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**MAUI PLANNING COMMISSION
REGULAR MINUTES
SPECIAL MEETING – WEST MAUI CP
AUGUST 25, 2020**

A. CALL TO ORDER

The special meeting of the Maui Planning Commission was called to order by Chairperson Lawrence Carnicelli at approximately 5:33 p.m., Tuesday, August 25, 2020, online via BlueJeans; **Meeting ID: 885 631 784**

Mr. Carnicelli: Good evening everyone. The Maui Planning Commission special meeting for the West Maui Community Plan of August 24, 2020 is now come to order. If you are on the call, please mute your audio and your video on that would be greatly appreciated. My name is Lawrence Carnicelli, I am the Chair. Also in attendance with us is Vice Chair Christian Tackett.

Mr. Tackett: Good evening, everybody.

Mr. Carnicelli: Good evening. Commissioner Dale Thompson.

Mr. Thompson: Aloha. Good evening all.

Mr. Carnicelli: Good evening. Commissioner Stephen Castro.

Mr. Castro: Good evening. Round two.

Mr. Carnicelli: Good evening. Commissioner Kawika Freitas.

Mr. Freitas: Aloha, good evening Chair, fellow Commissioners, Jen. Thank you.

Mr. Carnicelli: Thank you. Commissioner P. Denise La Costa.

Ms. La Costa: Aloha ka kou everyone.

Mr. Carnicelli: Good evening, and for those of you that were not at our 9:00 a.m. meeting that lasted till I don't know about 2:30 or whatever it was, our new commissioner, Mel Hipolito is also in attendance with us. Welcome Mel and thank you for being here.

Mr. Hipolito: Aloha everyone. Good evening.

Mr. Carnicelli: Good evening. So quorum has been established. Also in attendance with us is Planning Director Michele Chouteau McLean.

Ms. McLean: Aloha Chair, long time no see.

Mr. Carnicelli: Also, Jen Maydan from Long Range Planning.

Ms. Maydan: Aloha Chair and Commissioners.

1 Mr. Carnicelli: Aloha, and Pam Eaton.

2

3 Ms. Eaton: Hi, aloha Chair, welcome Mel to the fun.

4

5 Mr. Carnicelli: The fun. I believe that Michael Hopper, Corporation Counsel Michael Hopper will
6 once again be on call. He's not on the call itself. However, if he is needed we can get him on the
7 call so that's there. So, as I said earlier, please everybody if you keep yourselves muted, your
8 audio and video muted until you're called to testify. We are going to...I just saw something, is my
9 volume way down? Let me just...can you guys hear me okay? Okay?

10

11 Ms. McLean: Yep.

12

13 Mr. Carnicelli: Okay, great. So, we will take testimony at the beginning. I know in our planning
14 commission meetings we take testimony after each item, but what we're gonna do is we're going
15 to go ahead and take testimony at the beginning. For those of you that have not been to a
16 planning commission before, testimony is three minutes. It's exactly three minutes. It's not three
17 minutes and thirty seconds, it's not three minutes and ten, and that's just to be fair to everybody.
18 It's not that we don't want hear what you have to say, it's not that we want to cut you off, this is
19 just to be fair, is for those people that stayed within their constraints aren't treated fairly if you go,
20 say three minutes and thirty seconds and so you don't end your testimony. So we just ask that
21 everybody keep your testimony to three minutes.

22

23 Also, on the agenda on the agenda today is the Growth Framework, 3.1, 3.2, 3.3, 3.4 and 3.5.
24 So, we would also ask that you keep your testimony relative to those sections with which we will
25 be discussing. That's all we're going to be discussing. That's what's agendized, and so then
26 therefore, we're not going to stray away from that. Also, Jen, you can chime in here as well. The
27 intent tonight is not to actually do work on the maps that we will start that next session. What
28 we're gonna do is we're gonna go through one, two...3.1, 3.2, 3.3, 3.4 and 3.5 in kind of a general
29 context, right. Is Jen's going to lay things out for us, she's going to get us to understand the big
30 picture, and then as far as the actual maps and what goes where and everything like that will be
31 agendized at a later date. So, this is one of those rare times, guys, that as testifiers you probably
32 get more, more than one crack at testifying on, on something. So we're gonna go ahead and let
33 you testify on the maps today because it is agendized, and then we're gonna walk through the
34 subareas after we see how we do today and where we get. So, I...Is that sound about right, Jen?

35

36 Ms. Maydan: I think you got it right, Chair. Sounds good. I think this is a great opportunity for
37 the commissioners, any general questions about the maps and the growth framework and the
38 upcoming meetings where you really dive in and make decisions, but that sounds good. Thanks,
39 Chair.

40

41 Mr. Carnicelli: Right. Okay, so also, so if you would like to provide testimony, please use the chat
42 function and direct message Director McLean if you would, if you would like to testify go ahead
43 and direct message her. She'll go ahead and line us up to do that or is it, is it Jen, are you doing
44 it or is Michele, are you doing it? Oh okay, so Director McLean, so if you would if you go ahead
45 and direct message Director McLean.

1
2 And then one last thing is the chat function is not for discussion and it's not to chat with the
3 planning commissioners as well. So, with all that groundwork being said, hopefully we can be
4 expeditious and be efficient, so Director.

5
6 **B. UNFINISHED BUSINESS**

7
8 1. **MS. MICHELE CHOUTEAU MCLEAN, PLANNING DIRECTOR, transmitting the**
9 **West Maui Community Plan Advisory Committee's recommended revisions**
10 **to the West Maui Community Plan pursuant to the provisions of Chapter**
11 **2.80B of the Maui County Code. (J. Maydan)**

12
13 a. **It is intended that discussion be limited to the following subsections**
14 **of Section 3 Growth Framework, to the extent possible:**

15
16 i. **3.1 Background**

17 ii. **3.2 Growth Plan (including relocated Policy 2.4.2 from Section**
18 **2)**

19 iii. **3.3 Community Plan Designations**

20 iv. **3.4 Community Plan Map**

21 v. **3.5 Subarea Descriptions**

22
23 Ms. McLean: Thank you, Chair, there are several individuals who have indicated they wish to
24 testify. Before we get into that, I just wanted to note that we received written testimony from nine
25 individuals that was transmitted to the Commission. So we will acknowledge those for the record.
26 First testifier tonight is Howard Hanzawa, and he will be followed by Joe Pluta. So, Howard, you
27 can unmute your audio and if you wish, you can unmute your video too.

28
29 Mr. Howard Hanzawa: All right, can you hear and see me?

30
31 Mr. Carnicelli: Yes, we can.

32
33 Mr. Hanzawa: Oh, good. Okay, good evening Chair and Commission Members, thank you for
34 your dedication to your community. My name is Howard Hanzawa. I retired from Kaanapali Land
35 Management Corp. eight years ago. Yes, I'm an old guy. And today, I'd like to talk about the
36 history of Kaanapali 2020.

37
38 In 1999, Pioneer Mill closed down for good and declared bankruptcy. All over the land south of
39 Lahaina were sold off to pay off the outstanding debts. What remained were the mauka lands of
40 above Kaanapali Resort and the Pioneer Mill site itself in Lahaina. Understandably, there was
41 much consternation within the community of the closure of Pioneer Mill. There were the lost jobs,
42 the long history, and there was also much anxiety about what would become of the remaining
43 lands in the hills above Kaanapali Resort.

44
45 The company with the weight of its long history in West Maui felt that the community itself should

1 make the decisions to determine how the lands could help to fulfill the long-term community
2 needs. From there, Kaanapali 2020 planning process was started. To enable this process some
3 professional help was needed to help map their conceptual plans and to navigate the
4 developmental maze. The community members themselves determined by vote which planning
5 consultants, architects, engineers, attorneys, cultural specialists, et cetera after extensive
6 interviews of interested parties. Meetings were scheduled and held every third Wednesday of
7 each month, and hundreds of people attended these meetings over the years. They discussed
8 what the community needed, invited governmental agencies to the meetings and had extensive
9 debates. They eventually developed the conceptual, conceptual plan for Kaanapali 2020 to fulfill
10 their vision of what the community needed to help future generations. These included areas for
11 affordable housing, small businesses, health care and senior facilities, cultural heritage sites,
12 schools, parks, a cemetery and open space. The top half of the upper lands would be kept in
13 agriculture.

14
15 Kaanapali 2020 remains the only true community-based planning project in the State of Hawaii
16 and it won a special award from the American Planning Association for the process. Name
17 Kaanapali 2020 was derived during the first meeting with the expectation that the process would
18 be laborious and lengthy and here we are in 2020. A hospital was designated as one of the top
19 needs and a site has been graded for future development. Many of the Kaanapali 2020 group
20 members were considered community activists 20 years ago. All of them were truly dedicated
21 and they rarely missed meetings over two decades.

22
23 Ms. Takayama-Corden: Three minutes

24
25 Mr. Hanzawa: We hope that the legacy—

26
27 Mr. Carnicelli: Thank you Mr. Hanzawa. That is your three minutes, so we appreciate that.

28
29 Mr. Hanzawa: Okay, thank you.

30
31 Mr. Carnicelli: Commissioners, any need for clarification from the testifier?
32 Commissioner Thompson.

33
34 Mr. Thompson: Mr. Hanzawa, did you testify before the West Maui...the growth...did you talk with
35 the community, CPAC, sorry.

36
37 Mr. Hanzawa: Well, no, I have not, I have not. I am not familiar with the details, but understand
38 that there were some minor changes and I think a later testifier can elaborate on that.

39
40 Mr. Thompson: Okay, thank you.

41
42 Mr. Carnicelli: Any other questions for the testifier? I just, real quickly Mr. Hanzawa. I have a
43 quick question for you because I know there's been different times when the communities come
44 together like that, you know, Kaanapali 2020 is a great example, also the Maui Island Plan, you
45 know, about ten years after that and now we're 20,...(Inaudible)...the 2020 plan. What do you

1 have to say to the people that say, like, oh okay, well that was then and this is now?

2
3 Mr. Hanzawa: Well, you know, these were people who were really dedicated for a long time. And
4 then it was 21 years ago but that they stuck with the process. So some of them, unfortunately,
5 have passed away, but some of them, you know, with their canes and wheelchairs, still came to
6 the meetings even earlier this year. The last meeting that we had was in January and then the
7 Covid prevented any more meetings, but they're still dedicated to the process and they have to
8 be taken into account. So, I hope that the legacy of these members will be honored with the full
9 acceptance of the plan. Thank you.

10
11 Mr. Carnicelli: Fantastic. Thank you, Mr. Hanzawa. Commissioner Freitas.

12
13 Mr. Freitas: Thank you, Chair. Aloha Mr. Hanzawa.

14
15 Mr. Hanzawa: Hi there.

16
17 Mr. Freitas: My question is Kaanapali 2020 was that the name given because at 2020 that's it,
18 and it will be replaced by this new CPAC or does 2020 live on and is another document that
19 planning ideas have to run through 'cause I've only heard of that in one of the letters of opposition.
20 I never heard of that before this.

21
22 Mr. Hanzawa: Well, Kaanapali 2020 as I said, you know that name was derived 20 years ago
23 and people knew that it would take a long time, but again, it's up to the members of the group if
24 they want the name changed, they make all the decisions, including the name of the group and
25 the map itself.

26
27 Mr. Freitas: Thank you.

28
29 Mr. Carnicelli: Thank you very much. Appreciate your time. Thank you for your dedication and
30 coming forward and testifying with us. Director.

31
32 Mr. Hanzawa: Thank you.

33
34 Ms. McLean: The next person to testify is Joe Pluta, and he will be followed by Ekolu Lindsey.

35
36 Mr. Joe Pluta: Aloha Commissioners.

37
38 Mr. Carnicelli: Aloha.

39
40 Mr. Pluta: Aloha, can you see me and hear me?

41
42 Mr. Carnicelli: We gotcha.

43
44 Mr. Pluta: Got me? Okay, thank you. All right, I was looking for me to pop up on the screen here
45 but I guess I didn't...it doesn't happen. Thank you very much for the time today and for your

1 service, I appreciate that. The last time you had a meeting, I submitted testimony, written
2 testimony, actually, for two meetings and I had to leave unfortunate for doctor's appointment
3 before I got a chance to, to speak at the last meeting which I wanted to on August 11th. So, I
4 wanted to see how all that worked out. And one of the things to reiterate, I should right now
5 mentioned that I was at the original Kaanapali 2020 meeting when before...even became a name
6 Kaanapali 2020 over, over 20 years ago, and I went to almost every single meeting. It's only a
7 couple of meetings I missed in the last 20 some years. So I'm very familiar with that and I thank
8 Howard and all the members of that, participated in that process.

9
10 So the things that I submitted, my written testimony, there was a lot I was told was switched over
11 from 2.4.2 is now switched over to 3.2 Growth Plan including relocated Policy 2., from Section 2,
12 that's now in the...it was moved over there so that's on the agenda for today, and I guess the
13 other subject I was testified about is the ability to continue in short-term rentals permanently the
14 Papakea, Kapalua Bay Villas which was submitted as a recommendation by the staff to our CPAC
15 and then was somehow disregarded. And the Rural Residential zoning in 2.4.2 we supported the
16 wishes of the Plantation Estates group to convert that to Rural Residential. So, I'm just reiterating
17 all that, and ready if anybody has any questions for me about that.

18
19 Mr. Carnicelli: Thank you very much, Mr. Pluta. Is there any questions for the testifier? Mr. Pluta,
20 I just have one question, what's your stance on 2.4.2 if you could just be clear with what your
21 stance is on what was 2.4.2 and is now 3.2.1 I believe?

22
23 Mr. Pluta: Well yeah, the Plantation Estates and that area that asked to get Rural Residential
24 zoning seemed to be completely logical to me and was supported by me and then I guess when
25 that came up for a vote the...it was a motion was made to accept it and it failed and a motion was
26 made to change it and that also failed, and there was no motions that passed but yet it still it
27 stayed in the, in the policy as...even though it failed to pass or get approval so that's, that
28 was...that seemed to be very odd and misleading to me.

29
30 Mr. Carnicelli: Okay, thank you very much. I appreciate that. Any other questions for the testifier?
31 Seeing none, thank you very much Mr. Pluta, appreciate it.

32
33 Mr. Pluta: Thank you.

34
35 Mr. Carnicelli: Director.

36
37 Ms. McLean: Chair, next is Ekolu Lindsey and he will be followed by Gary Grube.

38
39 Mr. Ekolu Lindsey: Aloha Chair and Commissioners. Everybody hear me okay?

40
41 Mr. Carnicelli: We gotcha.

42
43 Mr. Lindsey: All right, thanks for listening and having me join you today. My name is
44 Ekolu Lindsey. I'm here to just talk story with you folks, let know a different perspective. I've been
45 a participant with Kaanapali 2020 community-based planning for about ten years now. The vision

1 was to create distinct communities where residents of varying lifestyles and incomes can live,
2 work and play in West Maui. This community has been in the planning for 20 years. I remember
3 my father when he first came back from the original planning was super excited because this is
4 true community planning at its grass roots to really appreciate the efforts that it took to get these
5 community members together. Now, several have already passed that includes Jim Wriston,
6 Eve Cluett, Star Medeiros, May Fujiwara and my father, Ed Lindsey. Now, these members who
7 have participated diligently with their input brings a breath of wealth and knowledge to the whole
8 planning process, because in order to move forward on things, we need to recognize what's been
9 done wrong in the past so we don't make those same mistakes.

10
11 Now, I want to name drop on you a few of the other participants that have participated in this plan
12 that includes John Kuia, Walter Delos Reyes, Patty Nishiyama, Glen Hiraga, of course Howard,
13 he already spoke, John Kote, Bob Kawaguchi, Paul Laub, Bob Pure, Joe Pluta, Hans Mihkel,
14 everybody knows Hans, my mom, Puanani Lindsey, and of course, Aunty Rosele Bailey. Now
15 with the input and the breathe of knowledge and the wealth of information these people bring
16 together to the table you cannot out do that with a one-year plan. Planning on the table for the
17 past year. So I would expect that the commission honor the wishes of the Kaanapali 2020
18 community-based planning organization because we've also had a lot of support throughout the
19 last 20 years with Zeke Kalua, Tamara Paltin also has a rep in there, Angus and Roz has
20 participated extensively giving us input and information so we can make informed decisions.
21 We've worked with Department of Public Works and many others to have a very cohesive and
22 exciting plan and I really appreciate everyone's input on all of this having been a part of it, like
23 Kawika I didn't know what it was until I got involved, and once I got involved I was, I was humbled
24 by the experience in the room and the breathe of knowledge that came to be. And also looking
25 at the community plan, it's all in the details and looking at little colors on the map just doesn't do
26 it any justice for what has been planned. I kaw wa ma mua ka wa ma hope, the future can be
27 found in the wisdom of the past, let's honor that past. Mahalo.

28
29 Mr. Carnicelli: Thank you very much, Mr. Lindsey. Any questions for the testifier?
30 Commissioner Freitas.

31
32 Mr. Freitas: Thank you, Chair. Aloha, Mr. Lindsey. Nice to see you.

33
34 Mr. Lindsey: Aloha, Kawika.

35
36 Mr. Freitas: Did you attend the CPAC and recommend them following Kaanapali 2020 at all, at
37 any time.

38
39 Mr. Lindsey: I was involved in the CPAC from the initial, the upstart of it, so I was part of the
40 community panel before it went out to the wider community groups. I attended all four of the
41 community meetings. So, I was at, I was one of the few that was there throughout the whole
42 process. I also participated in giving public testimony at the CPAC meetings.

43
44 Mr. Freitas: Yes, but was it recommended to follow that or take that as the base and build from
45 that or was that scratched and everything will start from ground zero?

1
2 Mr. Lindsey: I don't know how to answer that question, but I did recommend throughout my
3 testimony that we'd take a look at this plan and that it was...I did support this plan publicly.

4
5 Mr. Freitas: All right. Thank you, Mr. Lindsey.

6
7 Mr. Carnicelli: Any other questions for the testifier? One clarifying question on Mr. Lindsey is, are
8 you guys working in conjunction with the landowner, the people that actually own the land? It's
9 one thing to have a plan, you know, for Kaanapali 2020, but there's somebody that actually owns
10 the land that actually going to have to implement it. Have you guys been working with the
11 landowner and landowners, plural?
12

13 Mr. Lindsey: Yes, we have been very closely. And I think, you'll have...(inaudible)...can be
14 answered a little later with...when Chad comes up, he can answer all those details.
15

16 Mr. Carnicelli: Great. Thank you, Mr. Lindsey. Any other questions? Appreciate your time and
17 your dedication to all things that you do. I don't know how you have enough time in the day, quite
18 honestly.
19

20 Mr. Lindsey: Mahalo. Appreciate it. Aloha.

21
22 Mr. Carnicelli: Thank you. Director.

23
24 Ms. McLean: The next person to testify is Gary Grube and he will be followed by
25 Tom Blackburn-Rodriquez.
26

27 Mr. Gary Grube: Okay, am I unmuted.
28

29 Mr. Carnicelli: You are unmuted now, we gotcha.
30

31 Mr. Grube: I'm the owner of Huamomona Farms which is located in the Plantation Estates
32 Subdivision in West Maui. By way of background, I'm an inventor with over 400 patents and a
33 farmer who feels lucky to be part of the Maui community. I've been a property owner in Plantation
34 Estates for almost five years now and my farm has been in operations for almost two years. In
35 that time, the farmer's been successful in providing our Plantation Estates grown produce to
36 restaurants and most recently direct to consumers sheltering in place in their homes. Based on
37 statistics from the State of Hawaii, I believe that my farm is in the top seven percent of all Hawaii
38 farms based on an annualized dollar volume basis.
39

40 On August 15th, my farm teamed with the Plantation Estates Lot Owners Association to provide
41 a community give back event where we gave away over two tons of fresh produce to Maui
42 community members in need. As far as properties within the Plantation Estates community, my
43 particular lot and farm is a unique story and not the rule. Based on an analysis from my
44 professional head farmer and another experienced Maui farming consultant, the vast majority of
45 properties within Plantation Estates are not viable for commercial farming. The years of pineapple

1 farming in the past have left many layers of plastic weed control debris for many feet into the soil
2 in most of the properties. My particular 25-acre property and two other 25-acre lots next to me at
3 the end of the road, up high along Honolua Ridge, do not have the plastic debris issue. As a
4 result, my farm has been successful in producing crops in the soil. In my opinion, it is not viable
5 to farm any of the properties within Plantation Estates with the exception of those three lots at the
6 far east end of the community.

7
8 Another practical barrier to a sensible farming business case in Plantation Estates is water supply.
9 Even with our rainfall levels, we must irrigate our crops using the community non potable water
10 supply. Many times a year, we and the rest of the community are asked to curtail water use based
11 on supply levels. I just can't imagine how anyone else could justify starting a farming operation
12 in Plantation Estates.

13
14 In conclusion, I feel strongly that the proposed change to rural residential designation for
15 Plantation Estates is appropriate in light of the primarily residential aspect of the neighborhood
16 and the fact that commercial farming is essentially untenable. I also feel that the change in
17 designation will not result in any negative consequences for my agricultural activities. Thank you
18 for your kind attention.

19
20 Mr. Carnicelli: Thank you, Mr. Grube. Any questions for the testifier? Seeing none, thank you for
21 your testimony. I appreciate it.

22
23 Mr. Grube: Okay, thank you.

24
25 Mr. Carnicelli: And thank you for, thank for giving all that food to the community. That's fantastic.

26
27 Mr. Grube: Yep, thank you. Appreciate it.

28
29 Mr. Carnicelli: Thank you. Director.

30
31 Ms. McLean: Chair, the next person to testify is Tom Blackburn Rodriguez and he will be followed
32 by William Spence.

33
34 Mr. Tom Blackburn Rodriguez: All right, thank you. Are we connected up?

35
36 Mr. Carnicelli: We are.

37
38 Mr. Blackburn Rodriguez: Thank you very much. Good evening, Chair and Members of the Maui
39 Planning Commission. My name is Tom Blackburn Rodriguez and I am representing Go Maui,
40 Inc. Our website is GoMauiInc.org, and we want to thank you for your service for
41 ...(inaudible)...your meeting in the evening like this. Thank you.

42
43 We have three concerns tonight as they relate to Section 3, Growth Framework on Page 51 of
44 the CPAC Draft Plan on their website. First, the CPAC maps do not follow the Maui Plan maps
45 for urban boundaries. They should be required to confirm to the MIP Urban and Rural Growth

1 Boundaries set after several years of discussion and community input and approved by this
2 Commission and ultimately the Maui County Council. The MIP has the force of law and cannot
3 be updated or changed without following a specific process. Second, the designation of a buffer
4 between Kaanapali and Lahaina Town of 200 acres is excessive and should be reviewed. Third,
5 the decision to make Kaanapali Town South Open Space is not consistent with the MIP Urban
6 Growth designation. We also question the removal of the Urban Corridor designation in the
7 association with a Small Town Center designation. Throwing out the work of the community-
8 based planning group Kaanapali 2020, which you've already heard about that began in 1998.
9 This also leads to unbalanced growth. We will have additional future comments, and again, we
10 thank you for the opportunity to testify this evening.

11
12 Mr. Carnicelli: Thank you, Mr. Blackburn Rodriguez. Any questions for the testifier? Mr. Freitas.

13
14 Mr. Freitas: Thank you, Chair. Mr. Blackburn Rodriguez, as everyone is going to share the
15 changes that they would like, my question is going to be the same. Have you shared this in a
16 CPAC meeting and was there discussion and a reason why it was not changed?

17
18 Mr. Blackburn Rodriguez: I did testify before the CPAC on two other occasions and on similar
19 issues. However, once the specifics came out, my testimony also sharpened as the issues
20 sharpened, but in direct response to your question, I did attend CPAC, I did testify, and I did raise
21 issues similar to these.

22
23 Mr. Freitas: Okay, the reason I say that is because we don't want to second guess all the work
24 that was done, and if one person wants this and yet 10 or 20 people didn't, you know, I just want
25 to know what kind of reasons were given. So, I guess your answer is you didn't ask those specific
26 changes you're asking in a meeting and we can hear what the response was so we can help
27 figure out which way we want to support. So, that's all.

28
29 Mr. Blackburn Rodriguez: But thank you much and I want to also thank the CPAC for meeting
30 during the pandemic and keeping the community as informed as possible. And now having this
31 opportunity to look at their draft plan, which we did not, of course, address fully. And now we have
32 that document. And I thank you for that question.

33
34 Mr. Carnicelli: Any other questions for the testifier. Thank you, Tom.

35
36 Mr. Blackburn Rodriguez: Thank you very much, and again, thank you for your service.

37
38 Mr. Carnicelli: Thank you. Director.

39
40 Ms. McLean: Chair, the next testifier is William Spence and he will be followed by Ravi Bugga.

41
42 Mr. William Spence: Good evening, Commissioners. I did have a chance to watch you a little bit
43 this morning. It was a very interesting meeting. But tonight, I'm here to testify on behalf of
44 Plantation Estates and particularly in support of designating them to the Rural Residential
45 designation. The gentleman from Plantation Estates approached me, he said, would you take a

1 look at this? Would you look at what's on the ground, how Plantation Estates has been developed
2 and where it actually fits in the community plan? So, I did exactly that. I looked at the history of
3 Plantation Estates which was subdivided starting in 1991, and it was at a time when Maui Pine
4 took property out of pineapple production and instead wished to build luxury housing oriented
5 around a golf course. And as you know, the golf course is world famous plantation course that
6 many tournaments have been played there. So, I took that knowledge. I also looked in the real
7 property tax to see, you know, kind of what's the nature of this development and found those lots
8 that have homes on them the...at least the real property tax assessments are over seven million
9 dollars, and that's just the average. So, I'm kind of looking at this and I'm going okay, well, let's
10 see what the draft plan looks like, and I looked at the different descriptions, I looked at the ag
11 description and the accompanying photographs, which I thought were very helpful. I looked at
12 the rural description and how those...how it fits in with that and I really believe the nature of this
13 existing subdivision, this existing development really fits the rural description much better than it
14 fits agriculture. I was very impressed with Mr. Grube, and congratulations on having a successful
15 farm up there. The other homes have small amounts of agriculture, but predominately, this is
16 luxury housing oriented around the golf course.

17
18 This kind of development also fits much closer with state law, specifically the Rural designation,
19 the Rural District in 205, Hawaii Revised Statutes that allows golf courses within the Rural District.
20 The Ag District does not. And as everybody knows, this kind of luxury housing on Ag land has
21 been a sore spot for decades now. So, it's much better to really call this what it is, it is rural
22 residential housing. I think it's appropriate too because as a part of our, our, community plan
23 efforts, we always call existing land uses—

24
25 Ms. Takayama-Corden: Three minutes.

26
27 Mr. Spence: Thank you. Existing land uses for what they are. Light industrial, Residential,
28 et cetera.

29
30 Mr. Carnicelli: Thank you, Mr. Spence.

31
32 Mr. Spence: So, this would be consistent with that. I appreciate the offer to testify.

33
34 Mr. Carnicelli: Great. Any questions for the testifier? Commissioner Freitas.

35
36 Mr. Freitas: Thank you, Chair. Mr. Spence, I would like to ask you if it was changed to Rural
37 Resident or Residential Rural could there be a possibility that that lot can be subdivided and add
38 more homes.

39
40 Mr. Spence: That's a really excellent question, and if you look in the County Code, we had a
41 number of Rural Residential Districts starting with half acre, going, one, two, five and I believe
42 ten-acre, so if this at some time was zoned to Rural it would be a Rural-2 designation 'cause there
43 could be no more subdivisions within there. And I suggested in my written testimony just a little
44 bit of language for the plan specifically for that. Nobody wants to subdivide any more up there.

45

1 Mr. Freitas: Thank you. The reason I ask is about a little more than half of the letters that we
2 received, I read through them and most of them, four or five of them have been pushing this same
3 thing that you're asking. And, you know, the properties were designated and built on Agriculture
4 as agriculture. I think it should remain Agriculture. And I did see someone say that a golf course
5 shouldn't be on agriculture. Well, what's the majority of a golf course?
6 Grass...(inaudible)...Anyway, I don't agree with the changing of the Ag designate.

7
8 Mr. Carnicelli: Okay, thank you Mr. Spence. Any other questions for the testifier? Seeing none,
9 thank you former Director.

10
11 Mr. Spence: Thank you.

12
13 Mr. Carnicelli: Good to see you. Director.

14
15 Ms. McLean: The next person to testify is Ravi Bugga and he will be followed by Leilani Pulmano.

16
17 Mr. Ravi Bugga: Aloha, Mr. Chairman and Committee Members can you hear me?

18
19 Mr. Carnicelli: Yes we can. Good evening.

20
21 Mr. Bugga: Good evening. I'd like to just share some information regarding the Kapalua
22 Plantation Estates which came to my attention. You know, several...I kept asking why do you
23 want this change, right, and the folks kept saying, well, we, we basically want to...we look like
24 this, so we should be called this, right? We look like rural residential, so that's what we should
25 be. Many people told me, including realtor friends of mine, that the real reason was probably
26 property price increases. I didn't quite take it seriously. But after the CPAC vote on this,
27 Mr. Brad Paulson from Plantation Estates was heard outside the meeting room and he was asked,
28 you know, why do you want this change anyway? And his reply was, it's to increase our property
29 prices. So, thank you, Mr. Paulson, I have the answer to my question that I've asked for six
30 months. It's basically a money-making scheme and confirmed by every realtor I've spoken to and
31 lots of hits on Google as well. With an average home price of five million in Plantation Estates
32 plus or minus. As an example, a 10 percent increase would give half a million in profit to each
33 landowner there. A 20 percent increase would give a million dollars in profits. Okay, just wanted
34 to set those numbers, they're all...(inaudible)...perspective. It depends on many factors, but that's
35 what could happen. So, certainly special interest groups like homeowners, certainly real estate
36 agents and developers benefit from this. But, you know, we talk a lot about Ag here, how does
37 the West broader, the broader West Maui community, gain if people buy, people, developers buy
38 ag land relatively cheap, build gentlemen's estates, reclassified, rezone it and just rake in the
39 profits. Thank you very much.

40
41 Mr. Carnicelli: Thank you, Mr. Bugga. Any questions for the testifier? Seeing none, thank you.

42
43 Mr. Bugga: Thank you.

44
45 Mr. Carnicelli: Director.

1
2 Ms. McLean: Chair, next up is Leilani Pulmano, and she'll be followed by Tom Schnell.

3
4 Mr. Carnicelli: Good evening.

5
6 Ms. Leilani Pulmano: Hi, can you hear me?

7
8 Mr. Carnicelli: We can.

9
10 Mr. Pulmano: Oh, great. Well, good evening, Chair and Commissioners. Thank you for allowing
11 me to testify. My name is Leilani Pulmano and I was a CPAC member as well as Ravi, the last
12 testifier. And as you get in to Section 3, of the growth framework, I would ask that you discuss
13 the following three items. One, most of the rural growth areas that are reflected in the Maui Island
14 Plan are not included in the community plan. And I ask that you revisit that in order to provide
15 consistency with the Maui Island Plan. Two, in light of the pandemic and strengthening our
16 economy, I would ask that you find some areas to include industrial uses. These...this land use
17 would facilitate other businesses besides retail office and the service industries. And three, the
18 definition of community plan, designation for the Special Purpose District be clarified to include
19 existing project districts that are established in the County Code. In discussing this definition
20 during CPAC, I walked away unclear if existing project districts would be or could be designated
21 in the Special Purpose District. My last comment from watching you from our last meeting is that,
22 from your last meeting is that I feel vindicated that the Planning Commissioners and the CPAC
23 members are discussing the same policies in depth when it go, which goes to show that these
24 policies were not unanimously passed, for example 2.4.2, about the conversion of ag land, 2.4.3,
25 about no additional visitor units, 2.511 requirements for the affordable housing projects. So, just
26 to highlight a few that we struggled with as well. So, thank you that's my testimony.

27
28 Mr. Carnicelli: Thank you for commiserating with us. I appreciate that. Any questions for the
29 testifier? Commissioner La Costa.

30
31 Ms. La Costa: Thank you, Chair. Aloha, Leilani, nice to see you again. What was your first...you
32 had three, I got the second one about industrial and the third one about project districts, what was
33 the first item that you mentioned that you wanted us to look at please?

34
35 Ms. Pulmano: The rural growth boundaries.

36
37 Ms. La Costa: Thank you, appreciate it.

38
39 Ms. Pulmano: Thank you.

40
41 Mr. Carnicelli: Any other questions for the testifier? Seeing none, thank you very much Leilani
42 for your service as a CPAC member and your testimony. Director.

43
44 Ms. McLean: Chair, now we have Tom Schnell and he will be followed by Karen Comcowich.

45

1 Mr. Tom Schnell: Good evening, Commission Members, this is Tom Schnell. Can you hear me?

2

3 Mr. Carnicelli: Yes, we can. You have up to three minutes.

4

5 Mr. Schnell: All right, thank you very much for the opportunity to testify. I'm with PBR Hawaii.
6 PBR Hawaii is a land planning and landscape architecture firm that's been in business in Hawaii
7 doing business on all islands for 50 years. I'm testifying tonight on behalf of Maui Land Pineapple
8 Company. PBR Hawaii has worked with Maui Land and Pine 90s. In my personal role at PBR,
9 I've been working with Maui Land and Pine since the year 2000, so about 20 years. You have
10 our written testimony. I provided detailed, written testimony, so I'll just summarize our concerns.

11

12 Our main concern is that Maui Land and Pine opposes the elimination of Project District 1 and
13 Project District 2 designations from community plan. And just to generalize, we would oppose or
14 would not be in favor of removing any of existing project districts. If the Commission and the
15 Council and the Planning Department feel that additional project districts are not warranted, I can
16 understand the reasoning behind that. But the existing project districts, especially Project District
17 1 and 2 are actually not only community plan designations, but they are zoning designations. So,
18 the land is actually zoned Project District 1 and Project District 2, and those are part of the Maui
19 County Code which can only be changed by the Council. So, by removing the Project District
20 designations, it creates a conflict between the zoning and the Maui County Code and the land
21 uses that could be allowed in those Project District areas. It effectively changes what could be
22 provided in those Project District areas to some degree. I mean, the Planning Department or the
23 CPAC maps do allow generally many of the uses that are allowed under the Project District
24 Ordinance, but not specifically in the areas that the Project District Ordinance provides flexibility
25 for. So, we think this will create conflicts in the future when people that have Project District
26 zoning go in for a Project District Phase 2 and Project District Phase 3 Approvals. The Lanai
27 Community Plan adopted in 2016 and the Molokai Island Community Plan adopted in 2018 both
28 include project district designations.

29

30 And just to sum up, so we respectfully request that Project District 1 and 2 designation should not
31 be eliminated from the community plan and specifically, Figure 3.2 which is the community plan
32 map on Page 87 should be changed to all those project district areas, projects, districts and Figure
33 3.3, it's Subarea Napili and Kapalua—

34

35 Ms. Takayama-Corden: Three minutes.

36

37 Mr. Schnell: --on Page 89, ...(inaudible)...

38

39 Mr. Carnicelli: Mr. Schnell that was your three minutes. So I appreciate that. Any questions for
40 the testified? I actually have one quick question for you, Mr. Schnell, and that is, you know, Leilani,
41 right before you had suggested that maybe we redefine special, the Special Purpose District to
42 include Project District. Would you, would you be okay with that? Or are you suggesting that
43 we've got to create two? I mean, other than like what's the plan right now, you know, I think we
44 have, what is it, 13, 14 different designations. You're saying we should add two more Project
45 District 1 and Project District 2 or are you saying that we should put it in Special Purpose District?

1 Allow—

2

3 Mr. Schnell: Preferable would be to retain the existing Project District designations but I think it
4 would also be acceptable in agreement with the Leilani if the Special Purpose District definition
5 was clarified to say that existing project districts are included too.

6

7 Mr. Carnicelli: Okay. I mean, this is obviously some kind of a conflict thing that will, in our
8 discussions, I appreciate you bringing it up because I think that this is something that, you know,
9 we don't want to create a plan that has conflicts just right as soon as it becomes law, right. I
10 mean, it just doesn't make sense. So this is one of the things that...that is why Director McLean
11 gets paid, the large dollars that answer questions like this. She'll do that later. Any other
12 questions for the testifier? Thank you, Mr. Schnell, appreciate your time.

13

14 Mr. Schnell: Thank you for allowing to testify.

15

16 Mr. Carnicelli: Director.

17

18 Ms. McLean: The next testifier is Karen Comcowich and she will be followed by Chad Fukunaga,
19 and just for the Commissioner's information, there are two testifiers after Chad.

20

21 Ms. Karen Comcowich: Aloha. Karen Comcowich from the West Maui CPAC. Am I echoing?

22

23 Mr. Carnicelli: You're a little bit volumey, but you're good.

24

25 Ms. Comcowich: Okay, the purpose of the West, Maui Community Plan is to give the residents
26 of West Maui the opportunity to express how we envision our community in the future. We listened
27 to hours of testimony from the community. The plan that resulted is the culmination of those
28 voices. Some of the recurring themes were the imbalance of tourists to full-time residents, the
29 need for housing for locals and residents can afford, and the desire to protect our resources and
30 promote sustainability. The first thing is support for the Minatoya list properties being designated
31 residential. This is about supporting the wishes of the West Maui residents. On West Maui, we
32 have a terrible imbalance of tourists to residents. As well as not having enough housing for
33 residents, part of the problem is the Minatoya list opened a legal loophole for apartments and
34 condos built before 1989 to be rented a short-term vacation rentals without permits. Thus, the
35 older apartments and condos have been purchased as second homes because owners from the
36 mainland can make money. This also makes the properties more expensive, putting it out of the
37 price range locals and residents can afford. Please support the residential designation for these
38 properties as a way to increase the inventory of long-term rentals and correct the imbalance of
39 tourists and residents.

40

41 The second is support for maintaining the agriculture designations. Residents of West Maui want
42 to see our agriculture sector grow and West Maui become more self-sufficient. Part of this is
43 asking owners who bought agricultural land to actually farm. Owners of these luxury homes on
44 agriculture lots want designations changed to from Agriculture to Rural Residential. The broader
45 community does not support this change. For the most part, these owners are not residents of

1 Maui. This is, for example, the Plantation Estates there are 51 lots, only ten owners are Maui
2 residents.

3
4 This is also true of the Ukumehame area, where only 39 percent of the housing units are owner
5 occupied. Almost the same percentage, 37 percent are vacant, i.e., used for second homes or
6 vacation rentals. Please support the desires of the West Maui residents and keep agriculture
7 designations for these areas. Olowalu was also an area that we heard a lot of testimony about,
8 because Olowalu has a lot of history, a beautiful, intact reef and an insufficient water supply to
9 support development. The developer says he wants to build affordable and workforce housing.
10 If this is truly his desire, the area of Lahaina South, which he also owns, would be a great place
11 to begin. I think Peter Martin means well, but he does not listen well as shown with Pulelehua,
12 the community responds in a positive way when developers listen to and respect the wishes of
13 the community.

14
15 Finally, Kaanapali, 2020, West Maui did support the Kaanapali 2020 as it was laid out. However,
16 things have changed in the past 20 years. Now the West Maui community would like a separation
17 between Lahaina Town and Kaanapali, the place where residents live and the place where tourists
18 play. That's also our canoe beach and our locals' beach. That's where we have birthday parties.

19
20 Ms. Takayama-Corden: Three minutes.

21
22 Ms. Comcowich: We want that place not to be developed, not to become a second home
23 destination, but to be a place where...

24
25 Mr. Carnicelli: Thank you, Ms. Comcowich.

26
27 Ms. Comcowich: ...(inaudible)...going with our families. Mahalo.

28
29 Mr. Carnicelli: Thank, thank you very much. Any questions for the testifier? Yeah, you know,
30 Karen you've been on my mind a lot since the last, the last meeting and you know, you're very
31 passionate. I love the fact that you know, you're...you are as passionate as you are and you're
32 as strong willed and as opinionated as you are. I mean, I think that's a really good thing. The
33 one part I thought that was part...Just I was trying to get clarity on was did you say that you're
34 willing...you're not willing to compromise on anything? Like is there anything in the plan you're
35 willing to go like, okay, I could live with that or not, and you don't have to be specific. I'm not
36 asking you to give a—

37
38 Ms. Comcowich: There were a number of compromises made in a plan. That is why it took so
39 long to discuss these. Obviously I compromised on my principles that was not clear.

40
41 Mr. Carnicelli: I don't think you compromised on your principles, you may not have gotten your
42 own way, I'm mean, I don't...I'm just saying...but I don't think you ever compromised on your
43 principles, I'll give you that.

44
45 Ms. Comcowich: Taking care of the West Maui rivers and reef is definitely part of my principles,

1 and we compromised on that because instead of having a hundred, I think it was a hundred...200
2 meter buffer we compromised to a hundred because that's what developers thought sounded
3 better. Yes, obviously that's part of being part of a commission is compromising and discussing,
4 so obviously I did that.

5
6 Mr. Carnicelli: Right. No, no, and I know that you did along the way. I just, I thought that, I
7 couldn't remember if it was you that said, oh, this particular plan that got transmitted like no
8 changes. I didn't know if that was, that was you or not. So, I just wanted clarification on that.
9 And then the other question—

10
11 Ms. Comcowich: The only thing I said, no compromise on is as far as developing affordable
12 housing. Yes, I do think it should be a place that people can live and thrive, not a place where
13 people can survive. Those are the people who actually live here and love here, not just visitors.

14
15 Mr. Carnicelli: Got you. So the other, the other question that I'm, I'm sort of wrestling with here,
16 and it's you know, we've got, we're gonna probably get more testimony on it, and you gave
17 testimony on and this is the ag to rural thing, right. So, on one hand, I want to ask the...you know,
18 the same thing that Ravi said, right, why do you guys want this? Like, why? Okay, you exist,
19 you're there, like okay, why? The other question is, why do you care if they get it? Like what, like
20 so that, I'm going to ask you the same question that I'm going to ask them, and that is, why is it
21 so important for you that they stay ag, and I'm gonna ask them why is it so important for them to
22 go from Ag to rural? 'Cause I can argue either side.

23
24 Ms. Comcowich: For me it's important—

25
26 Mr. Carnicelli: Like why either one of them is good.

27
28 Ms. Comcowich: Okay, the reason it's so important to remain in agriculture is once you...change
29 it to Rural Residential that gives them that they're allowed to do with the land. You can't undo
30 that. Once you build something—

31
32 Mr. Carnicelli: Are you sure that's true?

33
34 Ms. Comcowich: Once you allow more freedom, it's hard to take that away. But when you, you
35 maintain what you want which we do want to have agriculture. The other thing about those about
36 those lands, for instance, Plantation Estates, that's the second wettest place on Earth. They're
37 saying they don't have enough water. That's ridiculous. Also, you can regenerate the soil. Yeah,
38 all our soil has been by denatured by the sugar plantations, the entire island of Maui, but now we
39 have the opportunity to regenerate our soil, invite the water back to our lands which is what
40 greenery does. So, yes I want to see us grow in a natural, healthy way.

41
42 The other reason is because when you have agriculture land, you are growing something with the
43 water. When you have luxury estates, you're growing swimming pools, grass, palm trees, none
44 of that is beneficial for anyone but the owner.

45

1 Mr. Carnicelli: Okay, thank you. Any other questions for...Commissioner Freitas.

2
3 Mr. Freitas: Aloha Ms. Comcowich. I appreciate you talking a little bit about Kaanapali 2020, and
4 would like to ask you, can you explain to me, because you said that things have changed from
5 that plan to current which I'm sure it has. Can you share two or three of the top changes in that
6 one that stands out to you?

7
8 Ms. Comcowich: The changes are not in that plan. The changes are in the West Maui community
9 in the West Maui community before between Kaanapali and Honokowai, we had green open
10 space, kiawe trees growing on the ocean where you could go and take your family and get away
11 from everything. Now, that has a bunch of hotels, a few long, you know, apartments people can
12 own, but those are vacation rentals. It is completely developed. The last little bit of shoreline
13 between Lahaina and Kapalua that are undeveloped is Hanakaoo Beach Park. That's where we
14 canoe. That is where we go and have first birthday parties. That's where we celebrate together
15 and we want that place to not have homes above it, to not be destroyed by the degradation that
16 comes with building and digging in the dirt. Thank you for the question.

17
18 Mr. Carnicelli: Any questions for the testifier? Commissioner La Costa.

19
20 Ms. La Costa: Thank you. Thank you, Karen, also for your time on CPAC. I know you spent a lot
21 of, a lot of time, were at all the meetings. So the Minatoya List and, and all of the turning, all of
22 this short-term rentals into long-term rentals what was the for and against votes for 2.4.2 which
23 has been pushed to 3.2 because I know not everybody that was on the CPAC was for it contrary
24 to what you –

25
26 Ms. Comcowich: ...(inaudible)...this weekend and I didn't have time to review those numbers.

27
28 Ms. La Costa: Okay.

29
30 Ms. Comcowich: But it wasn't something we discussed a lot and minds were changed because
31 if you look at the numbers of how many people need homes compared to how many short-term
32 vacation rentals are on the Minatoya List. They're almost the same. I'm not saying all those
33 people could move there instantly, but I have friends who are wealthier who could avoid the...not
34 avoid, afford the more expensive rentals which would open up the cheaper properties for my
35 friends with less money. And this is not money that is coming back to our community. The majority
36 of this money is going to off island owners that's why I don't support it. I would...I wouldn't have
37 a problem with locals making money, renting condos and apartments. I have a problem with all
38 our land being used for second homes and money being made off the island and taken off island.

39
40 Ms. La Costa: Okay, I don't know if you're familiar with HARPTA, but if you do on a property here
41 and sell it, you do have taxes to pay if you don't live here, unless you do a 1031. But my, my my
42 concern on that thinking is, irrespective of what I do for a profession, is that those properties are
43 really expensive. And being able to rent them to cover your costs for locals, it just doesn't pencil.
44 I mean, it just doesn't. And unfortunately...(audio feedback two individuals speaking at once)...

45

1 Ms. Comcowich: ...(inaudible-two individuals speaking at once)...’cause I considering trying to—

2
3 Mr. Carnicelli: Hang on, hang on, hang on, hang on guys, guys, guys, guys let’s not talk over the
4 top of each other.

5
6 Ms. Comcowich: Okay, I apologize for that. But those are...part of the reason they are so out of
7 the price range of locals is when you make it so that you can short-term vacation rental, it costs
8 more to buy. It’s obviously a better REO, it’s...you know, you can buy it, you can turn a profit
9 quickly. When you’re renting long-term, I’m sorry long-term that takes a longer time to make a
10 profit. It’s a lower profit margin initially. Yes, I have looked at the numbers but these numbers
11 aren’t supported...aren’t supporting the local economy. They’re supporting people in Wisconsin
12 and Michigan and California who want to come on California once a year, sorry, on vacation once
13 a year.

14
15 Ms. La Costa: Well, happy belated birthday. Thank you.

16
17 Ms. Comcowich: Thank you.

18
19 Mr. Carnicelli: Any questions for the testifier? Thank you, Ms. Comcowich. Director.

20
21 Ms. McLean: The next person to testify is Chad Fukunaga, and he will be followed by
22 Junya Nakoa.

23
24 Mr. Chad Fukunaga: Good evening Chair and Commissioner Members. My name is
25 Chad Fukunaga and I’m with Kaanapali Land Management Corp. I’m testifying this evening to
26 summarize my written testimony and to be available for any follow up questions. A majority of the
27 Pioneer Mill site is currently designated in the 1996 community plan as Heavy Industrial and
28 ...(inaudible)...portion of the site and adjacent three lots that make up the Lahaina train station
29 are designated Light Industrial. The majority of the site is zoned as M-2 Heavy Industrial with the
30 remainder as M-1, Light Industrial. The CPAC recommends these areas be designated Urban
31 Center Corridor. A description for Urban Center Corridor provided in the Growth Framework does
32 not include any industrial uses. Changing the community committee plan designation to Urban
33 Center Corridor will place many of the existing uses into nonconforming status. The change will
34 create a hardship for Pioneer Mill Company as the landowner and the many tenants with industrial
35 related businesses.

36
37 We request the Maui Planning Commission consider the need for industrial applications in
38 West Maui and ask to have the Pioneer Mill site continue its ongoing uses with industrial
39 designation and that the three lots making up the Lahaina train station be designated Employment
40 Center which most closely fits the light industrial uses. The CPAC categorized the Kaanapali
41 2020 area into three sub areas. All three areas are within the urban growth boundaries of the
42 Maui Island Plan. The master plan created by the Kaanapali 2020 planning effort is most
43 consistent with a community plan mix, a small town center and urban center corridor. The CPAC
44 designated the Kaanapali Town North and Kaanapali Town areas as entirely Small Town Center.
45 This will allow for many of the plan uses, but will not allow for a diversification of commercial uses

1 beneficial to a well-rounded community. The CPAC designated the roughly 200 acres of
2 Kaanapali Town South as half agriculture and half parks open space. The designations are
3 entirely inconsistent with the Kaanapali 2020 community planning effort and the Maui Island Plan.
4 That designation is also inconsistent with the desire to have development in close proximity to
5 existing infrastructure which is essentially important for affordable housing. We request these
6 areas be designated consistent with the Kaanapali 2020 plan to include a mix of small town center
7 and urban center corridor or at a very minimum, to place the southern area that would be left, as
8 is to align with the agricultural uses. Thank you
9

10 Mr. Carnicelli: Thank you, Mr. Fukunaga, greatly appreciate that. As we go into the map areas, I
11 think it's going to be easy...easier for us if you give us maps, right. It's one thing to hear it and
12 then we've got to translate it to what you're talking about? And I know you got three
13 minutes to so you're trying to get through your, your stuff, but as we move forward, I think it's
14 going to be better if you do that for us. Questions from...for the testifier from the Commission?
15 Commissioner Thompson.

16
17 Mr. Thompson: Mr. Fukunaga, thanks for coming tonight. So did you testify in front of CPAC and
18 also you're with Kaanapali Land Management and how many acres do you guys own here in
19 West Maui?
20

21 Mr. Fukunaga: Well, our land extends into the forest reserve. We have close to 3,000 acres of
22 property in West Maui not all of it, you know in developable. A lot of it, we're doing active
23 agriculture...well, we're trying to do as much active agriculture as we can and we also manage
24 the Pioneer Mill site, and I'm sorry did you ask me if I...
25

26 Mr. Thompson: Yes, wondering if you testified at CPAC?
27

28 Mr. Fukunaga: Yes, I did testify. I tried to testify every opportunity that I had. You know, as a land
29 owner representing a lot of land in the area, you know unfortunately, I was given three minutes to
30 really describe you know the needs for our land, and I felt that that was not enough time. And
31 then I testified at each appropriate hearing when, when our area was on the agenda.
32

33 Mr. Thompson: Are you guys willing to put in affordable and workforce housing?
34

35 Mr. Fukunaga: Yes, in fact, our Puukoolii Mauka area, which we have entitlements for, for 940 units.
36 We have committed to put it in 51 percent affordable and then the rest of the areas, you know,
37 we'll work with the County to provide affordable housing.
38

39 Mr. Thompson: Thank you.
40

41 Mr. Fukunaga: We want to provide housing for the locals, you know, we've been working with the
42 community for many years, and it's a shame that we haven't been able to provide, to provide them
43 housing. We would really like to do so.
44

45 Mr. Thompson: What's been the main obstacle for providing housing?

1
2 Mr. Fukunaga: Everything. You know, cost, infrastructure is tough. Infrastructure is really
3 expensive, entitlements are really expensive, and we have, we with limited resources. So we
4 have to be strategic in what areas we develop. We'd like to develop, you know, everywhere at
5 one time we can't do so though.
6
7 Mr. Thompson: Thank you.
8
9 Mr. Carnicelli: Commissioner La Costa.
10
11 Ms. La Costa: Than you, Chair. Thank you, Mr. Fukunaga. I'm...in your plans, do you have live-
12 work layouts with commercial down below or at least be two and then living up above?
13
14 Mr. Fukunaga: Yes, we have a number of areas where...that we've identified as mixed use and
15 in the...my written testimony I've provided a map. And so that, that you show the areas where
16 we have mixed use.
17
18 Ms. La Costa: So they would be work...they'd be work-live, that's what you plan there? The
19 work-live situation?
20
21 Mr. Fukunaga: Yes.
22
23 Ms. La Costa: Okay, that's what I wanted. Thank you.
24
25 Mr. Fukunaga: Chair, our community, our community members, I'm sorry.
26
27 Mr. Carnicelli: No, go ahead.
28
29 Mr. Fukunaga: Our community members you know, really wanted to, to build a community, and
30 they felt that that was an important component of it, you know, to have areas where you can live-
31 work, where we can walk about, but they also added you know, some commercial components.
32 There's also areas for, for wellness centers, churches. We also met with the Police Department
33 who had expressed interest in the site in the Kaanapali South area. So we've identified a location
34 for the police station also.
35
36 Mr. Carnicelli: Is there any other questions for the testifier? Mr. Fukunaga, I got a question is, of
37 your 3,000 acres, how many of...how many of it is fully entitled?
38
39 Mr. Fukunaga: Two hundred forty acres. Well, the 240 acres, which makes a Puukoolii Village
40 Mauka, and then we have the Pioneer Mill site which is approximately 20, 20 acres and so.
41
42 Mr. Carnicelli: Okay, and just so you know, when we get into the next meetings, you're going to
43 have more than three minutes and one sheet of paper to be able to explain with the vision for
44 Kaanapali 2020 is, you will be able to get in...(inaudible)...I think that at least for me, I feel like
45 this is more of a partnership. I mean, we, we absolutely we need to hear from the community.

1 We want to hear the community wants, you need to hear what the community wants, but we also
2 need to hear what it is that you guys can even implement. So it's one thing for us to draw, you
3 know, these. So, we're going to look at this as a little bit more partnership in trying to come up
4 with what it is that can work for the community rather than, you know, us just sort of drawing colors
5 on a map. So, just so you know that so we'll be using you as a resource...(inaudible).

6
7 Mr. Fukunaga: Thank you.

8
9 Mr. Carnicelli: Great. Director.

10
11 Ms. McLean: Next, we have Junya Nakoa and he'll be followed by John Kindred, who for the
12 moment is the last person indicating they wish to testify.

13
14 Mr. Junya Nakoa: Hi there, you guys can hear me?

15
16 Mr. Carnicelli: Junya, yes we can.

17
18 Mr. Nakoa, Yes sir, you guys can hear me?

19
20 Mr. Carnicelli: Yes we can. Go ahead.

21
22 Mr. Nakoa: Okay, yes. Kind of lucky that I had follow the Fukunaga guy because I was all part of
23 the Kaanapali 2020 in 1999. Used to meet at the business building across of McDonalds. Well,
24 a lot of the projects that was passed on Kaanapali North...North Kaanapali, all those...the hotels
25 and all the stuff was built with the promise of building affordable workforce housing. And then
26 now the braddah just said he get land up Puukolii, above Puukolii for how many houses that's
27 where all the affordable workforce housing supposed to be at, and that's where it supposed to be
28 built, and that's what these hotels supposed to build. So the Planning Commission, howzit
29 Michele, you know you heard me complain about this years and years and years. So get that
30 buggah for...get that buggah for build the buildings, build the homes for all the people, and then
31 another thing is the Karen lady, she's awesome. Yeah, take care the locals neva mind these guys
32 from...sorry I going use this buggah but, the haole, the haole mainland people because they, they
33 not residents like us. I live here 35 years, but we get nothing. We get shafted in Lahaina
34 especially. No moa affordable houses, but where we go building million-dollar homes. Keep um
35 the ag, keep um the kine, also get the Hawaiian Homelands in Kaanapali...not Kaanapali but
36 Honokowai. Get us Hawaiians all the ag lands we show you guys how for live off the land. We
37 show you how we can use the water and how we can prosper on all our ag lands. Listen to this
38 whole West Maui Pac thing, they work hard for this thing. Yes, and take care the locals. No take
39 Canoe Beach. You going take Canoe Beach you going get a war big time. What else, just,
40 just...just take care the locals neva mind this haoles already, taking our property and taking our
41 beaches with promises of building us affordable homes and not building nothing. Sorry if I
42 passionate, but I stay piss off, hope you guys fix this buggah and make them awesome for us
43 local people that live here right now, cause of the pandemic. All the haoles in the mainland stuck
44 over dea, they not coming over here. Take care of us guys, no forget I going make sure I come
45 to meetings now. Mahalo.

1
2 Mr. Carnicelli: Thank you, Junya. Any questions for the testifier? Seeing none, thank you for
3 your activism over the last 30, 40 years, we appreciate it.
4
5 Mr. Nakoa: Mahalo. Have a good night.
6
7 Mr. Carnicelli: You too. Director. We look forward to hearing you again, Junya. Director.
8
9 Ms. McLean: The next person and the last person so far to testify will be John Kindred.
10
11 Mr. Carnicelli: ...Kindred unmute yourself and if you wish, your video as well.
12
13 Mr. John Kindred: Hello, can you hear me?
14
15 Mr. Carnicelli: There you are. Yes, we can. We can hear you and see you.
16
17 Mr. Kindred: Okay, thanks. Good evening. My name is John Kindred. I'm president of the
18 Plantation Estates Lot Owners Association. Plantation Estates surrounds the Kapalua Plantation
19 Gold Course where the Century Tournament of Champions Golf Tournament is held. We're part
20 of the Kapalua Resort. At the time our subdivisions were planned and developed in the early
21 1990s by Maui Land Pineapple, the rural designation was not a recognized land use category by
22 either the 1982 Lahaina Community Plan or the 1996 West Maui Community Plan. In the context
23 of land use practices at that time, our lots were developed as agricultural subdivisions. However,
24 with the rural residential designation, it is our hope that our subdivisions can be appropriately
25 identified as per previous testimony we will continue to support agricultural activities in our
26 neighborhood under the rural residential designation. And we note that the Maui Island Plan
27 places Plantation Estates...(inaudible)..
28
29 We participated in almost every CPAC meeting to engage in this process because we understand
30 the importance of our community plan. We submitted numerous pieces of written and oral
31 testimony. Unfortunately, we share the opinion of Chair Carnicelli, as expressed in your meeting
32 of July 28th that many things happened at CPAC that "lacked a tremendous amount of integrity".
33 As Deputy Director Hart stated in your meeting of August 11th, this plan, "will significantly change
34 property values" in est Maui and community members should actively participate. We have
35 actively participated and we respectfully suggest the community feedback has consistently been
36 misrepresented in a manner adverse to our neighborhood. Shockingly, that continue tonight in
37 the form of false statements from Ms. Comcowich. Please refer to the detailed analysis which we
38 submitted to CPAC and are now submitting to you and our written testimony. CPAC was unable
39 to affirmatively vote to designate Plantation Estates as agriculture, and yet we continued to remain
40 agriculture in the draft plan. CPAC was unable to affirmatively vote to adopt Policy 2.4.2 and yet
41 the language of that policy remains embedded in Section 3.2 of the draft plan being considered
42 today. This language unambiguously discriminates against existing neighborhoods such as ours,
43 which were developed long before rural zoning was ever adopted by the Maui County Council.
44 The reality is that Maui policy over time has been inconsistent in regards to agricultural
45 subdivisions, the effect of which is a creeping expropriation of private property rights. Community

1 members in our neighborhood have always viewed our neighborhood as a rural residential
2 community. Our recently completed survey of our members which received a 74 percent
3 response rate identified 97 percent in favor of a transition to rural zoning. We believe that the
4 Maui Island Plan Rural Growth Boundaries should be honored. Please do not accept the
5 language of Policy 2.4.2, and please do not designate us anything other than what we are and
6 were intended to be rural residential. Mahalo for your service to Maui County and mahalo for
7 considering our testimony tonight.

8
9 Mr. Carnicelli: Thank you, Mr. Kindred. Any questions for the testifier? So Mr. Kindred, I had a
10 feeling you would testify because we got your written testimony. So just like I ask Ms. Comcowich,
11 you know, why does she care? Okay, who...is there somebody that's not muted? If everyone on
12 the call please mute yourself, that would be fantastic 'cause we keep getting a lot of feedback, so
13 if you're not Mr. Kindred or a commissioner please mute yourself. Thank you. So, Mr. Kindred,
14 you know, it's important for people to what to know why, why you guys want to do this? You know,
15 Mr. Bugga has...he testified as to what he feels is the reason. Ms. Comcowich feels that she has
16 a reason, CPAC members feel like they have a reason, we would like to know. I mean, like why?
17 You guys have existed since 92 or whatever it is, everything's fine, you're living your lives, you're
18 farming or not farming or tying a goat to a tree or doing whatever it is that you're doing, why are
19 you doing this? You guys are spending a lot of time, effort and energy trying to become rural.

20
21 Mr. Kindred: Yes.

22
23 Mr. Carnicelli: Is if you could try to just...let's clear the air and it's like why? Just be direct and
24 real with us, and if it's for money then just be real. If it's just like hey, listen our property values
25 will go up, then you know...to me, I mean that's not a reason for me to vote against it necessarily,
26 but if that's the reason then let's just get, let's just be honest.

27
28 Mr. Kindred: Well, that's not the primary reason and I'll come back to the primary reason. But to
29 borrow the words of Deputy Director Hart, this plan is going to change property values. And if our
30 property values do go up, that results in higher tax revenues for Maui County, which is great
31 overall for Maui County. As I mentioned at the outset of my testimony, we surround Plantation
32 Golf Course, which brings in thousands and thousands of dollars for Maui County and the non-
33 profit charitable organizations across the island from the PGA Tournament that happens every
34 year.

35
36 But to come back to the primary reason we, our owners, want the right to farm, but they don't
37 want the obligation to farm and I think you have to understand the nuance of the development of
38 our association to understand this properly. When we were developed as a...as I said in early
39 1990s with the first two phases being planned and then implemented from 1991, there was no
40 rural zoning in the County. It didn't get implemented in Maui County until 1997. Some of you may
41 be surprised that when the original CC&Rs were done for our association, in fact they limited
42 agriculture. And one of the other commissioners made a statement earlier that it was ag, people
43 knew they had ag, they should do ag that's just not true. In fact, Maui County enabled something
44 called limited agriculture, which was related to a specific easement and a specific type of
45 harvesting of cook pine trees. It wasn't until the late 2000s when Maui County Planning

1 Department began requiring farm plans in the first two phases of Plantation Estates. It wasn't
2 until 2004 when the latter two phases of Plantation Estates were developed that farm plans
3 became required elements prior to obtaining a building permit. And by the way, in those final two
4 phases of the development of our association, Maui Land and Pineapple marketed the farm plan
5 as being the gulches, which occupy huge portions of our lots. And furthermore, the County
6 approved farm plans based on conservation, inclusive of the gulch areas. That's 2005, wind the
7 clock forward to today. The County is taking a very, very different stance with respect to farm
8 plans. That's what I mean by a creeping expropriation of private property rights. Nobody in our
9 neighborhood expected that to be the case and yet today it is. We feel that we have wanted to
10 do this for a long time.

11
12 Back in 2010, we started the effort to do so. We, we actively advocated during the time of the
13 Maui Island Plan, we were designated within the rural growth boundary. Members of our board at
14 that time were active in advocacy with the Council and members of the Maui Island Plan
15 Committee, and we were placed within the rural growth boundary. We were advised that wait for
16 the community plan. That's the second step. After you, the Maui Island Plan places you in the
17 rural growth boundary in three to four years, the community plans should be occurring and you
18 would then seek to achieve the rural designation in the community plan. Well, within the clock
19 forward eight years, and here we are today with the community plan. So this is not something
20 like all of a sudden the lights turned on and we're spending massive amounts of time on it. This
21 has been an ongoing effort to get recognition for what we were truly developed, as which is a rural
22 residential community. Furthermore, as you heard from the one commercial farmer in our
23 neighborhood.

24
25 Mr. Carnicelli: Wait, wait, wait, John, John, John, John, John, John...I appreciate is I don't want
26 to me to ask you one question and suddenly you get another ten minutes here. I think you
27 answered my question. I think I get it. All right. And we did hear from Mr. Grube, we got his
28 testimony so I don't need you to do that, but I appreciate that. So, didn't mean to cut you off, but
29 I just think for, you know, we're an hour and a half—

30
31 Mr. Kindred: I understand, thank you.

32
33 Mr. Carnicelli: --into our three-hour meeting. I think that you answered the question. So—

34
35 Mr. Kindred: I appreciate that, thank you. But I do wanna...I'd also like to clarify there were false
36 statements from Ms. Comcowich and I think everybody on the Commission should be made
37 aware of that. We don't have 51 lots, we have a 103 lots. We have more than ten residents.

38
39 Mr. Carnicelli: Okay, okay, okay, John, John, John, John, John, Mr. Kindred please, please your
40 three minutes is up and I don't need you to start getting into a fric and frac with another testifier
41 so thank you. Any other questions for the testifier at this time? Okay, thank you Mr. Kindred. I
42 appreciate it. Director, Director is there anybody else that—

43
44 Ms. McLean: Yes, we have two more testifiers, next is Tom Croly and he will be followed by
45 Brad Paulson.

1
2 Mr. Tom Croly: Aloha, Commissioners. I'll try to be...(inaudible)...possibly can. I just want to say
3 that I fully support what Mr. Kendrick just said. And I just want to give you my historical perspective
4 on it, which aligns with his, which is when the, when the Maui Island Plan was developed, we
5 looked at some of these areas and said, you know what let's call a spade a spade. Let's, let's
6 make sure that, that these areas are designated what they are. And then the Council took it one
7 more step and they developed the different agriculture or different rural designations. We used
8 to just have Rural 05, and now we have Rural 2.0, and we have Rural 5 and we have Rural 20.
9 And that made a lot of sense to me as far as, yes, let's make sure that these, these properties
10 that are currently designated as ag but really aren't ag and haven't developed as such are
11 reclassified as Rural. Now, I fully understand those who say ag should be ag and we shouldn't
12 convert it this way and I agree with them. I think that we should do something different than we
13 have done in the past to, to conserve the ag land. But again, let's call a spade a spade. These,
14 these properties that are surrounding a multi-million dollar golf course are not our agricultural
15 lands in Maui County, and they should be designated as rural. And I think that that was the intent
16 and to pull the rug out from under these people...

17
18 And the other little thing that I just want to add, even though I said I'd be brief, is I watched many
19 of the, the West Maui Community Plan meetings. I didn't participate in them but I watched them
20 on T.V., and I was offended by the fact that these folks who live up there, they were not considered
21 community members. In some way, shape or form they seemed to not matter and I think they do.
22 Maybe they're not full-time residents, some of them, but they should matter. They are part of the
23 community so we do need to consider their voice in this. And while I have no interest whatsoever
24 in, in Plantation Estates, I don't ever intend to live there. I don't have any of those people as
25 clients of mine. I just think that we should do the right thing and designate that as rural. Thank
26 you, Chair.

27
28 Mr. Carnicelli: Thank you. Any questions or testify? Seeing none, thank you, Mr. Croly. Director.

29
30 Ms. McLean: Brad Paulson is the next testifier and possibly the last testifier.

31
32 Mr. Carnicelli: I doubt it.

33
34 Mr. Brad Paulson: Thanks. I wasn't planning on testifying tonight. I have no prepared remarks,
35 but my name was brought up, so I thought I should get on and expose myself to questions. I'd
36 like to thank Tom for offering those words. That's exactly how we feel. Tom, we haven't paid or
37 even talked to so far as I know. I've been told, I guess in the past I'm not supposed to ask you
38 questions. So I phrased this question as a rhetorical one. Would any of you like to live in an
39 agricultural subdivision like ours with, you know, I don't...I'm, I'm actually from Oahu. I have family
40 in Oahu. I came back to Maui after a professional career. I came here, I bought, I looked at the
41 lots, I built a house here. There is so much controversy. You guys should just outlaw seriously
42 building on...building residential neighborhoods on ag land. You should require rural
43 redesignation first because the kind of back and forth that we have seen that's why we come all
44 the time, the kind of back and forth that we see, the kind of creeping regulations that tell us what
45 to do in our land that basically make us work, right. It's if, it's just not right. I mean, we should...I

1 don't know, that's...that's my testimony for now. If anything...you can look at the value of our lots
2 going down over the last 20 years, so that regulation does have an effect on our property values,
3 sure, and that's what I was speaking to when Ravi Bugga may have overheard. We're not out to
4 make profits, we're out to live a good life. That's my testimony.

5
6 Mr. Carnicelli: Thank you, Mr. Paulson. Any questions for the testifier? Seeing none, thank you
7 for your time.

8
9 Ms. McLean: Chair, Commissioner La Costa.

10
11 Mr. Carnicelli: Oh, she's behind the thing over here. Okay, Commissioner La Costa.

12
13 Ms. La Costa: Thank you, Chair. I'm...sorry, I don't have my glasses on so I can't read your
14 name, so I do apologize. Mr. Paulson, right?

15
16 Mr. Paulson: Yes.

17
18 Ms. La Costa: Thank you. So, how large is your lot in Plantation Estates?

19
20 Mr. Paulson: My lot is I think it's 6.7 acres, but more than half is in the gulch. ...(inaudible)...it
21 was marketed the gulch was the on paper as the farm...(inaudible)...so that's an example how
22 regulations have changed over time. The farm rules came in, there are administrative
23 interpretations requiring a certain amount of trees per acre, it's a change in the land from the time
24 our neighborhood is old, it's a change in the land use from the time our neighborhood was
25 developed and it's like John said, a creeping expropriation of property. It's, it's just not right.
26 Nobody should have to have this. And you guys should really do away with this model. You
27 shouldn't require rural giving the option to farm.

28
29 Mr. Carnicelli: You're muted P. Denise.

30
31 Ms. La Costa: Sorry, thank you, Chair. So, Mr. Paulson, if you were able to farm, would you?

32
33 Mr. Paulson: I actually chose to farm.

34
35 Ms. La Costa: Oh, good.

36
37 Mr. Paulson: I have 102 fruit trees. You know, I'm getting older, I...(inaudible)...when I'm 70, but
38 I have a hundred...I wanted to farm, and so I moved into a place where I could.

39
40 Ms. La Costa: But if it were rural you could still farm.

41
42 Mr. Paulson: I could still farm in rural, yeah.

43
44 Ms. La Costa: Thank you, and thank you for getting the lovely fruit.

45

1 Mr. Carnicelli: Any other questions for the testifier? Thank you, Mr. Paulson. Appreciate it.
2 Director, who's next? That can't be it.

3
4 Ms. McLean: That's it, Chair.

5
6 Mr. Carnicelli: Oh, oh, okay, if anybody else would like to come forward and testify, please do so
7 now. Please unmuted yourself, and if you wish also unmute your video. Going once, going
8 twice—

9
10 Mr. Albert Perez: This is Albert Perez. I'd like to testify.

11
12 Mr. Carnicelli: I knew you couldn't help yourself. Albert.

13
14 Mr. Perez: Hi. Aloha everyone. Well, let me get my video and then I'll start my testimony. Aloha.
15 Nice to see you all again. It's been a long day. I'll try to be quick. The Planning Commission
16 should respect the hard work of the CPAC and the wider community that put so much time and
17 effort into this plan. The current draft is the result of intensive and thorough discussion as well as
18 compromise. What they wanted from CPAC are trying again at this level, Plantation estates and
19 other areas were considered and rejected as part of this process. But this should not be
20 considered an opportunity for a do over that will override the clear will of the West Maui community
21 as reflected in the plan.

22
23 The CPAC did not have an opportunity to take the pandemic's implications regarding growth into
24 account. In particular, the population growth assumptions are now questionable. There should
25 not be any attempts to add development capacity. There's plenty of land to accommodate growth
26 that may not even occur now. And although there may be designations for growth in the Maui
27 Island Plan, there's no requirement that those areas be filled in during this planning period. The
28 amount of land that was designated is based on population and economic forecasts, which are
29 probably over estimates due to Covid. The land where Plantation Estates is located is designated
30 Class C by the Land Study Bureau. Much of it was in ag before and it's suitable for orchards and
31 grazing. Luxury housing on ag land is a result of abuse of the agricultural land use laws. When
32 these people bought, it was ag land and the state law at the time said you have to farm. So we're
33 not pulling the rug out from under anyone. If there's very little farming going on and lots are seven
34 million dollars, then this raises the price of farmable land and makes it harder for real farmers to
35 farm profitably.

36
37 Also, the rural designation on these large lots will allow two ohanas instead of farm worker
38 dwellings and that probably has something to do with why these owners keep trying for rural. So
39 this was in the Planning Department's draft, which the CPAC agreed to accept if they couldn't get
40 enough votes to change it either way. So it's not like they didn't agree on it. They did agree in
41 advance. The CPAC clearly emphasized providing truly affordable housing for local residents and
42 infrastructure was prioritized for that truly affordable housing. There was extensive discussion
43 about using shall and require instead of may or it would really be nice. The CPAC members did
44 not want to feel like they wasted their time and this is why you have dedicated CPAC members
45 testifying to support the plan that put their hearts into. Please respect that, and please resist the

1 temptation to challenge them on the current draft that represents the will of the West Maui
2 community that would further erode confidence in government. Mahalo nui.

3
4 Mr. Carnicelli: Thank you, Mr. Perez. Any questions for the testifier? Seeing none, thank you
5 Mr. Perez.

6
7 Mr. Perez: Okay, aloha.

8
9 Mr. Carnicelli: Aloha. Anybody else sign up Director?

10
11 Ms. McLean: Yes, Kai Nishiki is the next to testify.

12
13 Mr. Carnicelli: Go ahead.

14
15 Ms. Kai Nishiki: Chair, I was waiting for you to call on me.

16
17 Mr. Carnicelli: Go ahead, you're good.

18
19 Ms. Nishiki: Aloha, Chair and Commissioners. I appreciate the time and attention you all are
20 putting into the review of the West Maui Community Plan. I'd like to offer an observation and a
21 suggestion. During the past few meetings, there've been questions from commissioners to
22 Planning Department staff about how our CPAC came to certain decisions or other specifics from
23 the meeting. I believe Pam Eaton, Jen Maydan and staff have done a phenomenal job conveying
24 what they observed and experienced. And we certainly need to rely on staff to keep track of all
25 those votes, who voted for what projects and the content of resources provided, et cetera.

26
27 We greatly appreciate the commission's interest in really listening to the West Maui community.
28 Quite a few CPAC members are attending your review meetings, as you can see from the
29 testimony, and I'm sure they would be willing to serve as resource people when commissioners
30 have questions about CPAC recommendations. Historically, our planning commissions and the
31 County Council have welcomed the impact...the input from CPAC members as resource people
32 during the review process and I thought you might utilize them in the future.

33
34 I will say that I did find Deputy Director Hart's comments at the last meeting highly inappropriate,
35 talking about how this plan can severely affect property values and basically calling for off shore
36 property owners to come out and really check out what we're doing. I thought that was a little
37 odd. And also, Mr. Carnicelli's quote by Mr. Kindred that the CPAC lacked a tremendous amount
38 of integrity. I think that those...that that statement is incorrect and not appreciated. And
39 concerning the various votes, as Mr. Perez stated, it was made very clear to CPAC members what
40 our default map and plan would be and we all agreed to that, and we stand behind the CPAC
41 recommendation to forward the plan. We had oppor...ample opportunity in the end over three or
42 four meetings to bring up any issues that members wanted to revisit, and those were not brought
43 up. So, I think that our membership speaks clearly and that the plan should move forward with
44 our recommendations and we would appreciate you respecting our desires. Mahalo.

45

1 Mr. Carnicelli: Thank you, Ms. Nishiki. Any questions for the testifier? Seeing none...or
2 Commissioner Freitas.

3
4 Mr. Freitas: Thank you, Chair. Ms. Nishiki, one of the testifiers earlier had mentioned that a group
5 of attendees that live in a particular development area were treated like they didn't...they didn't
6 mean anything or their, their voices were being ignored. Can you shed some light on that? I
7 believe you were the Chair of the CPAC.

8
9 Ms. Nishiki: Thank you, Commissioner Freitas. So, I think you might be referring to Plantation
10 Estates. Is that what you're referring to?

11
12 Mr. Freitas: Yes.

13
14 Ms. Nishiki: I believe that they attended a lot of meetings and offered public testimony at quite a
15 few of them. And I recall sitting down and chatting with a lot of the testifiers, including Mr. Kindred
16 and probably a few others. So, and, and our conversations were very pleasant and they were
17 very welcome. I don't see why that...why they would feel that way. Perhaps they're just a bit
18 upset that they didn't get what they wanted and they're not used to that. So, perhaps they're just
19 putting that off on commission members. But we were very polite and welcoming to everyone. I
20 think even Chad testified earlier that he only got three minutes and that wasn't enough time. And
21 that's really not true. We used almost all of the developers as resource people when the projects
22 came up for discussion and they were brought up numerous times to answer questions from
23 CPAC members.

24
25 Mr. Freitas: Okay—

26
27 Ms. Nishiki: And in fact—

28
29 Mr. Freitas: Okay, thank you, Ms. Nishiki, thank you.

30
31 Ms. Nishiki: --there was a whole panel, there was a whole developer panel on one of the evenings
32 and all of the developers laid out their plans in detail.

33
34 Mr. Freitas: Thank you.

35
36 Ms. Nishiki: Thank you.

37
38 Mr. Carnicelli: Any other questions for the testifier? Seeing none, thank you Ms. Nishiki.

39
40 Ms. Nishiki: Thank you.

41
42 Mr. Carnicelli: Director, who's next?

43
44 Ms. McLean: No one else is signed up to testify.

45

1 Mr. Carnicelli: Well, I knew that Albert was gonna testify 'cause he never signs up, he just waits
2 to go to the end, so that was the one guy I knew that was coming, but anybody else who would
3 like to testify please unmute yourself and if you wish, also unmute your audio or video if you desire
4 and step forward. Going one, twice, okay if there are no objections we're gonna go ahead and
5 close public testimony. All right seeing no objections, public testimony is now closed. It is 7:13
6 and we need a potty break at the very least, come back at 7:20, everybody cool with that? Alright
7 that gives us a very nice seven-minute break. So use it wisely and expeditiously. I will see you
8 at 7:20. Maui Planning Commission special meeting, August 25th is now in recess.
9

10 A recess was called at 7:13 p.m., and the meeting was reconvened at 7:21 p.m.
11

12 Mr. Carnicelli: Maui Planning Commission, special meeting of August 25, 2020 is now back in
13 session. Director, am I throwing to you or I am throwing it to Jen?
14

15 Ms. McLean: Well, I'll, I'll just mention that there is a very short memo with a couple of
16 departmental recommendations for these sections. And beyond that, I don't have anything to put
17 before the commission, so I would leave that to Jen.
18

19 Mr. Carnicelli: Okay, so Jen, why don't you lead us through the Department's recommendations
20 and then we'll...I guess go to ours.
21

22 Ms. Maydan: Chair, I also has some brief comments and slides to help the Commission
23 understand how you...how we got to the maps that are in the community plan to provide that
24 context. Would you like me to do that now? Or if you want to just jump into your discussion?
25

26 Mr. Carnicelli: Yes, please.
27

28 Ms. Maydan: Okay, you got it.
29

30 Mr. Carnicelli: That would be good.
31

32 Ms. Maydan: Okay, great. So, yeah just some opening comments to help frame your
33 commission's review of the growth framework. So, the main elements of the community plan are
34 the policies which you've reviewed, the actions which are in Section 4, Implementation and
35 Monitoring, and the community plan map, which is in the Growth Framework Section 3.
36

37 So the community plan, Section 3 has the community plan map, along with a lot of context to
38 understand the map and its intended purpose for guiding growth in West Maui over the next two
39 decades. So, tonight you were reviewing Section 3.1 Background, 3.2 Growth Plan, 3.3
40 Community Plan Designations, 3.4 the community plan map, and 3.5 the subareas.
41

42 So, Subsections 3.1 through 3.3 provide an intro and context to the community plan map, and as
43 Chair stated the intention is to look at the map holistically tonight then dive into the map by
44 subareas over the course of the next couple of meetings as well as going in to Section 3.6 and
45 3.7, the area of change and areas of stability which further describe the community plan map.

1
2 So, Chair requested that we provide you all with hard copies of the draft community plan map by
3 subarea, as well as the existing community plan map and Maui Island Plan maps to aid in your
4 review. So, you should have received these in the mail. We also included the existing conditions
5 map, which is the current community plan map translated into the new community plan
6 designations. So, since it's kind of a story how we got here, I'm going to walk, take a few minutes
7 to walk you through the process we took to create the draft community plan map you have before
8 you, which you will be reviewing over the next few meetings. So, I have a few slides to help tell
9 this story. So I'm going to share my screen and please let me know if there's any issues when I
10 share my screen if something happens.

11
12 Mr. Carnicelli: Got it.

13
14 Ms. Maydan: Can you see the presentation? All right. Excellent. Thank you, Chair. Okay, so
15 moving on. So, here's the existing West Maui Community Plan map that you may be familiar with.
16 This is just Map 1 of 2. Here is the existing community plan map as a colored GIS map. This is
17 just a Subsection 3, the Lahaina Town area, and I'm just gonna use this area as an example
18 tonight throughout the presentation. So, you have all four of the maps, all four of the subareas.
19 This is just the Lahaina area.

20
21 Mr. Carnicelli: All right.

22
23 Ms. Maydan: So, first we took the existing community plan map and translated it from the current
24 community plan designations which you're familiar with single-family, multi-family, business,
25 commercial, et cetera. And we translated that into the new community plan designations listed
26 on Page 70 right here of the draft plan. And the designations are also described in detail in the
27 plan and you'll also remember I presented to your commission back in May on these new
28 community plan designations.

29
30 So here is the community plan...the current community plan map with existing designations on
31 the left of the screen and the translated community plan map with new designations on the right
32 So to do this, some properties were a very easy straight across the board translation, for example,
33 in the current community plan map, single-family translated very nicely to residential. You'll see
34 both of those in yellow on both of the maps, and then light industrial translated easily to
35 employment center, you see that in purple. And ag in green translated to ag in green. Real
36 simple.

37
38 So then there were others that required a closer look and a little bit of research. So, we had to
39 look at the existing uses on the property, we looked at zoning, we did a bunch of...bunch of ground
40 truthing to figure out the appropriate designation. For example, the existing commercial and
41 business designations, we needed to determine which of the new mixed use designations,
42 neighborhood center, small town center or urban center corridor which was appropriate given the
43 existing uses currently on the ground and the existing density and the character of development.
44 So, Lahaina Town is a good example of a place where we had to do research and determine the
45 most appropriate designation. You can see in the map on the left that there's a lot of Lahaina

1 Town is designated business commercial in red and the map on the right, we translated those
2 areas to mostly small town center in pink to match the uses, the density and the character of the
3 area.

4
5 We also made some what we called, make sense changes to some properties to get the
6 community plan designations in line with the current use or the zoning. So, these make sense
7 changes really kind of were no-brainers although they did take a lot of our brainpower. We did a
8 lot of research, a lot of review to make these changes. And I just want to make sure you
9 understand that these are quite minor changes. They will not negatively impact property owners,
10 but they were changes that were appropriate to happen at this point in time with the community
11 plan update. So, as an example of a make sense change, is the Mala Wharf area circled in red.
12 So, the parking lot of the Mala Wharf area in the existing community plan is designated Park,
13 which it doesn't necessarily need to be. It's much more of a Public/Quasi-Public facility and
14 portions of the Jodo Mission which are next door, were also designated Park. So we consolidated
15 this area and made them all Public/Quasi-Public that's the blue, which essentially has the same
16 effect. They will be preserved as public use, whether that's for religious use of the mission or
17 park or the park use at Baby Beach. So, that's just one example of how we looked at existing
18 uses on the ground and zoning and we made some very small, make sense changes, but we just
19 wanted to point that out to you.

20
21 Okay. So all of this work create existing conditions map and so this was our base from which we
22 worked with the community to develop growth alternatives. In late winter and early spring of 2019,
23 we held workshops in the four subareas in West Maui to gather input from the community on
24 areas they wanted to remain the same and areas they wanted to change over the life of the
25 community plan. From this input we developed for Growth Alternatives which we displayed for
26 the community at two open houses. Eklou Lindsey in his testimony, referred to these workshops
27 and open houses, and he was a dedicated community member at these.

28
29 So these four growth alternatives are...they were possible futures for West Maui to help the
30 community visualize what West Maui...how West Maui could grow over the 20-year span of the
31 community plan are the first alternative was infill with very little growth. The second one was
32 expansion with basically filling up the Maui Island plan Growth Boundaries, and then alternative
33 three and four were kind of moderated versions of that.

34
35 So, we received feedback from the community on the four alternatives and we took all of the
36 feedback and then we created the Department recommended growth alternative which we
37 presented to the CPAC and then the CPAC used this map as their base from which to create their
38 community plan...their CPAC recommended map, which you have in front of you as part of the
39 draft plan. So, that was probably a lot to absorb, but I think it was just important to tell that story
40 and walk you through that process of how we got to the map that you are reviewing.

41
42 Mr. Carnicelli: Thank you, Jen. Did we get a map? I guess maybe it's—

43
44 Ms. Maydan: Yes.

45

1 Mr. Carnicelli: Maybe it's not relevant, but we didn't get the map that was translated...like we
2 don't see the difference between what you translated to CPAC and then the changes that CPAC
3 made...like we don't have that in our, our hard copies here, correct? We just have like current,
4 existing and then—

5
6 Ms. Maydan: Yeah, so the Department recommended growth alternative, no, that is not in the
7 packet that you have there, but it is available online on wearemaui.org, you can see the
8 Department recommended alternative as well as if you want to dive into some research you can
9 see alternatives one through four, but no, Chair, you're correct that is not in your printed packet.

10
11 Mr. Carnicelli: Right. And how, how macro can we get on the website or micro I guess I should
12 say?

13
14 Ms. Maydan: As far as zooming in?

15
16 Mr. Carnicelli: Yeah.

17
18 Ms. Maydan: The maps are pretty good quality. I think you can dive in pretty, pretty well on them.

19
20 Mr. Carnicelli: Okay. Great. You know what, after just that presentation you guys have any
21 questions for Jen right now? Just hit a pause and...P. Denise.

22
23 Ms. La Costa: Thank you, Chair. Thank you, Jen. In...at Mala there was a little tiny nodule of
24 blue that was sticking out past the point is that the boat ramp?

25
26 Ms. Maydan: Yes, I believe it was.

27
28 Ms. La Costa: Okay, thank you.

29
30 Ms. Maydan: That was showing on the existing map, yeah, yeah.

31
32 Ms. La Costa: Okay, thanks very much.

33
34 Mr. Carnicelli: It's actually pretty interesting if you start looking at all the little things and you walk
35 through Lahaina, especially in Lahaina Town. It was actually pretty interesting. Hopefully we
36 don't have to get too lost in the weeds on that. Any other questions for Jen at this point? Great.
37 So, Jen, do you want to just start a 3.1 and we'll walk through?

38
39 Ms. Maydan: Absolutely. Chair, do you want me to start with the Department recommendations?
40 So, I don't have any from the agencies and I didn't receive any from commissioners. You've
41 indicated you have a few you're gonna bring up, but we have five recommendations from the
42 Department.

43
44 Mr. Carnicelli: Okay, yeah why don't you go ahead and start with the Department then.

45

1 Ms. Maydan: Okay, so the first one, the first one is on Page 68 and 69, this is the Section 3.1
2 and the recommendation is except for the first two paragraphs on Page 68 to move this whole
3 section, the Section 3.1 Background to move this to an Appendix.
4

5 Mr. Carnicelli: Any questions, comments, thoughts on that Commissioners? My thought is that
6 we've got an entire section that's just two paragraphs that's called Background and we have two
7 paragraphs, you know, like it just seems like, okay, we have an entire section called Background
8 and we only get two paragraphs is kind of like...okay, I mean I get moving it to an Appendix, but
9 do we just move the whole thing to an Appendix or somehow take those two paragraphs and
10 integrate them into 3.2, right, and then you know, 3.2 has growth objectives, dah, dah, dah, is just
11 move it there and call it Background...I see Director nodding her head.
12

13 Ms. McLean: No, that's exactly what I was going to suggest Chair, and I'm sorry that our
14 recommendation didn't go into more detail on that, but yes, that would be the appropriate thing to
15 do if the Commission agrees that the rest of the content should be an Appendix.
16

17 Mr. Carnicelli: Right, and then we just move 3.2 is now called 3.1...so, Commission you guys
18 okay with doing that? I'll put it this way, are there any objections to the Department's
19 recommendation of leaving it or moving the first two paragraphs into 3.2 and then moving
20 everything else to an Appendix? Any objections to that? Okay, seeing none, we'll go ahead and
21 take that as consensus.
22

23 **Section 3.1 – Pages 68-69 - Move first two paragraphs to Section 3.2 and remainder of**
24 **section move to an appendix. Approved by consensus.**
25

26 Mr. Carnicelli: While we're here, though, I just...there's a couple of contextual things that, that I
27 need to at least wrap my brain around, and one is, I get we're calling this 20 years and let me, I'm
28 going to make the assumption of saying, like okay, it's supposed to be a ten-year plan, and so if
29 we, if we plan for 20, then, you know, when the plan runs out, we're not dead in the water. And
30 I'm assuming that that's why we're calling this 20-year plan. But when we do the math, we're not
31 going to get to this plan for at least 30 years unless something drastically changes, unless
32 something completely, drastically changes the community plans do not take...I mean, even if we
33 kept them on track with this one is already off the rails and this one alone hasn't, you know, gone
34 to plan, Molokai took what was it, five years or some ridiculous number? Lanai didn't take...so,
35 we're saying, like okay, this 20-year plan. Are we going to just be honest with ourselves and say,
36 like, this is supposed to be a ten-year plan, however, we need to plan for 30 years because of the
37 way the process goes. I don't know, Director, if you want to address that or Pam or Jen.
38

39 Ms. McLean: Oh boy, there are a lot of things swimming through my head in response to that
40 question, but I'll say that there is...there has long been in the time I've been with the Department
41 a outcry and, and demands for the process to move along in the timeframe that's envisioned in
42 that County Code, but at the same time, I think people understand why that doesn't happen. We
43 are endeavoring right now to do two community plans at the same time. The Long Range Division
44 has started the community outreach for the South Maui Community Plan because we received
45 funding from the Council to hire a consultant to assist us with that, with that continued funding

1 and/or some increased personnel in the Long Range Division we could handle two community
2 plans at the same time, not at the same phase, but at the same time. I'd also say that the Council
3 has hired a consultant to review the community plan update process and to make
4 recommendations for expediting it. And I believe some of the Commission may have been
5 contacted by this consultant. And so we were active participants answering all the questions that
6 the consultants had of us because we're hoping that change can come from that. So, I certainly
7 recognized how long things have taken in the past. I note that Lanai and Molokai are island plans,
8 whereas the Maui Island community plans follow with the Maui Island Plan and it takes a great
9 deal of restraint to not be duplicative with the Maui Island Plan and just keep the community plans
10 tight. All those things considered together I think that we will be able to move these along more
11 quickly, whether it's going to be ten years that that seems like a like a stretch, But I think a 20-year
12 timeframe isn't unreasonable with some of the changes that, that we're looking at.

13
14 Mr. Carnicelli: Okay, I mean, I appreciate that, but even then, it says, okay, it's a 20-year plan
15 that we should then plan for 30 years then. I mean, even then, we're talking about...I mean, I
16 personally would love to have some I mean, maybe not in the plan, but maybe a recommendation
17 to Council at the end that's a recommendation to the Council that would be a recommendation to
18 the Charter Commission which is going to take place next year, the start of the Charter
19 Commission and just change The Charter of how this has to be done cause I just think the process
20 alone disengages the public as much as we want to say, like oh, the public's plan, the public's
21 plan, 37 meetings, just CPAC, there was however many meetings on the Alakahi, there was Kai
22 Community Outreach, people got lost. I mean, that's why part of the reason why I wanted to have
23 six, seven meetings would just be like people could come, know what we're gonna do, testify, and
24 then boom, we have engagement and people know where to go is. you can't do this to the public
25 and think that they're gonna have their input for, for two and a half, three and a half years. They're
26 just not gonna do it. So, that's sort of my little soapbox as far as that but I just think that the
27 language in here shouldn't...we shouldn't mislead ourselves and say 20 years. I just don't think
28 we should, I think we should change it some way, shape or form, and I don't know what that is,
29 and I don't even know if it's appropriate because technically it's supposed to be a
30 ten-year...(inaudible)...So, I guess I need to offer a change if I want one.

31
32 Ms. McLean: Yeah, Chair, if you'd like I can get with Long Range staff and we can mull that over
33 a bit and have a recommendation at the next meeting. Your points are well taken, and I don't
34 have a quick and ready answer like a zoning condition on this one. So, if I can give some thought
35 to that.

36
37 Mr. Carnicelli: Well, and honestly Michele that's my fault because I should've gotten you these
38 things before 7:43 on Tuesday night. I should have got these to you earlier, and so then you guys
39 could have had this conversation ahead of time. So, I apologize, that's my fault. So, the other
40 thing that I would like to do which might be a part now of what will become the Appendix, is I
41 would like to include the...in this, the data that I'm sure the Long Range Division did in regards to
42 timelines of growth because I think that that's also appropriate. If we're talking about planning
43 and long range, the two things that we're not factoring in here, at least on paper, which I'm sure
44 you guys factored in somewhere, is A, if we designate 8,754 new units because that's what we're
45 projecting we need, how many of those are going to get built? And all we gotta do is just go to,

1 okay, the current plan which was from 1996, we designated however many units, how many got
2 built in the 25-30 years, right? What percentage of those got built which is I don't know, maybe
3 10, 15, 20 percent of them at most? I mean, if you go to the Maui Island Plan, right...kind of just
4 maybe duplicating the analysis that you guys already did, Maui Island Plan said we're gonna have
5 "X" amount of growth, we're ten years into the Maui Island Plan so if we designate however many
6 we designate, how many are gonna get built. So if we say we need six, and only six out of ten get
7 built, then we gotta designate ten knowing that we're gonna get six. So what was, what was the
8 analysis done on on those two particular things?
9

10 Ms. McLean: Jen, can you answer that? And is that information in a form that it can be put into
11 an Appendix?
12

13 Ms. Maydan: Chair, that information as far as units built is in the, I believe it's in the Housing
14 Technical Resource Paper, it may also be in the community profile—
15

16 Mr. Carnicelli: I looked for it, I couldn't find it.
17

18 Ms. Maydan: --but I believe it's in the Housing—
19

20 Mr. Carnicelli: I couldn't find it, I couldn't find it in the, in the technical resource papers. But I think
21 that it needs to be a part of the plan not just a technical—
22

23 Ms. Maydan: Not going to argue, we aren't sure it's in the housing one but we'll take a look for it
24 and get the page number for you.
25

26 Mr. Carnicelli: Okay, but I think that's important for us too, right? If we know that we need
27 to...does it need ten to get six?
28

29 Ms. Maydan: I would disagree—
30

31 Mr. Carnicelli: And then the other part is how long does it take to get designations?
32

33 Ms. Maydan: I would, I would—
34

35 Ms. Eaton: Let her talk.
36

37 Ms. Maydan: Chair, I would just like to point out that one of our really important objectives in this
38 community plan update is to make very clear and concise plans and not to have a lot of the
39 research in detail within the plan itself. We have the research and the detail in the supporting
40 papers, but not as part of the plan so that we can get to the...to the plan, so we can get to the
41 point. So, we would caution against adding that in the plan here. I don't know that it adds a lot
42 for someone looking forward and evaluating a project or making a change in zoning. I don't know
43 if Pam has additional comments on that recommendation, but I mean, we can, I can find that
44 information in the technical resource paper or if that's not sufficient for what you're looking for, we
45 could dig those numbers up, but we would strongly caution against adding that into the plan.

1 Mr. Carnicelli: Pam, you want to add?

2

3 Ms. Eaton: Yeah, I'm sorry. You got me a 20 years Lawrence because a 2.80.B it specifically
4 says 20 years, so but that could be perhaps another conversation because that's going to...you
5 know, to change 2.80.B is a little more, I think, involved than just putting different language in the
6 plan. I'm sorry. I was trying to catch up to you on that one to give you some cites.

7

8 Mr. Carnicelli: Okay, so—

9

10 Ms. Eaton: I also would like I'll say one final thing, Lawrence, because you brought up a great
11 point, somewhere in this discussion you got to think about staff. I have three planners, including
12 myself that's it. That's it. So, just saying that, that needs to be whatever language there is, there
13 needs to be some accommodation for staffing resources and levels.

14

15 Mr. Carnicelli: Agreed. Agreed.

16

17 Ms. Eaton: Thanks, Lawrence.

18

19 Mr. Carnicelli: Yeah, I mean, so for the sake of the background component because I think it's
20 important that if we're saying we need 8,754 units, so the part of the reason why I'm saying this,
21 and so we don't have to detail it out, but for us, if we're saying, okay, we've got to designate
22 15,000 units to get 8,754, then that's what we need to do when we're looking at the maps, right?
23 I mean, we have to, we have to project. Puukoolii has been entitled for 20 years and they haven't
24 built nothing. Pulelehua has been entitled for ten, they haven't built nothing. So if we're saying,
25 okay well, we're going to use those two as part of our 8,754, okay, fine. If that's what the
26 commission wants to do, if that's what the Council wants to do, I don't have a, I don't...you know,
27 this doesn't, I'm not going to fall on a sword for anything, I'm just trying to have vision and
28 understand how this is going to play out because the next part of the equation is not just, okay if
29 we designate them how many are going to get built because you have to have complicit
30 landowners with money to build these houses. But the other part of that is how long is the
31 process? Fast track is five to six years, roughly. If you've got to go to the LUC, it's six to eight,
32 right, fully entitled, 15. So how are we factoring that into this as well? So, that's what I need to
33 know when we're talking about long range, we're talking our projections, how are we factoring in
34 what's going to get built and how long does it take to actually get the entitlement to build those
35 things because it might be outside the 20-year mark.

36

37 Ms. McLean: Yeah, Chair, if I can comment? So looking at the Maui Island Plan for example,
38 there is obviously a lot more land in the growth boundaries than will be needed within that planning
39 timeframe. And similarly, community plans in the past, and it would apply to this plan too,
40 designates more land than is needed for growth because we know that not all of that land is going
41 to be developed. So, that's, that's the point that you're, that you're making. I don't know that we
42 have a formula for if you need six units, you have to designate ten. I don't know that there is a
43 that there is a formula for that. And I don't know, Jen can, can comment on this that the CPAC
44 looked at it in that mathematical kind of way. I believe that they looked at areas where they felt
45 that the community wanted to see growth, acknowledging that growth is needed, but where the

1 community wanted to see it and what kind of growth the community wants, I don't know if it was
2 formulaic, though, and, and that's where Jen can, can fill in the blanks.

3
4 Mr. Carnicelli: Awesome. Go ahead, Jen.

5
6 Ms. Maydan: Thank you, Chair. Yeah, so think I might have something that will be helpful to your
7 commission that we can transmit after this meeting. So when the CPAC was working on
8 developing their preferred growth alternative, we did provide them with a summary of the four
9 alternatives, as...the five alternatives, including the Planning Department recommended as far as
10 breakdown describing the maps, and it did show potential units built from that, from that
11 alternative. So, it's a two-page summary that shows you, okay, the projected population growth
12 is X and this growth alternative provides more than needed or less than needed or very close to
13 what's needed, but with those numbers, we really cautioned the CPAC that they are on an order
14 of magnitude. They are not precise. We're not looking at, you know, getting dialing it down to
15 within 10, 20 units. They're definitely estimates because of the nature of many of the community
16 plan designations where they're mixed use or they're a mix of housing types in the residential so
17 they're very broad estimates on potential density, but that may be a tool that's help your
18 commission, and I would be very happy to forward that. And we I we did do that calculation on
19 the CPAC growth alternatives so I could for that or all of them, whatever would be helpful if you
20 think that would be helpful, Chair.

21
22 Mr. Carnicelli: No, and that's great. And the reason why I'm so passionate about this is because
23 every meeting, I mean I went to all the Alakahi meeting, I went to all but two of the community
24 outreach meetings, I went to 35 of the 37 CPAC meetings, and the number one thing, everybody
25 even tonight, the number one thing is affordable housing, affordable housing, affordable housing,
26 we need housing, we need housing, and it's just like, and I just don't want to shortchange
27 ourselves and I get the number one thing everybody's against is growth and development. So, I
28 get that, too. So it's like there's this balance that we gotta walk, but I just...if you're going to
29 provide that for us Jen then that's great, and I guess I don't need to have it in the plan. And I
30 mean but I just think as far as the work and you're right, you don't need to drill down to, okay,
31 here's ten units here, and five units there or anything like that, but overall, I just want to make sure
32 that we're going to serve the community in the proper way. So that's all. So I can move, I will get
33 off my soapbox. I've wasted everybody's time enough here. We can move on to the next item.

34
35 Ms. Maydan: Chair, the next Planning Department recommendation is in Section 3.2, shall we
36 go onto that?

37
38 Mr. Carnicelli: Yep.

39
40 Ms. Maydan: Okay, this recommendation, oh no, I lied. Oh well, it's very minor, it's just...it's
41 nothing you need to review. It's just...since you're moving sections, so ignore that. The next one
42 is actually in 3.3, so I don't know if you had anything within 3.2?

43
44 Mr. Carnicelli: No, ma'am.

45

1 Ms. Maydan: No? Okay, Section 3.3 Community Plan Designations. The Planning Department's
2 recommendation, so this is Pages 71 to 85, and the Department's recommendation is again, to
3 move this into an Appendix.

4
5 Mr. Carnicelli: All of 3.2? I'm sorry, all of 3.3, all the designations?

6
7 Ms. Maydan: Correct.

8
9 Mr. Carnicelli: Interesting. Why? I mean, I think that designations are pretty important. Why
10 would we move goes through an Appendix? What's the rationale?

11
12 Ms. McLean: Chair, the thought is that because the, the descriptions with the photos and the
13 street profiles take up so many pages that you want the plan itself, the meat of the plan to be
14 much more readable and accessible. And if the Appendices are made available in the back, you'll
15 have the maps in the plan with the legend. And then if anyone needs an explanation as to what
16 those uses are, they can consult the Appendix.

17
18 Mr. Carnicelli: Okay. Any objections to moving the land use designations to an Appendix?
19 Seeing none, approved by consensus. We're eventually going to have to go back to 2.3.17, and
20 make the design policies for Lahaina an appendix too then, 'cause that thing's crazy if we're trying
21 to make it more readable and everything like that, but that's not on the agenda today. So, Jen as
22 far as the community plan designations this is one that, you know, I said I'm not gonna fall on my
23 sword for anything, but this is one that I think as a planning commissioner and as the planning
24 commission needs to review these things, we've gotta have what can be built in these areas
25 'cause if I'm a planning commissioner and it comes to us and it says, can you build this in this,
26 you know, does it apply...it's an SMA, does it apply to the community plan and I've got residential
27 an I got a paragraph and I got some pictures, I don't know what can be built there or not. I'm
28 gonna have to know okay, what zoning falls in each category, I gotta know, and I think that part
29 of that is also going to be an automatic change to when zoning changes soon, right 'cause I think
30 we're gonna change zoning shortly, maybe even before this plan is finished, you know, the
31 Council might still have this plan by the time we get a new Zoning Code, but the Zoning
32 Code...whatever Zoning Codes fit in each designation gotta be there otherwise as a planning
33 commission we're guessing. Any thoughts?

34
35 Ms. Maydan: Yes, definitely thoughts. There is absolutely the connection between the community
36 plan designations and zoning. They guide the zoning, but the community plan designations are
37 also supposed to be broad and describe the character of the area and the broad mix of uses
38 without really dialing into that really specific detail. I know we've had this conversation and we
39 worked a lot on these designations and we put them forth how we believe that they should be and
40 this is very consistent with practice for comprehensive plans, community plans across the nation.
41 Of course, it does get tricky with our zoning code update, so if we were to list all of the existing
42 zoning districts that are under each of these designations at this point in time, I guess perhaps
43 you would need a community plan amendment down the road when the zoning code is updated.
44 We stand behind how they are put forth in the plan right now. I don't know if Director or Pam have

1 further comments they would like to make, but this is definitely up to your commission to discuss
2 and recommend.

3
4 Ms. McLean: Thanks, Jen. I'll add that even though the existing community plan designations
5 are much more concise, like it says single-family, we run into the challenge of a very
6 straightforward single-family community plan designation, and then you look at the residential
7 zoning districts. The residential districts allow some uses that are not strictly single-family and so
8 even though the residential districts are pretty limited, they're certainly not mixed use. Do those
9 uses, are those uses allowed in single-family? And so...and that's just a one of the simplest
10 examples, and so broadening the community plan designations allows for that. I think we can put
11 together a handout that just has each of the new designations and all the zonings that could work
12 under each one. But the intent as you describe Chair is for the new zonings to also be much
13 more of a mixed use, and so down the road it won't be as problematic because there will be that
14 mixture in both zoning and community plan. But in the short term, while we have these rigid
15 zoning categories, we can put together a sheet that just lists the designations and the zonings
16 that would fall under each one. I'm sure Pam is freaking out, but I'd be happy to take that on and
17 then we can get that to you before the next meeting.

18
19 Mr. Carnicelli: Okay, I just think that, again, I'm just gonna go as a commissioner that's got to
20 make a decision and I can just see it right now somebody comes before us and there's going to
21 be a testifier that's says like, oh, they don't meet the community plan because maybe...I mean,
22 'cause like even like you said, Michele, it's right now in residential there can be a park, there can
23 be a church, there can be all these different things in res, then we're going, okay, well, what, what
24 fits here and don't, so it doesn't. And so I just think that in practice, in theory, this is beautiful and
25 it works. It's wonderful. But when we talk about practicality of implementing this in practice, we
26 need to know what these things more than just a paragraph and pictures. We got to know what
27 they...what fits in them and not. So, I guess since we don't have those things, I mean, we can't
28 vote on that. And so I guess we're just going to have to keep 3.3 or I guess it's an appendix now,
29 isn't it? So, it's now an appendix. So, we'll have to maybe deal with the appendix at the end of
30 our review. Though cause technically it's a, it's an appendix now, so we've moved it so we can
31 can...kind of like what we did with 2.4, oh that's right we didn't even deal with 2.4.2 did we?
32 There's that and the next section.

33
34 Ms. Maydan: You moved it to 3.2.

35
36 Mr. Carnicelli: 3.2, so we skipped over it. We should probably go back to 3.2 then because it's
37 now in there, 'cause we kind of like didn't finish it and moved it to, moved it to 3.2, so it's technically
38 in there now. Commissioners, I'd like to go back to 2.4.2, and I need you guys to chime in too,
39 this can't be the Lawrence show, and I apologize if I'm completely bogarting all the time here.
40 2.4.2 CPAC didn't come to a resolution, we couldn't come to a resolution. We moved it just in the
41 ...to expedite time, I would be perfectly okay, scratching it, but I want to hear what you guys have
42 to say. Somebody, anybody.

43
44 Ms. McLean: Chair, I think some of the concern might have been with how it is worded. So, if I
45 can translate that into more direct language, then it might be easier for the commission to decide

1 whether they want to keep it or remove it or change it. I think what it is intended to say is that
2 agricultural lands within the growth boundaries should only be converted to urban and rural
3 designations when A or B. I'll say that again, agricultural lands within the growth boundaries
4 should only be converted to urban and rural designations when A or B. I think that makes the
5 intent more clear, and then the commission can decide what they want to do with that concept.

6
7 Mr. Carnicelli: No, I think you're absolutely right. That does make it more clear.
8 Commissioner La Costa, you raised your hand.

9
10 Ms. La Costa: I was going to concur that it does...it's not a back and forth, it's a straight line, so
11 it's, it's much more concise. Thank you, Michele.

12
13 Mr. Carnicelli: Yeah. My only other question, Director, is we've got 14 designations and we're
14 only calling out urban and rural, right. So, what if somebody wants to do small town center, what
15 if somebody...so, that, that was my only other piece of this is we've got 14, you know, land use
16 designations and we're...you know, 'cause this, I get urban and rural because that's...they were
17 referring to Maui Island plan and the Maui Island Plan only has urban and rural. So, but if it's
18 inside the growth boundary, it's going to be one of those two. It's going to be ag, but it's gonna
19 be inside the growth boundary, which means by definition, if it's inside the growth boundary, it is
20 urban and/or rural because it's the only two things that are growth boundaries in the Maui Island
21 Plan. Jen.

22
23 Ms. Maydan: Thanks, Chair. It's referring to urban and rural type designation. So, it's kind of
24 using that as a blanket term to refer to like a small town center, urban center corridor, P/QP,
25 residential, it's all of those, and rather than listing all of them, perhaps it could say urban and rural
26 type designations, or it could say any change from...any change out of the ag basically is what
27 it's saying. It's not...cause there are no urban and rural designation or there's rural, but there is
28 not urban in the community plan. So, it's not giving a title of a designation, it's giving a type of a
29 designation.

30
31 Mr. Carnicelli: Right. I think that it would, again, we're specific enough in this plan that we're
32 saying if somebody is going to remodel their garage, they can't use T1-11, but then we're going
33 to say, like, oh okay, we don't want to list these things. You know, I, I just think that it's, you know,
34 say like type, i.e., just list them, you know, I mean, list it in, you know, I mean, obviously if you're
35 going to change it to industrial that's not going to fit either one of these things, right. So, then it's
36 going to be a whole different, so then---

37
38 Ms. Maydan: Industrial is an urban designation.

39
40 Mr. Carnicelli: Oh, okay. Are these all...are they all urban and/or rural designations in one way
41 shape or form or another?

42
43 Ms. Maydan: Besides ag and state conservation basically and –

44

1 Mr. Carnicelli: They all fall under that. Okay, if they all fall under one of those two except for ag
2 and in conservation that's fine because you're not gonna change it...I mean, if you want to change
3 from ag to conservation, good for you but I don't think that that's going to be a problem. So okay,
4 then I'll let it go. Then so then we're back to the Director's recommendation of, of how it was
5 worded. Anybody else have any comments or changes to 2.4.2 which is now what, 3.2.1? Any
6 objections to leaving it as Michele read it and leaving it in the plan? Seeing no objections...oh,
7 P. Denise La Costa.

8
9 Ms. La Costa: I was not gonna object, I was going to say that the way it's worded now makes
10 much more sense and where it's positioned now makes much more sense. So, thank you.

11
12 Mr. Carnicelli: Got it. Okay, so no objections, adopted by consensus whatever the new number
13 is, 2.4.2 or what was 2.4.2 is reworded and then stuck in the right, the appropriate spot, second
14 3.2, so I guess it would be 3.2.1. So, okay.

15
16 **Section 3.2.1 – (Section 2.4.2 moved to Section 3.2.1) – Use the following verbiage:**
17 **Agricultural lands within the Growth Boundaries should only be converted to Urban and**
18 **Rural designations when, A or B. Approved by consensus.**

19
20 Mr. Carnicelli: I made that a lot harder than it needed to be. Kawika.

21
22 Mr. Freitas: Thank you, Chair. So by taking 2.4.2 out, does all the numbers change after that or
23 you can skip like that? No need to change.

24
25 Ms. McLean: They would all be renumbered but that would be what we call a housekeeping
26 change that we would go ahead and do just formatting.

27
28 Mr. Freitas: Thank you.

29
30 Mr. Carnicelli: Okay, Jen, I guess we're done with 3.3, we're on to 3.4.

31
32 Ms. Maydan: All right, Chair. 3.4, the Department just has one recommendation, which is to
33 basically combine Sections 3.4 and 3.5 into just one section called Community Plan Map and
34 Subareas.

35
36 Mr. Carnicelli: Any objections to that change? Seeing none, adopted by consensus.

37
38 **Section 3.4 – Combine Sections 3.4 and 3.5 into one section called, “Community Plan and**
39 **Subareas”. Approved by Consensus.**

40
41 Ms. Maydan: Okay, if we're ready and move on to 3.5, the Department has a recommendation
42 and I will hand it over to Michele at this point.

43
44 Ms. McLean: Thanks, Jen. We forwarded you a list of the, what we still refer to as the Minatoya
45 Properties in West Maui. The ones on the Minatoya List, these are properties that are not zoned

1 hotel that are by their zoning or by grandfathering or by other means are allowed to do vacation
2 rental. And we provided a color-coded chart of the percentage of vacation rental according to
3 real property tax classification that's being conducted in each of those properties. And the
4 Department recommends that the high percentage properties be designated hotel in the
5 community plan, but we are leaving it up to the commission discussion to decide what threshold
6 you might use if you wish to make those designations. And so the color coding is in by five percent
7 to aid in the commission's decision.

8
9 Mr. Carnicelli: Commissioner La Costa.

10
11 Ms. La Costa: Thank you, Chair. I have tried to figure out what NBCID means, and I cannot,
12 what does that mean, please.

13
14 Ms. McLean: That is a very unique zoning district, Napili Bay Civic Improvement District, and that
15 zoning allows a variety of uses, including hotel use.

16
17 Ms. La Costa: Thank you, Director.

18
19 Mr. Carnicelli: Director, what you're talking about did we get it 'cause I don't have those little
20 color-coded thing, the percentage things, I don't...maybe I misplaced it. Did we get it transmitted?

21
22 Ms. McLean: Yes, Carolyn emailed that separately.

23
24 Mr. Carnicelli: Okay, it's my fault then. Okay, so what...are we discussing whether or not to have
25 that included right now in 3.5 or is that what we're gonna use or you're setting us up so when we
26 go to the maps then we can kinda figure out whether we're going to change the hotel zoning or
27 not? Okay, okay, I'll then go back through my emails and get that so I apologize for missing that.

28
29 Ms. La Costa: It was also sent hard copy.

30
31 Mr. Carnicelli: Okay. All right, I'll find it. Jen, do you want to walk through the subareas at all
32 then, no? And just, I mean, just so we kind of know what we're, what we're going to be up for
33 here in the next couple of meetings as far as or is that kind of overkill it, 8:13 at night?

34
35 Ms. Maydan: I'd say that's up to your members. I'm happy to just kind of wing...wing a
36 walkthrough, if you'd like or if your members are done after a long day, I'd say it's totally up to you
37 guys.

38
39 Mr. Carnicelli: We've only been doing this for eleven hours.

40
41 Ms. Maydan: Exactly. I respect your guys volunteer and effort. You guys are amazing.

42
43 Mr. Carnicelli: So, members, are we good? Do we...we probably don't...there's not really much
44 to cover in the subareas, we can read the paragraphs, you guys good?

45

1 Ms. La Costa: I think they're self-explanatory from my perspective.

2
3 Mr. Carnicelli: Good, okay. So, I also appreciate everybody, let's see how many people are on
4 the line right now, 37 people still hanging in there with us. Good for you guys. So, I believe Jen
5 just, we'll tee it up for people, we're going to start, what, 3.4 and 5 or which is now 3.4. How many
6 maps do you want to try and get through at the next meeting? You want try and get through two
7 subareas, see I we can do two subareas in one meeting? You want to try to do, I don't think we
8 can get through all four, but...

9
10 Ms. Maydan: Two is a good goal.

11
12 Mr. Carnicelli: Okay, so, on the next agenda then we'll just, we'll put Subarea 1 and 2 on the
13 agenda and then we'll kind of just start to try to power through. So, I don't have anything else.
14 Members, you guys have anything else? Again, members, I appreciate your dedication to our
15 community. Another very long day. Commissioner Hipolito this was a wonderful day to...for you
16 to have your first go. I apologize for using so much time here at the end. I just said things ping-
17 ponging around my brain and I'm glad you guys allowed me to get them out. Director, Carolyn, the ever
18 present, Carolyn, thank you very much for all that you do. Jen, Pam, Michelle, everybody else,
19 and again, Commissioners, thank you so much for everything that you do. It's 8:15, I now call
20 this meeting adjourned. Have a wonderful evening.

21
22 **C. NEXT SPECIAL MEETING DATE: September 8, 2020**

23
24 **D. ADJOURNMENT**

25
26 The meeting was adjourned at approximately 8:15 p.m.

27
28 Respectfully Submitted by,

29
30
31 CAROLYN TAKAYAMA-CORDEN
32 Secretary to Boards and Commissions II
33

1 **RECORD OF ATTENDANCE**

2 **Present**

3 Lawrence Carnicelli, Chair
4 Stephen Castro
5 Kawika Freitas
6 Mel Hipolito
7 P Denise La Costa
8 Christian Tackett, Vice Chair
9 Dale Thompson

10

11 **Excused**

12 Kellie Pali

13

14 **Others**

15 Michele McLean, Director, Department of Planning
16 Pam Eaton, Long Range Division Planning Program Administrator
17 Jennifer Maydan, Supervising Planner
18 Michael Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel (on-call)