U'u: Second.

Mr. Hedani: Seconded by Commissioner U'u. Discussion? I have a question Paul, and this is more for the department's consideration I think, whenever they do a Public Works project like the last project that we had in this area that affected Front Street which was I think a combination of water line improvements and other improvements. It tied up traffic on Honoapiilani Highway all the way to Maalaea. And I think if this involves cutting across Front Street or any other roadways that would impede traffic that they plate over it or plan around it so that they don't close the roadway like they did the last time.

Mr. Fasi: I will make those comments noted to the Public Works Department.

Mr. Hedani: Okay, thank you.

Mr. Fasi: Thank you.

**It was moved by Ms. Amarin, seconded by Mr. U'u, then**

**VOTED: To Accept the Recommendation of Approval of a 2-Year Time Extension of the Special Management Area Use Permit and Shoreline Setback Variance.  
(Assenting - J. Amarin, B. U'u, S. Freitas, W. Iaconetti, P. Eason, J. Starr)  
(Excused - J. Guard)**

Mr. Hedani: Carried. Thank you.

**D. MINUTES OF THE DECEMBER 12, 2006 MEETING**

Mr. Hedani: The Minutes of the December 12<sup>th</sup> meeting have been circulated to everyone. Are there any additions or corrections? If not, the minutes will stand accepted as circulated.

**E. DIRECTOR'S REPORT**

Mr. Hedani: Director's Report.

Mr. Hunt: I have nothing to report.

Mr. Hedani: Okay, any questions for the director on any of the items one through five?  
Commissioner Eason.

Ms. Eason: I just want to know about No. 2. The status of the Kahoolawe site inspection.

Ms. Freitas: I want to hear the reports from Starr and U'u.

Mr. Hunt: Shall we go with Item A first?

Mr. Hedani: Okay, we'll go with Item A first.

- 1. Planning Commission Projects/Issues**
  - a. Commissioners Starr and Uu reporting on their meeting with the Long Range Division, Department of Planning, regarding Geographic Information Systems (GIS)**

Mr. U'u: I defer to Jonathan Starr.

Mr. Hedani: Commissioner Starr.

Mr. Starr: First of all, I do want to thank the department and staff for having the Long Range people give us a good bit of time. Know what is really interesting? I came away with it really impressed with the degree of knowledge and technical capability and kind of the care that they're putting in to trying to look ahead. I have high hopes for the infrastructure study they're doing and for the work they're doing for the GPAC.

They also did prepare a bunch of files for me for the ARC GIS which I took home and wasn't able to load with the free software and I had to go out and buy the \$1,500 version. But I'm starting to learn how to work it. So I should be able to be running that soon. But I did learn something about the GIS program and I know we're under a different



administration, it's a new day, but you know, thing that was kind of shocking to me was to find out that the GIS project as far as the County is concerned was and I don't know if it still is, in three, at least three very distinct different branches that don't share information. And so, it really hampers the guys who are supposed to do planning using that information. They don't get anything from Water. I mean, I knew more about where the water lines and where the water stuff was than they did because they just don't get it from the Water Department. The Water Department has its own planning staff and its own GIS and I have all that but they're not – or were not, I should speak in the past tense were not sharing files and then there was another – and then there's another GIS organization that was under the administration which you know, and I know Bill and Walle and they have a lot of info and a lot of great work, but their files are not shared with the Planning and vice versa, there's no or was no mechanism for them to interact. So what's happening is that you know there are these separate fiefdoms of data and it would be certainly much better if there's one thing that – and I assume that there are smarter people than I who've already figured this out and are working out ways to put it together. But anyway, kind of that's where I came out of it with and with just a lot of appreciation and want to continue the study. Bruce, did I?

Mr. U'u: I echo the same comments made. What was impressive is that they're one it but they have a lot of work ahead of them. And like Commissioner Starr said, the information is like, you know, here's – separate, nobody is on the same page and I think it' makes it hard for them to give us the information needed but I think they're up to the task and they have a huge task in front of them. I wouldn't mind going back at the end of our term and see where they're at, every year.

Mr. Starr: I would go sooner. But I wanted to ask the Director, what we have to look forward to in Long Range and in terms of GIS?

Mr. Hunt: I certainly support the idea of having enhanced GIS access and sharing that information. So in regards to my position you're preaching to the choir. I mean I'm with you a hundred percent.

Mr. Hedani: That was good report. Nice to hear good comments about the professionalism of the staff and your recommendation is for continued employment for the Long Range Division.

Mr. Starr: I don't know if that's really my purview, but I came away really feeling like those were good people working hard.

Mr. Hedani: Good job.

Mr. Hunt: Jonathan, just to follow up on my comment. We have meetings on a regular

basis with the Mayor and I'll pass that information on and hopefully coming from the top down we can get coordination with the departments. There's not much arm twisting I can do personally with the Water Department for example, but if it comes down from the Mayor, I think maybe it might have some results>

Mr. Starr: And I'd be happy if it's useful to speak on that behalf. I would assume that would be something that I could speak on behalf of the commission just in terms of feeling that there should be a unified effort.

Mr. Hedani: Okay, any questions for – oh, status of the Kahoolawe site inspection.

## **2. Status of the Kahoolawe Site Inspection**

Mr. Hunt: To be frank, I'm not sure exactly what the site inspection is about so if you could fill me in I can take it from there.

Mr. Hedani: Basically I think what the commission wanted to do was do a site inspection of Kahoolawe because the passage of the Kahoolawe Community Plan would fall within the commission's purview and it's something that Director Foley had been pursuing for about –

Ms. Freitas: Over a year.

Mr. Hedani: About a year. Oh, two years and he had to go through huge gyrations in order to get consent from the Attorney General's Office and that kind of good stuff about it being a private meeting of the group and exemptions to that and all of those hurdles we thought were pretty much cleared. So the intent is just to get a familiarization tour of the island and an understanding of what we would be expected to approve once the plan comes through.

Mr. Hunt: So again the intent to familiarize yourself with the land and the issues regarding Kahoolawe once the community plan comes before you then you'll be more informed and educated.

Mr. Hedani: And prior to departure of Commissioner Freitas.

Ms. Freitas: Well, it was supposed to be before Susan actually left, but we were all the way to the point where he was supposed to be bringing us dates. That's how far he said he got. So that was the last thing –

Mr. Hunt: Susan, I think you'll have to get your own date for that.

Ms. Freitas: He's right there. No, so that was the last thing –

Mr. Hedani: But is something that we'd want to do.

Ms. Freitas: You've got one month. Show us what you're made of.

Mr. Hunt: Just to be an objective administrator, if we schedule a site visit with this body next month but the community plan doesn't come before this body for a year, two, even more –

Ms. Freitas: It wasn't totally related to any community plan or anything like that it was when all the things were thrown on the table of why a visit should take place because there had never been one, and the things that were going on and it was just one of the things, the community plan, but there were tabled several items why we should go.

Mr. Hedani: But nothing's going to change between now and a year from now as far as the island is concerned.

Mr. Hunt: No, but the makeup of this body could and so then we would have to hold another one for the newer members.

Mr. Hedani: Or a site visit for the couple of individuals that come on board.

Ms. Freitas: So every year just go. Once a year just take the commission. You know we do site visits now. It's a site.

Mr. Hunt: Well, for example if the commission requested that we do a site visit of the northwestern islands, you know, there's cost involved, there's public perception.

Mr. Iaconetti: That's a good thought.

Ms. Freitas: It is.

Mr. Hedani: That's a fantastic idea.

Ms. Freitas: And I want to know why every other commission goes all over the world looking at projects and here we're the planners and we don't do that.

Mr. Hedani: And if we were in charge of approvals for the Northwestern Hawaiian Islands, we definitely would want to see it.

Mr. Iaconetti: Maybe we ought to find out if we are.

Mr. Hunt: I will look into the matter and discuss it with some staff members and report back to you.

Mr. Hedani: Thank you.

Ms. Freitas: Sounds like step one.

Mr. Hedani: There's some staff people that have been working on that I'm sure.

- 3. EA/EIS Report**
- 4. SMA Minor Permit Report**
- 5. SMA Exemptions Report**

Mr. Hedani: Any questions on the EA or EIS Status Reports? Commissioner Iaconetti.

Mr. Iaconetti: It says Weinberg Foundation commercial office building in Lahaina. Where are they going to build that or are they thinking about building it?

Mr. Hunt: I don't know off the top of my head, but I can get that information and get back to you.

Mr. Iaconetti: And one other question on that same page, the septic tank for the Ogawa cottage. Does the sewer line not go that far?

Mr. Hedani: I don't think it goes all the way to Olowalu.

Mr. Iaconetti: It doesn't?

Mr. Hedani: I don't think so.

Mr. Hunt: I don't believe so either.

Mr. Iaconetti: There's a big project going on I guess that's south of Olowalu isn't it?

Mr. Hunt: Ukumehame.

Mr. Iaconetti: Yeah.

Mr. Hunt: I believe those are large lots.

Mr. Iaconetti: And so the sewer won't be there either.

Mr. Hunt: I don't believe so. I'll verify that, but I believe those are large lots, and therefore, they'd have septic.

Mr. Hedani: Any other questions for the EA or EIS status reports? Commissioner Starr.

Mr. Starr: Page 19, Niehaus is that in Kaupo? 20060605.

Mr. Hedani: Which listing was that again?

Mr. Starr: Niehaus.

Mr. Hunt: I'm not familiar with the project.

Mr. Starr: If Jeff still here?

Mr. Hedani: I think he's gone.

Mr. Hunt: I'll get that information and get back to you.

Mr. Starr: Yeah, I'm just curious if that's in Kaupo, and if so, is it independent from the water system or there –

Mr. Hedani: It says Hana. Commissioner Iaconetti.

Mr. Iaconetti: On page 18, Kapalua Farms, agricultural support structures for Honokohua. What's all that about? Where is that?

Mr. Hunt: I don't know the detail. I mean, I could surmise they're some agricultural buildings but I can try and find out the agricultural use that they're supporting. Is that what you're curious about?

Mr. Iaconetti: Yeah, I'm just wondering what's going on.

Mr. Hunt: Okay.

Mr. Hedani: Any other questions? Any questions on the SMA Minor Permits or SMA Exemptions Report? Hearing none, our next meeting date is February 13<sup>th</sup>. Any other questions for the good of the order?

**F. NEXT REGULAR MEETING DATE: FEBRUARY 13, 2007**

**G. ADJOURNMENT**

The meeting was adjourned at 1:55 p.m.

Respectfully submitted by,

CAROLYN J. TAKAYAMA-CORDEN  
Secretary to Boards and Commissions II

**RECORD OF ATTENDANCE**

Present

Wayne Hedani, Chairperson  
Jonathan Starr, Vice-Chairperson  
John Guard (excused at 11:49 a.m.)  
Bruce U'u  
Suzanne Freitas  
Johanna Amorin  
William Iaconetti  
Patti Eason

Others

Jeff Hunt, Planning Department (1:02 p.m. -1:55 p.m.)  
Colleen Suyama, Planning Department (9:00 a.m. - 11:49 a.m.)  
James Giroux, Department of the Corporation Counsel  
Mike Miyamoto, Department of Public Works and Environmental Management