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**MAUI PLANNING COMMISSION
SUMMARY MINUTES
SPECIAL MEETING – WEST MAUI CP
SEPTEMBER 8, 2020
RECESSED TO
SEPTEMBER 22, 2020**

A. CALL TO ORDER

The recessed special meeting of the Maui Planning Commission was called to order by Chairperson Lawrence Carnicelli at approximately 6:09 p.m., Tuesday, September 22, 2020, online via BlueJeans; **Meeting ID: 805 707 143**

Mr. Carnicelli: Aloha everyone, the Maui Planning Commission meeting of September 8, 2020 is now reconvened. It is September 22, 2020 at 6:09, and this meeting is now convened, reconvened. It's the special meeting of the Maui Planning Commission.

My name is Lawrence Carnicelli. I am the Chair. Also, in attendance with us is Vice-Chair Christine Tackett.

Mr. Tackett: Thank you, Chair.

Mr. Carnicelli: Good evening. Commissioner Castro.

Mr. Castro: Good evening, Chair and welcome back everybody.

Mr. Carnicelli: Commissioner Edlao.

Mr. Edlao: Good evening, everyone.

Mr. Carnicelli: Good evening. Commissioner Freitas.

Mr. Freitas: Aloha, Chair.

Mr. Carnicelli: Aloha. Commissioner Thompson.

Mr. Thompson: Aloha Chair and Commissioners. Good evening.

Mr. Carnicelli: Good evening. Commissioner Hipolito.

Mr. Hipolito: Aloha and good evening, everyone.

Mr. Carnicelli: Good evening. Commissioner La Costa.

Ms. La Costa: Aloha ahiahi everyone.

Mr. Carnicelli: Good evening. And Commissioner Pali.

Ms. Pali: Good evening. That's a long roll call.

1
2 Mr. Carnicelli: It's a good one. All, so let the record show that all nine members are in attendance.
3 We do have quorum. Also, attendance with us is Planning Director Michele Chouteau McLean.

4
5 Ms. McLean: Aloha Chair and Commissioners, long time no see.

6
7 Mr. Carnicelli: And then also Michael Hopper is not on the call, however he is on call should we
8 need Corporation Counsel to weigh in on anything, he is available for us. And if everybody on
9 the call could please mute yourselves, if you could please mute your audio and your video for this
10 meeting that would be fantastic.

11
12 Just to kind of let everybody know where we are, this meeting is the reconvened meeting of
13 September 8th. That meeting we weren't able to finish, we put it in recess, we got to a certain
14 point. We took testimony. We deliberated on some things. We did make a couple of decisions,
15 but then had to recess, so we're going to reconvene.

16
17 If you look at the agenda for that meeting essentially what we're looking at is in the community
18 plan the Growth Framework, 3.4, 3.5, 3.6, and 3.7. So, specifically, the Subareas 1 and Subareas
19 2 of the West Maui Community Plan Maps which is the Kapalua District and the Kaanapali District.
20 What we did cover, well, I guess I'm not going to go over what we covered. Where we are right
21 now is, we had three of the large landowners come forward and kind of give us some things. We
22 had questions for them. Things bounced back and forth. We asked them to come back and say,
23 you know, speak in our language, which is the community plan designations, explain to us what
24 their vision is, right. 'Cause that doesn't necessarily mean that's what the community's vision is
25 going to be. But I think, you know, Pam and...oh, I'm sorry on the call also is Jan Maydan, sorry,
26 from Long Range Planning, prior I forgot to introduce Jen and Pam Eaton.

27
28 Ms. Maydan: Good evening, Chair and Commissioners.

29
30 Mr. Carnicelli: Good evening.

31
32 Ms. Eaton: Good evening guys. Thanks so much for hanging in there.

33
34 Mr. Carnicelli: Thank you, Pam.

35
36 **B. UNFINISHED BUSINESS**

- 37
38 **1. MS. MICHELE CHOUTEAU MCLEAN, PLANNING DIRECTOR, transmitting the**
39 **West Maui Community Plan Advisory Committee's recommended revisions**
40 **to the West Maui Community Plan pursuant to the provisions of Chapter**
41 **2.80B of the Maui County Code. (J. Maydan)**

- 42
43 **a. It is intended that discussion be limited to the following subsections of**
44 **Section 3 Growth Framework, to the extent possible:**

- 45
46 **i. 3.4 Community Plan Map**

1 **ii. 3.5 Subarea Descriptions (Subarea 1 and Subarea 2)**

2 **iii. 3.6 Areas of Change**

3 **iv. 3.7 Areas of Stability**

4
5 Mr. Carnicelli: So anyways, Pam and Jen and I had a conversation, and I think it's just important
6 for everybody to kind of understand what we're trying to do is, you know, there's, there's this
7 balance between trying to make a good plan and not being directed by the landowners and them
8 telling us what they want to do, and then us just buying in, and yet then there's also the practicality
9 of real world where, you know, we can draw all the pretty colors on the map that we want but if it,
10 you know, you don't have a, you know, somebody to actually implement and do it, then it's not
11 going to happen. So, we're trying to strike some kind of a balance there, right. Is hear what they
12 have to say.
13

14 Karen Comcowich of the CPAC, she didn't ask it of everybody it resonated with me when she
15 said, what are you doing for the community, right? Like what is this? Is this just a bunch of
16 houses, are you trying to do something cool, does this work into what smart growth is, you know,
17 so that's kind of when I say, hey listen, tell us what it is your vision is. That's kind of what my
18 thought was is going okay, guys how does this play into the entire community of West Maui, how
19 does this play into smart growth and hopefully you know our part here at the planning commission
20 can help move that forward for the community.
21

22 With all that being said, my intent today was is to allow Mr. Schnell from...he's representing the
23 folks up in Kapalua. I believe we had DHHL. And then, Kaanapali 2020 to kinda come back, say
24 all right guys based on what is our vision is is sort of what we're gonna do and then we can look
25 at the community plan maps, then we have three maps and then basically just hopefully rifle
26 through these pretty quickly or I guess or not quick...deliberate them, see what it is that we feel
27 is good or not good and get input from Pam and Jen as to how things kinda evolved to where they
28 are now and then how we can best make decisions. So, any questions or comments at this point.
29 I'm trying to just set the stage as the people can understand where at least my brain was trying
30 to head and I apologize for you trying to get inside my brain 'cause that's, you know, I wouldn't
31 want anybody else there. So, anybody have any questions or comments at this stage?
32

33 Okay, with that being said, I'm going to go ahead and ask Jen and/or Pam if they've got anything
34 that they would like to add before we bring up our three contestants? Behind door number one—
35

36 Ms. Maydan: Hey Chair, thank you. I don't think I do at this point. We're here as a resource if
37 you need, and we can provide context into decisions that were made and...but no, at this point, I
38 don't have anything.
39

40 Mr. Carnicelli: I'm going to have to get used to you looking like an air traffic controller. That's
41 actually very cool. How about you Pam?
42

43 Ms. Eaton: Chair, thank you. I'm good. I just want to hear from everybody else. Thank you.
44

45 Mr. Carnicelli: Okay, great. Mr. Schnell...oh, Commissioner Freitas.
46

1 Mr. Freitas: Thank you Chair. I did have one question that I had asked a couple of meetings ago.
2 And if someone could clarify one more time, the Kaanapali 2020 group and their work that they
3 have done it again is, is what we are doing going to replace the Kaanapali 2020 or is that still
4 gonna be another smaller group of rules that if anybody want to build anything has to also comply
5 with their, their group?

6
7 Mr. Carnicelli: Director.

8
9 Ms. McLean: I'll take a shot at answering the question then if Pam and Jen have anything to add,
10 I'd ask them to jump in. Right now, the Kaanapali 2020 Plan doesn't have any regulatory effect.
11 So, it doesn't have community plan designation. It doesn't have zoning. It doesn't have state
12 designation. Some of it may have state designation. And so, what is in front of you today are
13 proposed community plan designations for most, but not all of that plan. And the folks who have
14 been involved in that have said some of the changes they want to see to fully implement that plan.
15 What the CPAC recommended was, was a lot of it, but not all of it in in complete detail. So, it's
16 not completely implementing the plan. Whatever gets adopted on the community plan, they would
17 still need zoning. They would still need other changes. But that would be one of the steps that's
18 needed to implement that plan.

19
20 Mr. Freitas: Okay, that answers my question.

21
22 Ms. McLean: If Pam or Jen have anything to add though, I want to give them a chance to chime
23 in.

24
25 Ms. Eaton: I do not. That was good.

26
27 Ms. Maydan: I don't have anything to add. Thank you, Michele.

28
29 Mr. Carnicelli: Thank you. Any other questions, comments, concerns? You want a voice anything
30 before we bring, bring forward some folks? Okay, seeing none, Mr. Schnell.

31
32 Mr. Tom Schnell: Hello, can you hear me and see me?

33
34 Mr. Carnicelli: We can. We can. Welcome back.

35
36 Mr. Schnell: Good. Thanks for having us back, and yeah, I understand you've had a long day,
37 so I'll try to keep this brief. But I do appreciate the opportunity to come back the second time and
38 talk about the areas that Maui Land and Pine owns. And am I able to share my screen?

39
40 Mr. Carnicelli: You should be able to just like we did last time, yeah.

41
42 Mr. Schnell: Okay, so I'm going to share my screen so we can talk about the various sections of
43 the plan. Okay, specifically, I think we're talking about Section 3.4, the community plan map which
44 shows the entire West Maui Community Plan, and then tonight, we're honing in on the subareas.
45 So specifically, this is Subarea 1, and this is the Kapalua Resort area, and this is what's called
46 Kapalua Mauka. The red line, I believe, is the rural or sorry urban growth boundary which goes

1 around this area called Kapalua Mauka, and these designations are the CPAC recommended
2 designations for areas within Kapalua Mauka and the greater Kapalua Resort but just specifically
3 what's called Project District 1 under zoning. So, where we left off at as previously in two past
4 testimonies, the preference for Maui Land and Pine would be retain the current Project District
5 designations for these two areas. An alternative to that would have been, there's a Special
6 Purpose District in the community plan, and the alternative would have been to clarify that that
7 existing Project Districts are included in Special Purpose Districts. But if the commission is...you
8 know, going to move forward with those approaches, we've come back with a proposed map of
9 what could be workable for Maui Land and Pine also.

10
11 So, let me just focus in on this area. So, I'm going to refer to this as Project District 2, Project
12 District 1 is generally this area and a portion of this area, and the changes that the CPAC was
13 recommending was that this area, which we refer to as Central Resort be changed to Small Town
14 Center, and this area be changed to Residential, and then these are also residential areas, Parks
15 Open Space. This is what's called a Rural Residential.

16
17 Came back with this proposed map which is slightly different and this is what we're showing. So,
18 our understanding from communication with the Planning Department is that the Small Town
19 Center designation would be analogous to the current designation under the Project District
20 zoning of Village and the uses that would be allowed under a Village would also be allowed in
21 Small Town Center. And Pam or Jen or Michele, let me know if I'm wrong in that supposition, but
22 if this was Small Town Center and the uses that were permitted under Project District zoning are
23 also allowed under small town zone, Small Town Center, we're okay with that.

24
25 The change you're proposing in this area going back here, this area right here was proposed as
26 Residential. We would like this also to be a Small Town Center. And the reason being is that
27 under the Project District 1 Ordinance, there is about 89 acres that's allocated towards Village
28 uses, a Village subdistrict. Maui Land and Pine has only used about 18 of those acres, of the
29 89 acres so there's an allocation that could be used for Village. So, if you added 42 plus 29 that
30 would give them the total allocation of the village subdistrict. The reason we put this 29 to 34 is
31 because when we did an area takeoff of this area looks like the Planning Department or the CPAC
32 had 34 acres here. So, we just made this 29 to 34 acres...this is to GIS standards, it's not metes
33 and bounds but basically, we would not be asking you for any more Small Town Center area than
34 what's allowable under the Project District Ordinance for Village.

35
36 Let me just go to...this is the County zoning map so I just wanted to point out that this is...Project
37 District is actually a zoning designation so this is Project District, this is Project District so the
38 whole area is zoned Project District. Within Project District there are various subdistricts that are
39 allowed. So, I have this slide. So, within the Project District 1, it's called Lahaina Project District 1
40 there are followed...there are established the following land uses and categories within Kapalua
41 Resort Subdistrict. One of the subdistricts is Village and this is where I got the 89 acres that I was
42 talking about. Maui Land and Pine has only developed about 18 acres of that. So, that's why we
43 felt it was reasonable to come back on this and ask for the balance of that 89 acres to be Small
44 Town Center which we think is synonymous with a Village.

1 And then there's various other subdistricts too. Some of these had been built out, like for example,
2 the Hotel subdistrict that's basically the Ritz Carlton Hotel. So, you know, they've maxed out the
3 30 acres for that. There's one other small area that's Hotel, and the Multi-Family is pretty much
4 maxed out. So, you know, the area of flex that they have is to build out the Village District. And
5 I just thought it was important to note, you know, just for comparison purpose in the ordinance it
6 says, Village Districts are intended to allow natural growth and evolution of a town center. It will
7 consist primarily of compatible residential hotel, commercial, recreation and community facilities
8 to service the needs of its residents, as well as those of the surrounding region. And what I
9 compare that to the Small Town Center, Small Town Center elaborates a little bit more than that,
10 but I can see where the language could fit.

11
12 Going back to this map on the mauka area, Project District 2, we orientated the Residential area
13 a little bit differently than the Planning Department or CPAC did. What remains constant, though,
14 is the areas that are Rural Residential. So, this area is already subdivided and infrastructure's in.
15 This is called Mahana Estates, it's a 125 acres. There's a total of 275 acres allowed Rural
16 Residential. So, the balance is, is here, this 150-acre area and this, this is basically the State
17 Land Use District Rural area, so, that's kind of a fixed given area that this Rural Residential, this
18 is Rural Residential.

19
20 Now for this area, under...let me go back to this...I'll show you the ordinance for Project District 2,
21 so this is the ordinance for Project District 2, and the important thing is it says, 260 acres and that
22 should include residential and commercial uses of five acres. This ordinance is a little bit
23 confusing because they call this Village, but it's not the same as Village District in Project
24 District 1, it's just a quirky thing of the ordinance and probably one of the reasons why the Planning
25 Department would like to do away with Project Districts because it creates these different
26 categories that are unique to each Project District. So, 260 acres for Residential, five acres are
27 Commercial. So, we've allocated 224 plus 36 would be 260 and then the five acres of Commercial
28 here. And the important note that we wanted to stress and we put this note down here, you may
29 not be able to read it, but we believe that this area is slated for, you know, future expansion of the
30 resort and in kind of resort residential golf course setting. We know the parameters of what's
31 allowed, 260 Residential, five-acre Commercial and 268, or sorry to 275 Rural Residential. If this
32 move down here or if it, you know, changed shape I, I think it would be this, I mean the same
33 develop...the same amount of development where it would occur. It's just that to follow these
34 lines and even in the CPAC version, to follow these lines precisely when they're at a GIS level
35 and we haven't done technical engineering studies, I mean, we followed topo and gulches and,
36 you know, areas that would be developable as much as possible, but when you really get out
37 there and start to plan and develop, you might need to make some adjustments. And right now,
38 with the Project District provision, you can make those adjust adjustments. So, we would prefer
39 not to have the hard lines and have the parameters to say within this area we can develop a
40 maximum of 260 acres for Residential, five acres Commercial, and that could be within this area,
41 the entire Project District 2 area which is defined by the Rural Growth or Urban Growth Boundary.

42
43 And I think I can conclude it there and take questions. We did submit a letter yesterday with this
44 information and it I recognize you have had a long day. You may not have had time to read it,
45 but our justifications and our rationale behind it are explained in more detail in the letter.

46

1 Mr. Carnicelli: Great. Thank you, Tom. If you would, you can maybe end your screen share and
2 you might have to pop it back if, if we've got questions. I guess it's, it's interesting. The first thing
3 that I want to see is topo, but I guess, you know, it's like going, oh, we moved you know like say
4 from CPAC's version to what it is that you're doing, it be interesting to see in a topo, but you know,
5 we don't have that. I do appreciate you guys taking the time to do this and come forward. So,
6 with that being said, Commissioners do you have any questions for Mr. Schnell at this point in
7 time based on what it is that he brought forward. Commissioner La Costa.

8
9 Ms. La Costa: Thank you, Chair. Mr. Schnell, thank you very much for your presentation. You
10 said that you'd like the flexibility to be able to move the designations. Do you have anything on
11 the drawing board or any conception as far as how you'd like to realign it and what you'd like to
12 see?
13

14 Mr. Schnell: So, the map that, the map that I showed you is...we did look at topo when we did
15 that, and this would be more consistent with what was originally planned. So, this is a conceptual
16 idea of what we would like to see with the Residential moved up mauka a little bit further and not
17 near the road and the Commercial Center also somewhat in the middle of that. The original intent
18 for the Commercial Center was this was going to be a golf course clubhouse and maybe some
19 shops and you know, areas, services that would service the residents and the people that would
20 come to the golf area. So, that's why the Commercial Center is moved up more towards the
21 center. It makes sense to put it down up by the highway, too. If you wanted to put, you know,
22 more of a strip mall kind of thing or more of a accessible to the highway, but our intent and the
23 original intent was to have this kind of a cluster in the center. So, the plan that I'm showing is is
24 more in line with the original intent of the project.
25

26 Ms. La Costa: Thank you
27

28 Mr. Carnicelli: Any other questions for Mr. Schnell? Mr. Schnell, were you around for the GPAC?
29

30 Mr. Schnell: GPAC?
31

32 Mr. Carnicelli: GPAC?
33

34 Mr. Schnell: General Plan?
35

36 Mr. Carnicelli: Yeah, the General Plan.
37

38 Mr. Schnell: Yes, I was involved with the General Plan, how many years ago was that?
39

40 Mr. Carnicelli: Over a decade. Were you with ML&P?
41

42 Mr. Schnell: In some levels, not in all levels.
43

44 Mr. Carnicelli: We you part of ML&P at that time?
45

46 Mr. Schnell: Like I said, we've been a planning consultant to MLP for about 20 years or more.

1
2 Mr. Carnicelli: Okay, I'm just curious 'cause it's not mentioned, like this is not mentioned in, in the
3 General Plan, right. Like you know, there's...as a matter of fact it kinda just sort of squished with
4 Kaanapali. So is there there—

5
6 Mr. Schnell: The Urban and Rural Growth Boundaries are probably the Maui Island Plan, correct,
7 so...

8
9 Mr. Carnicelli: Right. Right, no I get that but it's...you know, but there's different parts here, they
10 all have like a story, right. Kaanapali Town has a story, Lahaina Town has a story and just this
11 doesn't have a story, so I didn't know as to if you knew why that was or wasn't. So, any other
12 questions or comments for Mr. Schnell? Thank you, Tom. Pam, Jen if you guys would come
13 forward, I said that I was gonna do this to you guys and I know that you don't want to insert
14 yourselves into this process but I'm gonna make you because you guys are professional planners,
15 and I just want you guys to give your opinion on what it is that they're doing and I get that you
16 guys have been trying to get this from MLP for I don't know a while and we have now, and you
17 had it for all of like 24 hours or something like that. So as professional planners I mean, how do
18 you guys look at this.

19
20 Ms. Eaton: I'm gonna ask a quick question 'cause I know Jen will cover everything. My one,
21 quick question would be given the location of the five acres of Small Town Center in the middle
22 of that residential area, pretty far away from the highway. And what I'm going to conservatively
23 guess will probably be a gated community, I'm wondering why Small Town Center, which sort of
24 has a broader reach, if you will. And I can't imagine you're gonna have John Q. Public being able
25 to go shopping in there. So, why not Neighborhood Center, something more small scale to kind
26 of service the immediate area? Just a question.

27
28 Mr. Carnicelli: Right or even the Rural Village. Something more like that. Okay, Jen.

29
30 Ms. Maydan: Thank you, Chair. So as far as Project District 1 makai of the highway and
31 Mr. Schnell's proposed change to change the lower portion from Residential to Small Town
32 Center. I did have conversations with Tom yesterday and the day before and really looking at
33 detail at the zoning for that area that does appear to be a better fit than Residential. And then for
34 Project District 2, mauka of the highway it looks like the numbers all jive as far as what is allowed
35 in the various districts, subdistricts of Project District 2, it's just a reorganization. I mean, we really
36 looked when we put together the designations for Project District 2, we really did look at
37 topography and the gulches and laid the uses where we did, the designations where we did. Tom
38 of course, has a much better connection with what the original plans have been for Kapalua
39 Mauka, connection with Maui Land and Pine, so...and we did do...(technical difficulty video
40 froze)...and all of the Rural matches up, you know, there's just a little bit of ...(inaudible)...am I
41 cutting out?

42
43 Mr. Carnicelli: Yeah, we got that Haiku, Haiku internet...

44
45 Ms. Maydan: Exactly. I would just follow up on what Pam was saying regarding the Small Town
46 Center in the mauka portion perhaps Neighborhood Center would be a better fit for the scale.

1
2 Mr. Carnicelli: Okay, great. So, while I've got you here, I also just have a question about the...him
3 wanting this to be a little bit more malleable since we're also looking at like you and I talked about
4 yesterday, right? If this is what they're looking at and they're not even...they don't even have
5 lines on a map, they're 15, 20 years out from anything being real. And I'm not saying that the
6 map needs to be malleable, but what if there were something as far as intent that we put in the
7 text that said something to like going, hey, listen, you know, the lines are what the line, you know,
8 this is what it is, but yet we also understand...I mean, cause I'm just saying, cause if they're gonna
9 have to come in for a community plan amendment at some point if those, those hard lines move,
10 is if we can say, hey listen this was...at least have...the conversation was had at least, right. If
11 there's somewhere that we can say, I mean, they're still gonna have to get a community plan
12 amendment, but rather than just being like no, the lines is what it is, is there some way we can
13 say in the challenges and opportunities maybe, I'm saying like, hey or maybe it's just tough. We
14 gotta make a decision and we're gonna go,
15

16 Ms. McLean: Chair, could I jump in on this one?
17

18 Mr. Carnicelli: Sure.
19

20 Ms. McLean: Of course, you're making a recommendation to the Council. So, it would ultimately
21 be up to them whether they want to relinquish their authority for community plan amendments,
22 but I think that's a reasonable approach for former Project Districts because it is a notable change
23 from the way community plans have been established before. So, there might be some process,
24 whether it's departmental approval or commission approval, like a phase two or something, to
25 allow some boundary adjustments. So, I think that would be a reasonable explanation for the
26 areas that were formerly Project Districts and then it would be for the Council to decide if they
27 want to relinquish that authority.
28

29 Mr. Carnicelli: Yeah, I mean, Director, I'm not saying relinquishing the authority or, or even
30 allowing it to be malleable. I'm almost just saying, if they...when they have to come in for their
31 CPA is for at least to be in here...cause it's gonna be let's say, six councils from now, right, and
32 they're not going to know about this conversation that we're having and they're not even to know
33 about the conversation that this Council is having. But just to sort of, if in the community plan, it
34 says this is former Project District and therefore, even though this is what the map says, you may
35 want to consider the fact that this is, you know, a former Project District when making any
36 decisions about a CPA.
37

38 Ms. McLean: Yeah, that's...that is very reasonable. I see no reason not to include that kind of
39 language. I was going to take it a step further, but whatever you want to recommend, I think that
40 would be a reasonable thing to do.
41

42 Mr. Carnicelli: Okay. Fellow commissioners, you guys kind of understand. I mean, I'm not
43 married to this either. We can do...we can just say, hey, listen, we're gonna pick a map and we're
44 gonna go, and that's fine, too. Do you guys have questions, Comments?
45 Commissioner La Costa.
46

1 Ms. La Costa: Director just said she would go a step farther. Could we hear what that is please?

2
3 Ms. McLean: Including language that for lands that are specifically designated with new
4 designations that were formerly Project District that allowed for this flexibility that the...those lines
5 can be adjusted with either Planning Department approval or Commission approval so they don't
6 have to do a CPA. It can be more of an administrative review or even if it's approval by Council,
7 by resolution, but not the whole community plan amendment process, which is very long and
8 expensive and requires an EA, but to allow some administrative review to adjust those boundaries
9 using the same designations and the same acreage, but just adjusting where the lines are, I think
10 would be reasonable.

11
12 Ms. La Costa: Thank you. That makes sense to me too.

13
14 Mr. Carnicelli: And I don't think we're going to craft that language tonight. And since the Long
15 Range Planning is a department of two and a half people, I don't see this. Hopefully we can get
16 it done.

17
18 Mr. Eaton: I just want to make that clear. Lawrence, Kate and Jen, I'm the half, I'm the half. You
19 guys are more than whole.

20
21 Ms. Maydan: I want to be the half.

22
23 Mr. Carnicelli: Okay. So okay, with that being said, Commissioners do you want to make, you
24 want to just, since we've got this in front of us, we've got the maps open, we're looking at this, you
25 guys okay, with just trying to make a decision on this rather than going to like DHHL and then
26 coming back to it, you want to just go ahead and make a decision on this kind of like what we did
27 with Pulelehua? Okay. I guess the question is, do you guys prefer what was in the CPAC
28 recommendation before MLP presented or you guys okay with what Mr. Schnell just presented to
29 us? Which way would you guys rather go? Commissioner La Costa.

30
31 Ms. La Costa: I really liked the flexibility aspect of it because we don't know what's going to
32 happen when you start building anything or developing anything, you know SHPD there we could
33 have remains, we could have lava tubes, we could have whatever, so I think the more flexible we
34 can be within those parameters of the acreage, I think it'll be beneficial for everyone. But I do
35 wonder at this juncture, I know Mr. Schnell is only representing MLP, but what about the other
36 aspect of the Plantation Estates which has been brought to us several times?

37
38 Mr. Carnicelli: We'll...(inaudible-audio feedback)...

39
40 Ms. La Costa: Okay, I just didn't...I didn't know that. Thank you.

41
42 Mr. Carnicelli: Yeah, that's a different area on the map. We're just dealing with basically this
43 Urban Growth Boundary right here that MLP has. So, and I think that, that okay, is part of
44 this...okay, Commissioner Pali, there we go.

45

1 Ms. Pali: I'll just answer your question. I think since the person representing the land owner has
2 given us his version and since Jen seems to think at least from the District 1, it seemed like a
3 better fit. I think that was her words with the Small Town Center. I think, I don't know that it would
4 be harmful to just adopt what he would like after hearing the two planner's opinions, so...

5
6 Mr. Carnicelli: Commissioner Freitas.

7
8 Mr. Freitas: Yeah, I agree with Commissioner Pali, Mr. Schnell's presentation it at least has some
9 kind of long-term vision on it, and he may be working toward it. Whether it ever happens, we don't
10 know, but I'd rather that than we decide on something that just looks pretty and then later on try
11 to fit things that won't fit. But looks like he has a plan with a possible golf course and the little
12 town in the middle with the residential along the side. This plan is...there's a lot of time put in that
13 he has all these years, so I kind of would rather go with what he presented.

14
15 Mr. Carnicelli: Kawika, are you okay with instead of, I think it was small...the little dot was Small
16 Town Center instead maybe go what might be more appropriate from what Jen and Pam said
17 about Rural Village, I believe that's what they called...was it Rural Village?

18
19 Mr. Freitas: I think the plan was—

20
21 Ms. Maydan: Neighborhood Center.

22
23 Mr. Freitas: --that place was---

24
25 Mr. Carnicelli: Oh, oh, Neighborhood Center, Neighborhood Center, Neighborhood Center.

26
27 Mr. Freitas: Yeah, the one that Jen had said.

28
29 Mr. Carnicelli: Got it. Neighborhood Center.

30
31 Mr. Freitas: Yeah.

32
33 Mr. Carnicelli: Mr. Schnell, do you understand the rationale on that? Seem reasonable?

34
35 Mr. Schnell: Yeah, I understand. I think that's acceptable. I mean, the reason we designated it
36 Small Town Center 'cause that's what the Planning Department or the CPAC had in their map in
37 the draft plans, so we just went with that same language. I could show you that.

38
39 Mr. Carnicelli: Okay.

40
41 Mr. Schnell: Yeah, so we just went with that. I haven't checked the definition of the Neighborhood
42 Center but as long as it's consistent with the uses that would be allowed you know for the
43 commercial which were very limited in the Project District ordinance. I think that will be fine.

44
45 Mr. Carnicelli: Okay. Okay, great.

46

1 Mr. Schnell: Just one follow up question while I got you, on that General Plan process, I believe,
2 you know, the areas that we're fully entitled do not have write ups about the kind of intent and
3 stuff. It was the ones where people came in and you know, ask for Rural Growth Boundaries or
4 Urban Growth Boundaries that were not already fully entitled, those have the write ups, so that's
5 the reason why.

6
7 Mr. Carnicelli: Okay, thank you. So, the only...to me, my only concern and again, without seeing
8 the topo is this Open Space, you know, is we're moving it kind of from mauka down to the highway
9 and does that have any...like what impact does that have on the community? Right, like I get like
10 from the highway and views it will help the mauka views, but I mean, if it's all going to be just a
11 golf course, then I guess it doesn't matter. But if it's going to be public use, is there going to be a
12 difference between the public having the mauka piece versus the makai piece? I mean, just down
13 by the highway, I guess, Tom. You're on mute. I was asking you that question Tom and you're
14 on mute. There you go.

15
16 Mr. Schnell: If I can share my screen for a minute again, so...

17
18 Mr. Carnicelli: Sure.

19
20 Mr. Schnell: Let's look at the proposed area. So, if the plan is up, yeah, so I mean, if we're
21 allowed to be flexible in this area as long as we don't exceed the maximum, you know,
22 ...(inaudible)...could be down here, a residential could be in this area. I wanted to note, too, that
23 for Parks and Open Space, the Project District ordinance all actually has...let me get to the right
24 one...I must of closed it, but the Project District ordinance, I have it in my notes, so the Project
25 District Ordinance works for that area has as two different classifications. It has Resort Open
26 Space, which is 135 acres, and it has Golf Course/Park, which is 250 acres, so since the
27 community plan didn't have those fine distinctions, we totaled 250 plus 135 and we got Park/Open
28 Space here and my understanding is that under the community plan, if it's not a new Park or Open
29 Space, there's a...I don't have it exactly in front of me, but there's another portion of the plan that
30 talks about where golf courses are prohibited, but my understanding, golf courses are not
31 prohibited in this area. So, whether it's a golf course in the future or remains Open Space, that's
32 to be seen. I don't know, a lot of people are building a lot of new golf courses these days, but who
33 knows?

34
35 Mr. Carnicelli: Yeah, yeah everything cycles, I guess. Thank you. So, the fact that there is...is
36 the fact that there is a separation, though, and Tom, if you could stop the share screen that would
37 be a great so I can see my fellow commissioners, in case somebody wants to chime in here, but
38 the fact that you're talking about in the current Project District, it actually does separate out how
39 much golf course and how much Park and Open Space, it would be nice to try to not have this
40 again 20 years from now turn into 100 percent golf course. Jen or Pam is there a way with which
41 we might be able to try to keep that.

42
43 Ms. Maydan: So, Chair the acreages that are allowed to be golf course or Park and Open Space
44 are dictated by the zoning.

45
46 Mr. Carnicelli: Right.

1
2 Ms. Maydan: So, while it's lumped together in the community plan, the zoning will dictate that the
3 golf course can only be X number of acres.

4
5 Mr. Carnicelli: Perfect answer, thank you.

6
7 Mr. Schnell: 250.

8
9 Mr. Carnicelli: Okay, perfect. Thank you. So, Commission, are you guys okay with I guess the
10 map as presented by Mr. Schnell, but the dot in the center of Project District 2 is Neighborhood
11 Center instead as Jen and Pam had initiated, and we will draft some kind of language that
12 addresses Project Districts and "flexibility" or something like that, although Michele just popped
13 up, so she might have crafted something while I was talking.

14
15 Ms. McLean: Okay, we'll give this a try. For lands formerly designated as Project District, the
16 boundaries between designations can be adjusted, provided the total acreage of each designation
17 remains the same. Such adjustments may be proposed by the landowner and must be approved
18 by the planning director.

19
20 Mr. Carnicelli: Are you guys okay with that? Any object...I'll do it this way, any objections
21 Commission? Okay, seeing no objections we'll go ahead and adopt as the consensus the map
22 as amended by Jen and Pam and with the language just stated on the record by the Director.

23
24 Ms. McLean: I'm not sure where that language is gonna go, but we'll find the right place for it.

25
26 Mr. Carnicelli: Fair enough, fair enough. So, okay.

27
28 Ms. Maydan: Chair?

29
30 Mr. Carnicelli: Yes.

31
32 Ms. Maydan: Just to clarify, yeah, so I think that language will probably go...it probably will go in
33 the area of change that relates to Kapalua and Kapalua Mauka and if there are any...I just want
34 to clarify with the commission if there are any tweaks to the language in that area of change based
35 upon these changes that we can make those as well if that's included in your consensus decision.
36 I just want to clarify or just make sure that my assumption is correct.

37
38 Mr. Carnicelli: No, thank you for that clarification. Yeah, is there any objections to changes in
39 that areas of change addressing Kapalua to make consistent with what the Director just had
40 stated. Is everybody okay with that? Yeah? Okay, yes, then you can say that as well Jen that t
41 hose changes to make consistency also are included in the motion and the consensus. So, thank
42 you Mr. Schnell.

43
44 Mr. Schnell: Thank you very much for your consideration.

45
46 Mr. Carnicelli: Commissioner La Costa.

1
2 Ms. La Costa: Thank you, Chair. Director mentioned something about not having to change that
3 community plan that it would either go before her and/or the commission if there are changes. Is
4 that language, should that language be included as well?

5
6 Mr. Carnicelli: That's what she just read into the record. That's what she just read into the record.
7 It wasn't...the language that she wrote didn't include us.

8
9 Ms. McLean: Yes.

10
11 Mr. Carnicelli: It wasn't...is the language that she wrote didn't include us.

12
13 Ms. La Costa: Right.

14
15 Mr. Carnicelli: Is, at the, at the, yeah, 'cause by the—

16
17 Ms. La Costa: Okay, well she mentioned the Commission earlier so I was, I didn't want to be
18 confused. Thanks.

19
20 Mr. Carnicelli: Yeah, I mean, if you want it to come to the commission, we can have that language.
21 I mean, the Council is going to do what they're gonna do with anyways, right? I mean, it might
22 get the Council and they might say, no, you know, we want, we want a full CPA, so we'll just see.
23 So, anyways, thank you Tom. I appreciate it.

24
25 **The map presented by Mr. Schnell with the amendments as noted by Ms. Eaton and Ms.**
26 **Maydan and the following language relating to Kapalua and Kapalua Mauka: For lands**
27 **formerly designated as Project District the boundaries between designations can be**
28 **adjusted provided the total acreage of each designation remains the same. Such**
29 **adjustments may be proposed by the landowner and must be approved by the Planning**
30 **Director was adopted by consensus of the Commission.**

31
32 Mr. Carnicelli: Do we have anybody from DHHL on the line with us? I think it was Julie or Stewart
33 from last time? Okay, so while we're waiting to see if they come, there was I guess again, talking
34 to Pam, Jen and Michele as well, so when we look at this part, the DHHL lands, it's not as we said
35 in the last meeting, it's not in the growth boundary. So, but they can kind of just do whatever they
36 want. So, do we just leave it? Just leave it as is as per the recommendation of the CPAC and
37 just move one. Okay, I see a lot of empathic head nodding. So okay, and I just found out that
38 DHHL isn't here anyways, so there we to. All right, so then do we have that by consensus, the
39 lands...yeah, seeing no objections by consensus we're gonna go ahead and adopt that portion of
40 the map as presented by CPAC. So, thank you.

41
42 **Adopted that portion of the map as presented by the CPAC by consensus of the**
43 **Commission.**

44
45 Mr. Carnicelli: And then, Mr. Fukunaga. Chad are you around?

46

1 Mr. Chad Fukunaga: Hello Commission Members, good evening.

2

3 Mr. Carnicelli: Good evening.

4

5 Mr. Fukunaga: Thank you for the recommendations from the last meeting and thank you for
6 inviting us back. Appreciate the chance to be in front of you again. So just a point of clarification.
7 We're going to be requesting some amendments to the map, and then also if, if that is approved,
8 we also have recommended adjustments to the written portion, the areas of change.

9

10 Mr. Carnicelli: Right.

11

12 Mr. Fukunaga: So, how should we handle this? Should we go through the map first or just go
13 through everything and then...

14

15 Mr. Carnicelli: Give us the map, give us the pretty pictures.

16

17 Mr. Fukunaga: Okay, all right. Okay, so in front of you I have the Kaanapali 2020 Master Plan
18 and I don't think I had this exhibit for you last time so it's...this is a little clearer than what I showed
19 you the last time. Let me kind of start off by identifying the general areas. This is Puukoolii Mauka.
20 This area's entitled for 940 units. Then we had Kaanapali Town areas which we generally refer
21 to as Kaanapali 2020, but it's primarily the area below the bypass, the proposed bypass. And in
22 the community plan draft it identified the north side as Kaanapali Town North and then the center
23 area as Kaanapali Town, and the south side as Kaanapali Town South.

24

25 So, last meeting it was recommended, you know, we regroup, we come back with an exhibit that
26 clearly shows what best fits the Kaanapali 2020 Master Plan and what's approved by the
27 Kaanapali 2020 community group. So, we had a meeting last week which whereby the
28 Kaanapali 2020 members reviewed and discussed the exhibit in front of you or what's shown on
29 the screen. And this was, this exhibit was approved by vote and we feel it best fits the
30 community... the 2020 plan, and I think it addresses some of the concerns that were voiced from
31 some of the other commenters.

32

33 Let me kind of start off on the south side. So, I know there is a concern for the area above
34 Hanakaoo Beach Park and trying to preserve the mauka views. So, in the 2020 Plan it has its
35 ten-acre park area which we want to keep in Parks and Open Space. And then the area
36 immediately above that is primarily Single-Family and some Multi-Family. So, we've designated
37 that Residential. So, we feel that the combination of the Parks and Open Space and the
38 Residential best preserves the view looking mauka. But then we also added in a lot of this
39 Residential kinda on the north side, which which matches the, the plan with a lot of Single-Family
40 and Multi-Family designations and also surrounds a lot of the existing homes. So, we wanted to
41 designate that area Residential, too as a best fit and to, you know, preserve that residential feel.
42 And then the area down on the north side, around where the proposed hospital site is, again,
43 there are some commercial designations and some medical clinics, and some churches and
44 mixed use. So, we felt that in that area that the urban corridor was still the best fit. And then
45 likewise, coming off where the proposed bypass would be where did the Puukoolii connected would
46 be, there's also proposed commercial uses and mixed use. Again, we felt that the Urban Corridor

1 would be a good designation there. They also chose to preserve the Public/Quasi-Public for the
2 memorial park and veterans center on the north side. And then, and then we have some gulches
3 that we preserving in Parks and Open Space, and then the piece just about here which is still
4 farmable, so we've designated that as Agriculture.

5
6 So again, this this plan you know, we felt it really fits the vision of the Kaanapali 2020 group. We
7 feel it addresses some of the concerns that the other members of the community had voiced, and
8 we feel it, you know, we feel it, it provides the best vision and opportunity for us to move forward.

9
10 Mr. Carnicelli: Thank you, Mr. Fukunaga. Thank you, I appreciated it. So, Commissioners,
11 questions and/or comments for Mr. Fukunaga. Ms. La Costa.

12
13 Ms. La Costa: Thank you, Chair. Thank you, Mr. Fukunaga. When you look at where
14 Kaanapali Hillside is, when you go up Puukolii what is the buffer between the current subdivision
15 of those 199 lots and where it says Single-Family? There appears to be some kind of buffer and
16 at one point that was owned by the State so I'm wanting to figure out what that is.

17
18 Mr. Fukunaga: Right now, we have that as Park and Open Space.

19
20 Ms. La Costa: And what...

21
22 Mr. Fukunaga: Let me go back to that ...(inaudible)...

23
24 Ms. La Costa: 'Cause it shows Residential what I'm looking at, where my question is sorry.

25
26 Mr. Fukunaga: Is it, so is it where by cursor is now, right...is that the area you're talking about?

27
28 Ms. La Costa: It's down...right in the...almost in the center where the pink and the yellow meet
29 and it says Single-Family and you can see Kaanapali Hillside right below that. Right in the center,
30 almost in the center.

31
32 Mr. Fukunaga: Okay, there's a Park. Is it kind of like a wedge piece? We have that as Park. We
33 have a park that kind of extends mauka and makai in the center of the Kaanapali 2020 area and
34 it extends up to Puukolii Village Mauka.

35
36 Ms. La Costa: Okay, 'cause currently when you go up Puukolii there is a buffer if you will from
37 Kaanapali Hillside back to trees and then all the way to telephone poles, and right where
38 your...yeah, where your cursor is right there, and I'm just wondering what that buffer is between
39 the current Hillside and what you show as Single-Family home at the top. Thank you.

40
41 Mr. Fukunaga: Thank you for the question. So, I think this map is a little clearer to see, so we
42 have Parks and Open Space in all kind of like where my cursor is running right now. Is that, is
43 that showing up?

44
45 Mr. Carnicelli: Yeah.

1 Mr. Fukunaga: So, there is a buffer basically surrounding Kaanapali Hillside, well almost entirely
2 of park and Open Space. And then more in the I guess the center portion there's some Single-
3 Family homes.

4
5 Ms. La Costa: Thank you so much.

6
7 Mr. Carnicelli: Commissioners, since he's doing the share screen, I can't necessarily see you so
8 if you want to chime in, just unmute yourself.

9
10 Mr. Fukunaga: And Chair, let me know if I should turn off the share screen.

11
12 Mr. Carnicelli: Sure, why don't you go ahead and do that. Commissioners, any questions and/or
13 comments for Chad? Chad, I got a question for you then is Puukolii is it's entitled.

14
15 Mr. Fukunaga: Yes.

16
17 Mr. Carnicelli: Does, does that...does your map if I go...you know, if you do the share screen
18 again does it match with what's entitled?

19
20 Mr. Fukunaga: Yeah, so we've designated that in our...(inaudible)...as Small Town Center which
21 is, which is what we, you know, envision for the feel of Puukolii Mauka. There is a lot of Single-
22 Family and Multi-Family but there's also some mixed-use designations, and a school and a church
23 site. We felt that the Small Town Center was a good fit...Our entitlements also allow us to shift
24 some of these uses, so again, the Small Town Center is a really good fit for there.

25
26 Mr. Carnicelli: Thank you. Jen...if you could...quit your screen share for me again, please
27 Mr. Fukunaga. Ms. Maydan.

28
29 Ms. Maydan: Yes.

30
31 Mr. Carnicelli: You're the one that kind of masterminded the whole community plan designations,
32 trying to, you know, look at this. I don't know why I'm, I'm having a block about this, and it's just
33 like 'cause I'm going, all right, I'm assuming that when CPAC looked at this, they said, okay, this
34 is entitled, you know, this portion of the map is entitled, we're gonna draw it this way, and I got
35 Small Town Center and Quasi-Public, and then I don't know he's got...I feel like he's got
36 something different, maybe his colors are just different, but is it all matching. Is what he's saying
37 with Puukolii the same as what is on the CPAC map?

38
39 Mr. Fukunaga: I believe so. Yes.

40
41 Ms. Maydan: Yes, Chair.

42
43 Mr. Carnicelli: It is.

44
45 Ms. Maydan: Yeah.

46

1 Mr. Carnicelli: Okay.

2

3 Ms. Maydan: On the CPAC draft, yeah, it's all pink, Small Town Center and what Chad just
4 showed, it's all pink just a paler color of pink but it's representing Small Town Center.

5

6 Mr. Carnicelli: That's what got me then. And then, so Chad if could pull yours back open again,
7 thank you, Jen. I see, my colors are different is what it is, so okay.

8

9 Mr. Fukunaga: Sorry, about that.

10

11 Mr. Carnicelli: No, no, no, it's...that's fine. I'm a slow learner, I'm a slow learner.

12

13 Mr. Fukunaga: We did our best.

14

15 Mr. Carnicelli: So, okay, so I see. So then if I'm looking at the difference between their map and
16 what it is that you're saying is this...there's above Puukoolii...well, there's also a Park and Open
17 Space on the north end that you have Small Town Center if I look at their map, they've got some
18 Park and Open Space along the what's now the left-hand side of your screen that goes around
19 that, so what...is, I'm trying to read what your map even says, why don't you zoom in for me on
20 that area, I want to see what you're...

21

22 Mr. Fukunaga: Okay, let me zoom in.

23

24 Mr. Carnicelli: That's fine. That's fine.

25

26 Mr. Fukunaga: Okay.

27

28 Mr. Carnicelli: So, I'm just trying to see the difference in, in what it is that you're giving here and
29 what they did. So, I mean, that's part of it is that little Park and Open Space, say, along the
30 left-hand side. And then you guys have added some res where—

31

32 Ms. Maydan: Chair?

33

34 Mr. Carnicelli: Yeah, go ahead Jen.

35

36 Ms. Maydan: Chair, this is Jen, can I interrupt.

37

38 Mr. Carnicelli: Yeah.

39

40 Ms. Maydan: Actually, the...where you were pointing out on the left-hand side, the blue PQP that
41 does jive with what's in the CPAC map.

42

43 Mr. Carnicelli: No, no I get it, but if when you go below that, right?

44

45 Ms. Maydan: That is...

46

1 Mr. Carnicelli: You below that down along the bottom?

2

3 Ms. Maydan: Correct. There is more—

4

5 Mr. Carnicelli: Park and Open Space.

6

7 Ms. Maydan: Correct.

8

9 Mr. Carnicelli: Right.

10

11 Ms. Maydan: Correct, yeah.

12

13 Mr. Carnicelli: And then, and then the difference is then above Puukolii they added res over Small
14 Town Center and then they put in some more Small Town Center and...or wait, no, then they put
15 in oh, Urban Corridor. See, I didn't have it different because Chad, you're a map right now shows
16 Puukolii as Urban Corridor not as Small Town Center?

17

18 Mr. Fukunaga: No, so Puukolii Mauka is where I'm circling my cursor right...the area above the—

19

20 Mr. Carnicelli: Oh, right, right, right, sorry, okay, my bad.

21

22 Mr. Fukunaga: Yeah, and then the...so the Puukolii...what's called the Puukolii connector to the
23 bypass is really this is ...(inaudible)...Road and so it would connect here, and we proposed some
24 commercial uses around here and mixed use here.

25

26 Mr. Carnicelli: I see, okay.

27

28 Mr. Fukunaga: So, the Urban Corridor is a good fit for that.

29

30 Mr. Carnicelli: Okay. The biggest thing I want you to address is CPAC took out all of Kaanapali
31 Town South, right, they just said, we want Ag and Open Space.

32

33 Mr. Fukunaga: Yes.

34

35 Mr. Carnicelli: Please address that.

36

37 Mr. Fukunaga: Okay, so what I'm showing you is really what we feel is most consistent with our
38 Kaanapali 2020 Plan and consistent with the Maui Island Plan so all this area is within the Urban
39 Growth Boundaries. So, I think our Kaanapali 2020 group has, you know, they really looked at
40 this and they really planned it out well. So, we have...well, I guess in the CPAC then primarily all
41 the area here on the mauka south side would be Ag and the area below that was designated
42 Parks and Open Space. My understanding is that they wanted to protect views looking up from
43 Hanakaoo Beach. Now I stood at Hanakaoo Beach Park and I looked up and I only could see to
44 where the train tracks used to run. I couldn't see anything further mauka than that. But then I
45 realized that our 2020 group had already planned for that area to be Parks and Open Space, and
46 then the area just above that to be Single-Family. So, the...you know, I think the plan is well

1 thought out, it already protects the views. It allows for a good traffic movement. So this, again
2 this is the proposed Kaanapali connector to the bypass, so at some point you know this will be a
3 collector road and then it's proposed to have a loop road that would extend further south and
4 hopefully connect to Villages of Lei Alii and all this provides for a good connectivity without having
5 to go onto the bypass and without having to go onto the highway, and also provides housing
6 which is much needed, and then we also have...the Police Department also came to the 2020
7 group and said, you know can you guys put in a police substation 'cause the station they have
8 right now at the Civic Center is too small. So, we sited a police substation in this area and that's
9 all part of the master plan.

10
11 And another point is that they were...heard some comments saying that there should be some
12 kind of a buffer separating the community. And there is actually a natural buffer, it's Haakea
13 Gulch is a natural buffer, you know that plus the area which we show just north of it as Open
14 Space would serve as a good buffer between the communities.

15
16 Mr. Carnicelli: Thank you. If you could end your screen share. Jen, I'm gonna, Jen and Pam, I'll
17 have you guys put on your professional planner hats again. I guess this was an...anyways, this
18 is kind of just...anyways comments.

19
20 Ms. Eaton: I think the first comment, I'll just start on the South end with regard to Kaanapali Town
21 taking that out is I think the CPAC was more concerned about having two distinct communities
22 and buffer was not meant as an actual geological buffer, if you will. It was meant that they didn't
23 want to see the sprawl continue. They were trying to keep the two areas separate. So, I think
24 that was one of the concerns, Lawrence, was they were trying to keep these two communities
25 separate for reasons of everything from preserving Ag to preserving Open Space as well as views.
26 Jen, if you want to add on, I'm sure I forgot stuff.

27
28 Ms. Maydan: Sure. Thanks, Chair. Thanks, Pam. Yeah, absolutely. In CPAC's decision to
29 designate Kaanapali South, a combination of Ag and Park, Open Space their rationale was to
30 keep separation of visual...visual separation between Lahaina and Kaanapali, as well as protect
31 Hanakao Beach and the near shore waters as far as from development runoff and to also provide
32 significant park space for the community.

33
34 Mr. Carnicelli: Right.

35
36 Ms. Maydan: As far as comment, do you want comments on other portions of the plan, Chair?

37
38 Mr. Carnicelli: Yeah, I mean, of yeah, the Kaanapali 2020 Plan, yes please.

39
40 Ms. Maydan: Yeah, yeah.

41
42 Mr. Carnicelli: I mean, as a professional...again, as a professional planner.

43
44 Ms. Maydan: Definitely the changes to Kaanapali Town South are the most significant. The other
45 changes are more on a matter of kind of scale and character. I'll go first with the areas that were
46 changed to Residential from Small Town Center. That just matches more directly with what their

1 master plan is. While Small Town Center could accommodate, the Residential designation, the
2 yellow just makes it a little clear, that that's great where they have the Urban Center Corridor, the
3 smaller red portion in the more mauka portion that is along the proposed Lahaina bypass, the
4 northern extension. So Urban Center Corridor could be an appropriate designation there. It's the
5 most intense of our community plan designations as far as...are you losing me?

6
7 Mr. Carnicelli: No, no, no. Go, go.

8
9 Ms. Maydan: Okay, sorry. You were all freezing on my end, so I thought maybe I was freezing.
10 So, the, the, you see the smaller portion of UCC Urban Center Corridor, the more mauka portion
11 that could be appropriate. It is our most intense, dense and intense designation. But along the
12 highway is kind of what it's, what its purpose is to provide higher uses around the transit corridor.
13 And then the larger area, that's UCC, more makai around the hospital site, Chad did describe the
14 mix of uses that they intend there. UCC could be appropriate. I think the thing that stands out to
15 me is the, the amount of UCC that that is. And when I, sorry to...we're so used to using the
16 acronyms, the Urban Center Corridor or the red, that is quite a bit of Urban Center Corridor. So
17 that is what stands out to me as significant that that is quite a change, but it may be the best fit
18 for what is proposed in the master plan. I think, that's all I have to comment on.

19
20 Ms. Eaton: I want to add one comment to what Jen said. The Urban Corridor by the bypass, to
21 me, that could present a really good opportunity because one of the things that Maui Department
22 of Transportation is looking to do and we're hoping to fingers crossed, plan for is a transit hub,
23 and if you were able to do something like that without...I know that they are very interested in not
24 having the bus having to go through town, but to kind of come around from the outside, that could
25 present a great opportunity in terms of having it up and away from the neighborhoods and by the
26 bypass sort of thing if it were to work that way. So, Urban Corridor, Urban Center Corridor is a
27 great opportunity if you want to establish a transportation corridor, which basically means having
28 all types and modes of transportation and having more accessibility to jobs and housing and that
29 sort of thing. So that could be a could be a positive. Sorry.

30
31 Mr. Carnicelli: Great. Thank you. Commissioners, questions, comments? Commissioner Freitas
32 and then Commissioner La Costa.

33
34 Mr. Freitas: Thank you, Chair. I think the CPAC's plan to have that South Kaanapali area open
35 is a great idea. That is almost one third of that whole section to be changed the way that
36 Mr. Fukunaga said is not really what the community wanted. Now, what I did look, was on the...it
37 was in the book to see what was right next to it, and it looks like there's a continuation of residential
38 designated property right up above the Civic Center. So, so it would just...it would have just been
39 a continuous houses and, and development right all the way down. I like the idea of the open
40 area in between. I'd like to CPAC plan to stay the way that it is. That's my comment. Thank you.

41
42 Mr. Carnicelli: Okay, Commissioner La Costa.

43
44 Ms. La Costa: Thank you, Chair. Last time we saw this plan, I asked Mr. Fukunaga about
45 affordable housing areas and about senior areas and I didn't say anything on the plan. I don't

1 know if that's going to be down the road, but usually isn't it designated so you kind of get an idea
2 of the transportation flow and the whole picture?
3

4 Mr. Carnicelli: I don't think we're getting that level of detail at the community plan level, but Chad,
5 I don't know if you want to talk about that or not.
6

7 Mr. Fukunaga: Yeah, I'd like to. So, we've been working with Brian Hoyle, who is the developer
8 of the hospital site, and he's planning to do some senior assisted living and independent living
9 within the hospital site. And in addition to that, he may be looking at other clinics and wellness
10 centers just adjacent to the hospital. But maybe beyond that, as Commissioner Carnicelli pointed
11 out that, yeah, we haven't gotten into that level of detail yet. To the point of affordable housing,
12 we would comply with all the requirements to provide affordable housing and we look forward to
13 providing affordable housing. We've been working the community group for so many years now
14 and we really want to provide housing for the local families that's our hope and intent. And if you
15 allow me, I'd like to make a couple additional points. We do have a –
16

17 Mr. Carnicelli: Chad, Chad, real quick 'cause we got still got a lot of map to cover and so, you
18 know, we spending a lot of time and we want to give you the opportunity but we gotta start making
19 some choices so if you could real quick hit your points please.
20

21 Mr. Fukunaga: Okay, we do have a transportation center already planned out. It's in the...it's
22 somewhere around the hospital, just below the hospital area. Today, the point about the
23 Kaanapali South, again, I'd like to point out that it is within the Urban Growth Boundaries and the
24 Urban, you know, designation, you know, if you were to leave all that in as Agriculture and Parks
25 and Open Space, I don't believe that's consistent with the Maui Island Plan, and if you look to the
26 area, I believe the area just south of that is not within the Urban Growth Boundaries, so...
27

28 I'd like to...well, I feel that our plan is consistent with the Maui Island Plan. We've been working
29 hard at planning this area for many years. I don't think we should be penalized because someone
30 else is planning something adjacent to us. And to, to place a hundred acres into Parks and Open
31 Space I think is unprecedented.
32

33 Mr. Carnicelli: Great. Thank you, Mr. Fukunaga. Would you bring your map back up just one
34 last time please so we can just take a look at it in relation to the physical map that we have here
35 with the CPAC's version.
36

37 Mr. Fukunaga: Also, ...(inaudible)...what we're showing is what the community wants. I don't
38 know, I don't know how, you know, you can say that the community wants hundred acres of Parks
39 and Open Space. I mean, we've been open meetings for 20 years now, meeting with the
40 community, so I feel that this is a better representation of what the community wants.
41

42 Mr. Carnicelli: You guys all got that as far as like what it looks like there? Go ahead and take it
43 back down again please, Chad. Thank you. Okay, Commission, unless you got any more
44 questions or comments, I'll entertain a motion and we can start making some decisions.
45 Commissioner La Costa.
46

1 Ms. La Costa: So move.

2

3 Mr. Carnicelli: What are you moving? I don't, I don't know what you're moving, is, is—

4

5 Ms. La Costa: That we, that we accept the recommendations of the long-term planners and the
6 map that has been presented.

7

8 Mr. Carnicelli: The CPAC version that's what you're moving to?

9

10 Ms. La Costa: Correct, CPAC, correct.

11

12 Mr. Carnicelli: The CPAC version, okay.

13

14 Ms. La Costa: Correct.

15

16 Mr. Carnicelli: So motion to adopt the CPAC version of let's just say of the whole Kaanapali 2020
17 area, seconded by Commissioner Freitas. Speaking to the motion? Commissioner La Costa.

18

19 Ms. La Costa: Everyone has spent a lot of time and thought. So, what is presented, at some
20 point it may be shifted and changed, but that's not for us to determine at this point.

21

22 Mr. Carnicelli: Kawika.

23

24 Mr. Freitas: Thank you, Chair. Although I like with Mr. Fukunaga has put together, I just feel that
25 breaking things up was the intent of the CPAC group. You know, we listened to testimony a long
26 time ago, a lot of testimony and it is very difficult to remember everybody's comments. But I
27 remember clearly a few very, very passionate and adamant that that area above Hanakaoo stay
28 open and have a have an area that the locals can enjoy the beach and the view all the way up to
29 the mountain and seeing open land versus development. I remember that, and I was waiting for
30 this to share that. And there's not many I remember cause I'm getting old, but I remember that.
31 Thank you.

32

33 Mr. Carnicelli: Thank you, Commissioner Freitas. As anybody else like to speak to the motion?
34 Commissioner Thompson.

35

36 Mr. Thompson: So, if we're designating their Ag land into Open Space or Park land. So, is that
37 condemning the property? Do we need to buy that? We can't just take property, can you?

38

39 Mr. Carnicelli: Well, anyways, I'll let the Director answer that question.

40

41 Mr. Thompson: Okay, then I'm not sure.

42

43 Ms. McLean: Gee, thanks. No, I don't believe we would have to condemn it or buy it. Keeping
44 in mind that the current designation for that area is Agriculture with some Public/Quasi-Public in
45 order...so if the Commission left the map alone the same way it is today, they would need to come
46 in for a community plan amendment to develop that for anything but Agriculture and

1 Public/Quasi-Public use. So, going along with the change will actually entitle, I'm guessing, about
2 600 acres of land in the community plan that are not currently designated. So, there's quite a bit
3 of the 2020 Plan that's being implemented by your motion. And the portion that is not...would still
4 have to follow the process that it would have to follow today to be implemented.

5
6 Mr. Thompson: Thank you, Director.

7
8 Mr. Carnicelli: Questions, comments, concerns? So, I'll just chime in. I mean, for me personally,
9 I...it's, it's interesting, and I'll just say it, it's interesting the weight that we give to CPAC, right.
10 When you got Kaanapali 2020, and you got this group that has looked at this thing for 20 years.
11 I understand the rationale of going, okay, we want a division, we don't want just continuous
12 homogeneous, you know, homes all the way across. If we're gonna do that, I think that it's
13 appropriate then to put in some urban, you know, some, as Jen called it, some UCC because if
14 we're gonna create a separate town, then we should treat it as a separate town. So, I think that
15 that would be appropriate to put some UCC in there. I get the, you know, the desire to have Park
16 and Open Space and everything like that, but the other part too, that I'd like to Mr. Fukunaga, is
17 and I had this conversation at CPAC with them in testimony at one point in time. I only testified a
18 couple of times, but it was about process, and that is, you know, we do have this thing, which is
19 the Maui Island Plan which they took about eight years to make, and the GPAC met for years to
20 create that. And we're saying, okay, now we're we throw it out. So, we have the GPAC that met
21 for years, we have Kaanapali2020 that's met for years and then we're doing this. So, you know,
22 like I said, I'm...I only vote to break a tie anyways, so my vote doesn't even count, but I did want
23 to chime in that I think that there's getting...that there is a combination of what it is that folks from
24 2020 want and what CPAC came up with that that might be a nice compromise. So, I won't
25 support the motion. Anybody else, like to speak to the motion? Commissioner Pali.

26
27 Ms. Pali: Yeah, thanks for sharing that. I think it's amazing what the CPAC has done in the few
28 years that they did it, but like you mentioned, we've had people working on this maybe a couple
29 decades. And it just it's we can't really weigh one over the other, although I think it's much easier
30 to try to spend other people's money or decide how other people want to use their land when it's
31 not yours. And so, I'm trying to be super cautious of that and respectful. And then how does that
32 fit into our whole community as a neighborhood and island? And it's difficult. I'm struggling. I will
33 continue with my tone on balance, as I did today earlier, and I don't know, I almost want to consider
34 a balanced approach to this. And I hear that the locals, including myself, I don't know if many of
35 you know, but I grew up in Napili, I was born over there. So, there's my old stomping grounds in
36 this side of the island. And I hear that we would want to maybe preserve that beach, beach park,
37 and so when I'm looking at Chad's map of that Kaanapali South, maybe the yellow portion, maybe
38 putting that back into Ag and then maybe giving them the top portion, maybe as a sort of fair
39 balance. I don't know. It's just sort of a thought. But anyway, that's my two cents. I'm not sure
40 where I stand right now.

41
42 Mr. Carnicelli: Thank you, Commissioner. Anybody else like to speak to the motion? Kawika.

43
44 Mr. Freitas: Sorry, thank you Chair. I would like to add too, that I do respect Kaanapali 2020's
45 work over the years. I was not involved with that. But when they did the plan, as beautiful as it
46 was, I'm not sure if 20 years ago, some of the developments that came up around the entire West

1 Maui, the areas that we are, we are of trying to help make decisions on, if those developments
2 were in the picture, and therefore, they may have thought they needed that, that many residential
3 areas and housing projects when they didn't know that further north all of these other ones were
4 going to be built, the Hawaiian Homes and now more property for residential right behind the Civic
5 Center. So, I kind of want to put that into everyone's thought that when they had made that plan,
6 maybe they weren't aware of other things that actually beat their plan. Food for thought. Thanks.
7

8 Mr. Carnicelli: No, I think that that's, that's, that's super appropriate to bring up
9 Commissioner Freitas 'cause the other, the other piece of this that is something that we've kind
10 of alluded to is, you know, what we just talked about up in Kapalua, they're 15 years out. This,
11 they've been talking about it for 20 and there's still another 15, 20 years out even if they said,
12 okay we've got the final plan and we're going to start going. So, it's just an interesting, you know,
13 I mean, development on Maui's is just very interesting because of the breadth of time that it takes
14 to get things done. So, that I think that's a fantastic point to bring up, it's a fantastic point to bring
15 up. Anybody else like to speak to the motion? All those in favor of adopting the CPAC version of
16 Kaanapali Town North South, I guess that whole part of the map, please raise your hand. That
17 is one, two, three, four, five, six. Five, six. Five, six. Those opposed? None opposed. Let the
18 record show the Commissioner Thompson and Pali abstained, and so it passes.
19

20 **It was moved by Ms. La Costa, seconded by Mr. Freitas, then**

21
22 **VOTED: To Adopt the CPAC version for Kaanapali portion of map.**
23 **(Assenting – P. D. La Costa, K. Freitas, S. Castro, J. Edlao, M. Hipolito,**
24 **C. Tackett, K. Pali – Abstained, D. Thompson – Abstained)**
25

26 Mr. Carnicelli: So, thank you, Mr. Fukunaga for your time. We appreciate you coming forward
27 and presenting what you have. And, of course, as you know, we're not the final say.
28

29 Mr. Fukunaga: Thank you for your time. Appreciate it.
30

31 Mr. Carnicelli: You bet. Thank you for taking the time to come with us. So, guys at this point
32 time it's 7:30. Let's just take a quick break. Let's take a ten-minute break. I have 7:36, let's come
33 back at quarter to eight, and see if we can hammer out some stuff. Okay, this meeting is now in
34 recess.
35

36 A recess was called at 7:36 p.m., and the meeting was reconvened at 7:46 p.m.
37

38 Mr. Carnicelli: Aloha, everyone. The Maui Planning Commission of September 8th reconvened
39 today, September 22nd is now back in session. Jen, do you think it's appropriate we just start up
40 north and just work our way south?
41

42 Ms. Maydan: That seems logical to me, Chair.
43

44 Mr. Carnicelli: All right. So, I believe that we've already voted on like, I just sort of threw it out
45 there when I was tired the other day about Honokohau, how the northern part, we actually already
46 voted on that, correct?

1
2 Ms. Maydan: Yes, you did.

3
4 Mr. Carnicelli: Okay, great. So, we get to start right up on the infamous Plantation Estates. A lot
5 of testimony on this one. A lot of emotion. I'll just go ahead and put it in your guy's laps. Does
6 anybody have any questions, comments, concerns about what they would like to do with this? I
7 mean, it basically, basically what it is, is for everybody to remember is it's the owners in the
8 Plantation Estates are requesting that it get moved, that their subdivision moved from Ag to Rural,
9 if you remember. That's, that's basically why this is a question right now is, is do we agree with
10 their assessment of that they should be or would like to be or is appropriate to be in Rural rather
11 than Ag. Commissioner Freitas.

12
13 Mr. Freitas: My question, I, sorry, I don't have it open, but the plan was to leave it as Agriculture
14 according to the CPAC?

15
16 Mr. Carnicelli: CPAC left it as Ag. I can't remember what the vote was on it. We did get that
17 transmitted to us what the vote was.

18
19 Mr. Freitas: Okay.

20
21 Mr. Carnicelli: But, buy yeah, they transmitted to keep it Ag. Commissioner Thompson and then
22 Commissioner Pali.

23
24 Mr. Thompson: Well, it acts like a duck, walks like a duck, and quacks like a duck.

25
26 Mr. Carnicelli: Well, you're saying that it, okay is, is it quacking like a duck like Rural or is it
27 quacking like a duck like Ag?

28
29 Mr. Thompson: Like Rural Residential.

30
31 Mr. Carnicelli: Rural Residential, okay.

32
33 Mr. Thompson: Yeah, there's like one lot that he does Ag up there and everybody else is trying t
34 fake, I mean, they are what they are, but they're acting like a duck that quacks.

35
36 Mr. Carnicelli: Commissioner Pali.

37
38 Pali Yeah, I just remember the one particular woman the last time we met on this, I think her
39 testimony was super helpful, but she was talking about what how she is required to have a certain
40 kind of portion for ag and farming, but there was limitations on water and she just really went into
41 depth, depth about how they struggled to try to meet the ag requirements, but the reality is they're
42 not ag, and I think her testimony was also stating that they're more Rural Residential, so...

43
44 Mr. Carnicelli: Commissioner La Costa.

45

1 Ms. La Costa: Thank you, Chair. As...I'm gonna speak as a real estate broker to, to add some
2 context to this. The comments have been made that their property values would increase if it
3 were Rural Residential versus Ag. The people who buy up in that area have no intention of
4 growing anything except grass and flowers. It doesn't matter to them whether it's Ag or whether
5 it's Rural. They like the area and that's why they buy homes up there. So, I don't know from
6 where the, the concept or the misnomer came that it would increase property values if it were
7 Rural Residential because I don't think it will and I've been selling real estate for 28 years. So, I
8 think that's a misnomer, and I think that, that added some fuel to a fire that didn't need to be
9 started. So, Rural Residential makes a whole lot more sense because that's what's happening
10 up there.

11
12 Mr. Carnicelli: Anybody else like to speak to that? Commissioner Freitas.

13
14 Mr. Freitas: I think the only issue I have is that, I guess the land was designated Ag and therefore,
15 the subdivision was able to build bypassing some of the rules which would have meant changing
16 the zoning to the proper, and they...whether that makes it easier or cheaper, I'm not sure why
17 they didn't change it to what it should have been. I guess what I'm saying is we're trying to fix
18 something that maybe was done incorrectly in the beginning. Hey, if there's a mistake and we're
19 here to fix it, as long as there was a benefit from it, whether it's financial or time or trying to beat
20 the system to build something, and therefore it was labeled as Ag. So, here you have to build
21 your house as ag and you have to meet the requirements of ag which is grow stuff on it. Whether
22 you don't have water, I live on ag land and I'm required to provide and our family owns land right
23 next to us that is ag and they don't have water. They're told too bad you, you put a...County has
24 told us, you have to put a water tank to keep our ag designated. So, there was some benefit in
25 making it faster. And that is my concern is there a benefit by them building as Ag and now trying
26 to change it? Like we understand what you say, the duck looks like a duck then do what is right.
27 So, the question is are we here to fix a mistake from earlier unintentional or are we fixing
28 something that provided a benefit in the beginning of the development?

29
30 Mr. Carnicelli: Well, go to Commissioner Pali then Commissioner Tackett.

31
32 Ms. Pali: That's a really good point Commissioner, and I appreciate you asking that question and
33 I'll just kind of remind everyone about what we mentioned at the last meeting because we've had
34 other issues when behind Maalaea on the West Maui Mountains somebody came and they
35 wanted to do gentlemen estates and so the issue had arose last year or year and a half ago at
36 commission and we learned that as we've been trying to do Maui plans and community plans
37 when there were areas that actually they could not find designation that they just threw it into Ag
38 designation and so, sometimes we create this idea that we're stealing from ag lands and I think I
39 had the Director kind of comment on that question last meeting, and as a reminder, we can talk
40 about it again. I don't know if this was the case for this particular area. but she mentioned that
41 that's why we're going through these plans. That's why it's a good idea to create designations
42 and be more specific. So, it's not that we're stealing from ag lands per se, but when they didn't
43 have a designation, then it just all got thrown into Ag, and so it is appropriate to identify the uses,
44 in my opinion, and label it appropriately. So, that's just my point. I definitely want to preserve ag
45 land, you know, this is our island. We can't overdevelop it. So, we're the gatekeepers and
46 hopefully we'll do a good job of that.

1
2 Mr. Carnicelli: Thank you. Commissioner Tackett.

3
4 Mr. Tackett: So, I share Kawika's point of view. Sorry, I got muted and unmuted, and muted and
5 unmuted again, so can everybody hear me?

6
7 Mr. Carnicelli: Gotcha.

8
9 Mr. Tackett: All right. So, I don't feel like...I feel like they're very fortunate to have what they have
10 and they're very fortunate to be able to what they do on ag land. But not you know like that lands
11 could be changed from Ag to Rural Residential because it was a blessing right out the gate to get
12 what you got. And I believe that, that is ag land and that it should stay ag land, but that's, that's
13 just my opinion on it.

14
15 Mr. Carnicelli: Thank you, Commissioner Tackett. Anybody else like to throw in their two cents?
16 Commissioner La Costa.

17
18 Ms. La Costa: Well, originally remember that was all pineapple land so of course, it was Ag, and
19 then when it was developed and I know Michele has better data than I on this, but when it was
20 developed there may not have been the necessity to change the designation because that was a
21 long time ago, it was almost 40 years ago, so you know, that might well be why it continued to be
22 in ag, but truly there's...what can you grow on half an acre? You know, if you have 51 percent in
23 agriculture to maintain your Ag designation and your ag tax rate, your house takes up 40 percent
24 of the land and the rest is a swimming pool and grass and that kind of thing, so I don't, I don't see
25 from my side that anyone who's trying to take advantage or say yea we're ag because that's what
26 it was all those years ago, and they just rolled it over and did a development. But again, Michele
27 I'm sure has much more better data than my opinion. Thanks.

28
29 Mr. Carnicelli: Well, you could just go to the 1979 Ag Bill, right and all the lands that got thrown
30 into Ag in 1979, and there was a whole process to that and we don't need to go down that rabbit
31 hole. Christian.

32
33 Mr. Tackett: And I understand your point and I think that possibly that was a more of a blessing
34 that, that fell upon their plate because in my opinion if, if you have a half-acre and you have to
35 have a certain percentage of land doing ag, then maybe you can't have your pool, maybe you
36 can't have a 5,000-foot house, maybe you can't have any of those things, because I have 9,000
37 square foot lot, I 15 fruit trees, I have my own garden going, I'm paying residential water, and I
38 still have a tiny swimming pool, you know, so I don't think it's that you can't. I think they're getting
39 a whole lot of things, but I think that that is, is definitely land that could be used and was used at
40 one time for ag, and I just I, I don't think that you're taking anything away from them. I think that
41 under that Ag designation they just gotten more than what the average bear would have gotten.

42
43 Mr. Carnicelli: So, I just...Kawika, I'll get to you...is...(inaudible)...is I believe that none of these
44 properties are under two acres. They're all over two acres. So, the half-acre thing is, is, I think,
45 inappropriate to throw out there, 'cause I do believe that's true with the Plantation Estates. I'm
46 going to just throw in my two cents on a couple of things, because, you know, in listening to this

1 testimony, I mean, I listened to, you know, folks from Plantation Estates testify numbers and
2 numbers of times at CPAC is, you know, since the conversation been around, around, and around,
3 one of the things that I think that is appropriate to bring up, especially in the Covid time, is food
4 security, right. Like, that's part like, oh, my God, this is Ag, we gotta keep ag, everybody's
5 gotta...so I've done a tremendous amount of research over years, years-worth of research to try
6 to find out, okay, what would it take for Maui to be self-sustaining. And I've talked to a lot of
7 farmers, the biggest number I ever heard from people that actually do real farming was
8 8,000 acres, and that's include...that's when we were at our peak with all the tourist and
9 everything like that, we need about 8,000 acres to be self-sustaining. Now, not all of that in one
10 place because sometimes it gotta be up high, sometimes gotta be down low, whatever it is, I'm
11 just telling you what I've...you can shake your head Kawika but I'm just telling you what my...even
12 if we double that, even if we triple that, it's 32,000 acres, we got...that leaves another 200,000
13 acres of ag land on Maui even if it was 32,000 acres that we needed to be self-sustaining. All of
14 the arguments that I've heard against the Plantation Estates being Ag and not Rural have all been
15 punitive. They've all been you were ag, you bought ag, you should stay ag, oh, you're going to
16 make more money. Who cares if they make more money? I don't care. Honestly, there's not
17 one person if they change to Ag or I'm sorry to Rural tomorrow, no one would know except him.
18 No one. Have they...did they ever make a really good case for why they should be Rural? I don't
19 know honestly. I thought former Director Will Spence probably did a better job in the last meeting
20 explaining, you know, maybe than the people in the Plantation Estates have. But the fact that my
21 only thought, the only reason I can come up with that they shouldn't get it is because, oh, they're
22 gonna make more money or they should be that or they were that and so they got to stay that or
23 whatever, so for me, the only reason I can say that they shouldn't be Ag is a punitive answer and
24 that's just for me. So, that's kind of where I'm at with this thing is I just think that, Dale, you started
25 this whole thing with they are a duck, and actually we should have this conversation Ag to Rural
26 across the whole island. Kula 200, Haiku Hill, Launiupoko make them all Rural, change their
27 property to create a real property tax class called Rural and tax the snot out of them. You want
28 to be Rural, you gotta pay, so anyways, but that's a sidebar. Commissioner Freitas.

29
30 Mr. Freitas: Thank you, Chair. I, first of all want to apologize for shaking my head while you're
31 giving that stats 'cause I don't think 8,000 acres would provide enough of land to have us
32 self-sustained, but you were making a point. I apologize for that. And one of the things I was
33 going to say, was if I do remember those properties were two to five acres. So, you already
34 clarified that. My, my, one of the reasons why I'm sticking to this also is because in the, in the
35 beginning, it was shared that they would like to keep the West Maui land as much as possible
36 agriculture for some reason. And that was the intent and the goal of those committee members.
37 And as much as I can, I'm going to try to stick to it and support it, unless there's a compelling
38 reason why we should change it. To be honest, I'm kinda on the border because like
39 Commissioner Thompson said I kind of agree with some of those guys that did call it. It all lines
40 up to be a Rural, but I'm on the fence on this one. I really am.

41
42 Mr. Carnicelli: Fair enough. We'll get a Commissioner La Costa and then back to you,
43 Commissioner Pali.

44
45 Ms. La Costa: Thank you, Chair. Just for clarification, I was thinking of Pineapple Hill when I was
46 talking half-acre because they are also Ag, so those are half-acre. That whole area is, is all Ag.

1
2 Mr. Carnicelli: And State Land Use Ag, you know, I mean, so they're...it's...we didn't have any
3 place else to throw it. Anybody else? Commissioner Pali.

4
5 Ms. Pali: I just have a question, Chair. Can you clarify what the purpose of creating the
6 community plan is and then just correct me, I'm going to take a shot at it. I was under the
7 impression that we wanted to more accurately define the land as it's being used now and then to
8 also identify the growth boundaries and what that looks like in as far as proposed use. Am I close,
9 am I off? I just want to, I guess go back to ground zero because I think as one of the other
10 commissioners said, earlier today, is I think we get emotional, you think, and our emotions start
11 to take over, and then we, we don't even know what we're supposed to really be doing in this role.
12 And I don't want to lose sight of the role that we're playing tonight. I don't know that we, any of
13 us have the power to decide things for other people. I think, I think we're here to only stay focused
14 and establish how is the land currently being used now. How can we more accurately depict that?
15 And then what are our growth boundaries and what do we want that to look like? And we're really
16 dialing in more specifically, they've done a great job with very detailed specifics. Am I off base?
17 If you can just clarify. Thanks.

18
19 Mr. Carnicelli: I'm not touching that. I get to punt that one to my favorite Planning Director to
20 answer that question.

21
22 Ms. McLean: I'm going to stop attending these meetings one day, you know.

23
24 Mr. Carnicelli: I know you're not.

25
26 Ms. McLean: I think Commissioner Pali did describe it well. We do like calling things what they
27 are and then also planning for future growth. There definitely are benefits to calling, calling ducks
28 ducks, and there are various residential zoning districts going up to five acres or maybe even up
29 to ten acres to allow gentlemen's estates, but the idea is for those entitlements to happen before
30 the fact and not after the fact, Commissioner Pali is correct when she said earlier on the ag was
31 the default zoning district and the changes that happened to the Ag District, which were 1998,
32 were meant to limit the number of gentlemen's estates, but that hasn't been administered well. It
33 hasn't been regulated well. It's been abused. But the idea was to keep land available for ag use
34 if that will happen at some point in the future. Now, do I think that Plantation Estates is going to
35 convert to a big ag producing region? Probably not, but we're in unprecedented times right now.
36 You never know when that might change. And designating these Rural would be the first step in
37 that direction and not having that, not having that opportunity down the road. I agree with the
38 Chair that there are several in the West Maui region. But at the same time, I'd also say that the
39 CPAC didn't recommend designating filling all the Urban Growth Boundaries with new
40 designations. So, you don't have to, you don't have to match those. And I agree that some of
41 the opposition to this did seem to be punitive, but nonetheless, it did seem that the community felt
42 very strongly about keeping these areas in ag along with the CPAC vote. So, I'm not giving you
43 any direction at all. I'm giving you arguments on both sides, because this isn't an easy one. It's
44 not an easy one for me. I feel, I do feel that things should be called what they are. But I do also
45 understand the purpose of the Ag District is to try to keep lands available for ag use, even if it's

1 not today, it might be sometime in the future. So, so, that's...those are the two hardest, hardest
2 parts for me.

3
4 Mr. Carnicelli: Well, but then we also Director while you're still there before you go away, we have
5 Ag Conservation, right. So, you can say, okay, we want to keep it ag, but they can just say, okay,
6 we're going to keep it Ag Conservation and not grow anything always.

7
8 Ms. McLean: Right, and the purpose of that, I clearly remember the purpose of that was not to
9 force people to farm, but to keep the land in a, in a well-maintained condition so that it could be
10 used for ag at some point in the future.

11
12 Mr. Carnicelli: Right. And the other thing that I do want to throw out there, guys, is even though
13 I personally believe that it's a duck and that it should be Rural, we need to put something in the,
14 in the language that also says that this is not increasing density, right. Because is here on Maui,
15 we have, you know, ag half-acre, I'm sorry, rural half-acre, rural one, rural two, rural five, rural
16 fifteen whatever it is, and say hey, listen if you guys eventually...and see, this is the other thing
17 too, this is just community plan, then they're going to have to get you know, State Land Use
18 changed, then they're gonna have to get zoning changed, like this is just one, like we don't, you
19 know wave the magic wand and suddenly they're rural, they gotta go through these other things
20 too, to ultimately truly be rural, but I think that we should stay in here, at least my opinion is, that
21 if they want to go down that path, it's not to increase density. If it's just to change to rural and
22 that's it, that's one thing, but if it's to change to rural so you can, you know increase density, that's
23 not a duck. Commissioner Tackett.

24
25 Mr. Tackett: I believe that in the end, what you're talking about, whether or not it's punitive or it's
26 not punitive, what...(inaudible)...and people are arguing that there is no increase in value. But I
27 think that there is no shortage of gentlemen estates, even though they're not named gentleman
28 estates, and I think that's why nobody can afford to buy a house because that's the direction this
29 place has gone. And if you continue to enable these things to go that way, you're going to continue
30 to get things that are more expensive. And if you can, if you can stop things from going that way,
31 you might not get affordable housing back, but at least you'll stop the runaway train which I think
32 is, is important for Lahaina. And as far as what we're here for, I think we're here to do what each
33 one of us feels is best for Lahaina Town and in your own conscience and, and without any ulterior
34 motives, and so that's, that's, that's my feelings on it.

35
36 Mr. Carnicelli: So, Commissioner Edlao or Commissioner Hipolito do you guys want to weigh in?
37 We've kinda, we've ridden this horse pretty hard, you guys have anything else you wanna add?

38
39 Mr. Edlao: This is a tough one. I agree with Commissioner Thompson, if it's a duck, it's a duck,
40 you know. But then again, I understand, you know, trying to preserve ag land. But truly, how
41 many people are gonna do the ag? I mean, we don't know, you know some people may want to,
42 and some people may not want to, the reality is when I look at Lahaina, I think ag lands is just
43 disappearing slowly by slowly whether it's by us or other means, you know, it's a duck. That's the
44 way I feel about it.

45
46 Mr. Carnicelli: Gotcha.

1
2 Mr. Carnicelli: Commissioner Castro, I don't know, I can't remember if you chimed in or not. I
3 just want to give every...okay, Commissioner Hipolito go ahead.

4
5 Mr. Hipolito: You know, I'm new to this process and I'm listening to all of the commissioners, like
6 some of my fellow commissioners I'm on the edge, on the fence, I worked for Maui Land and Pine,
7 we farmed that area. I drove trucks, I drove tractors, irrigation up in that area so I know that area
8 can be farmed. I heard some of the testimony that because of the black plastic nothing can be
9 farmed, but again, Chair if you look at the island wide there's a lot of areas that used to be
10 pineapple, it is being farmed.

11
12 Mr. Carnicelli: Right.

13
14 Mr. Hipolito: Puu Kukui was one, at one year it was world's wettest spot. There is water up there.
15 When you get the warm ocean air at that steep and you get the cool mountain air, you get blessed
16 rain almost every day. I hear Commissioner Thompson and yeah, I agree what everybody is
17 saying about the golf course. So, from my history being a farm guy, I like to see everything to be
18 kept agriculture, but then if it's not applied as agriculture then why keep it in that designation. I
19 agree with you, Chair about density if we are gonna allow the designation to be changed from
20 agriculture we gotta ensure that the density doesn't change for personal gain, that's my comment.

21
22 Mr. Carnicelli: Great. Thank you very much. Anybody else want to add anything? Again, just
23 like our earlier meeting guys, I really appreciate the thoughtfulness and the conjecture and the
24 honesty that everybody brings to this. I think that it makes for a really good commission and, and
25 the discourse is always good and we'll come to decisions that we feel is best, you know? So, I
26 appreciate that. So, I think at this point time, let's go ahead and, and throw a motion on the floor
27 'cause we don't have consensus. So, let's throw a motion on the floor and vote up or down one
28 way or the other. Who would like to put a motion on the floor? Commissioner Thompson, I think
29 you started this whole thing. Commissioner Freitas raised his hand first, I'll let him go.

30
31 Mr. Freitas: Before we do a motion, I have a question. Is it the same process to subdivide an ag
32 land as to subdividing a rural...the one that we're talking about changing it to?

33
34 Mr. Carnicelli: My favorite Director.

35
36 Ms. McLean: Chair, the subdivision process itself is similar but subdivisions come to the Planning
37 Department for review and we have to review it with the zoning standards. So, for agriculture
38 there's a limit on the number of two-acre lots that can be created. We go back to the "parent"
39 parcel from 1998 so that that, whatever parcels, this is a generalization but whatever parcels
40 existed in 1998 have to subdivide according to the scale. We also, on ag land, have to review
41 condo docs and other kinds of restrictions to make sure that they don't prohibit or restrict
42 agriculture. So fundamentally the process is the same, but there are different criteria that we
43 review and ag subdivisions are often the more complicated ones.

44

1 Mr. Freitas: Thank you. And with that answer, I think it shows that the agricultural designation
2 would minimize the, what did we say, density in that area. So therefore, I would like to make a
3 motion to leave it in the agricultural designation.

4
5 Mr. Carnicelli: Okay, so motion to leave it as per...leave it in ag. Do I have a second? Seconded
6 by Commissioner Tackett. Discussion to the motion? Commissioner Freitas.

7
8 Mr. Freitas: I have already said enough, so I think everyone knows my position on this, thank
9 you.

10
11 Mr. Carnicelli: Right. Anybody else? All those in favor of leaving it in ag, please raise your hand.
12 That is one, two, three, four. Opposed? One, two, three, four. So, it's on, oh I get another fun
13 vote. I've already stated my feelings on the record. I do understand what you're saying
14 Commissioner Freitas as far as, you know, like the development part of it isn't these owners that
15 was MLP, you know, that's actually who did the development so if there was a benefit to this it
16 was from Maui Land and Pine, not the current owners. As far as then you know future
17 development, it's maxed, it's tapped, so there's not going to be additional development so that's
18 anyways why I'll just do that. So, the motion fails.

19
20 **It was moved by Mr. Freitas, seconded by Mr. Tackett, and**

21
22 **The motion to leave Plantation Estates in Agriculture, FAILED.**

23 **(Assenting – K. Freitas, C. Tackett, S. Castro, M. Hipolito)**

24 **(Dissenting – J. Edlao, K. Pali, P. Denise La Costa, D. Thompson, L. Carnicelli)**

25
26 Mr. Carnicelli: I guess we'll have to have another motion then. Commissioner Thompson.

27
28 Mr. Thompson: Yes, since I started us down that hole, anyway, and ...(inaudible)...I'll preface
29 this Mel's right, that's some of the best fertile land that we have. Like Launiupoko's ag, that's junk
30 land, it's all rock, it never rains, the wind goes whips through there, and stuff just grows like crazy
31 up here. That being said, it's already built out, I think we should preserve as much as we can but
32 that whole golf course is already Park and those lots, and no one is going to decrease there. They
33 got landscapers, they got expensive landscapers up there, so they're not like they're gonna kill
34 off their land or something. They're gonna be really...(inaudible)...I'm sure they'll treat it very
35 well. They just don't have to abide by the County rules of producing agriculture. you know, that
36 whole...(inaudible)...

37
38 Mr. Carnicelli: So, did you make a motion yet?

39
40 Mr. Thompson: Oh yeah, sorry. The motion, Chair, one that should be changed to Rural
41 Residential.

42
43 Mr. Carnicelli: Okay, moved by Commissioner Thompson, seconded by Commissioner La Costa.
44 I believe you've already spoken to the motion. Anybody else like to speak to the motion? Well,
45 Commissioner Pali, then Commissioner Tackett.

46

1 Ms. Pali: I just wanted to say if I haven't told the CPAC group, I am so loving the 3.3 community
2 plan designation section, you guys so well put this like a definition section together and each
3 designation has its own page, and it was just so beautifully done, anyway, so sorry about that,
4 but thank you. So on Page 72, just my notes before we take vote is Rural Residential, I did find
5 it interesting in the designation definitions it says, Rural Residential community plan designation
6 is intended to preserve rural character, Rural Residential areas are generally developed with large
7 lot subdivision, family farms and estates, and so I don't want the others to feel like they're losing
8 ag lands, that we're gonna lose ag lands if we switch it to Rural Residential because in the
9 definition in the CPAC folder you know makes provision that there are still family farms here and
10 so that was my only thing I wanted to throw out there.

11
12 Mr. Carnicelli: Right. Ag is still allowed in rural. Commissioner La Costa.

13
14 Ms. La Costa: To add to Commissioner Pali, it also says, the primary use in this designation is
15 low density residential and may include support uses such as parks, schools and farming, so it, I
16 think it nails exactly what's going on right there, quack, quack.

17
18 Mr. Carnicelli: Commissioner Tackett.

19
20 Mr. Tackett: Well, I think what you did is you took a chicken and then you genetically modified it
21 and then you made it into a duck and ...(inaudible)...and it started off a chicken but with enough
22 money thrown at it you created a duck, so that's my opinion on it, but anyways, that's a beauty of
23 what we do, so...

24
25 Mr. Carnicelli: Awesome, thank you. So, I think we can go ahead and call for the question is, all
26 those in favor of the motion to change the Plantation Estates to Rural Residential please raise
27 your hand. One, two, three, four, five. All those opposed? One, two with one abstaining. So, let
28 the record show that it passed 6-2 with Commissioner Hipolito abstaining, Commissioner Freitas
29 and Commissioner Tackett opposing.

30
31 **It was moved by Mr. Thompson, seconded by Ms. La Costa, then**

32
33 **VOTED: The motion to change Plantation Estates to Rural Residential.**
34 **(Assenting – D. Thompson, P. D. La Costa, S. Castro, K. Pali, J. Edlao,**
35 **M. Hipolito – Abstained)**
36 **(Dissenting – K. Freitas, C. Tackett)**

37
38 Mr. Carnicelli: Guys, I hate to do this you, but at the call of the Chair I need to...Oh, one other
39 thing, too. I guess part of this motion or maybe we need to make another motion is the density
40 part. Commissioner Pali.

41
42 Ms. Pali: Yeah, we should just do a friendly amendment or maybe just a new motion that we're
43 not allowing anymore...There's a rule that allows them to build other like cottages or detached
44 ohanas or whatever, but none of that, right. We want to eliminate that for this particular area.

45
46 Mr. Carnicelli: Well, I say is, is that there is no further density allowed than what's allowed on ag.

1
2 Ms. Pali: Okay, I see.

3
4 Mr. Carnicelli: How about that. Is, is everybody okay with that?

5
6 Ms. Pali: I like that.

7
8 Mr. Carnicelli: Any opposition to or I guess I see Director popping up here.

9
10 Ms. McLean: Chair, just to put this into effect, I would suggest language that says, if a change in
11 zoning to Rural is sought, then it should be no denser than a two-acre minimum. And then the
12 rural restrictions would apply at that point.

13
14 Mr. Carnicelli: Okay, any opposition to that particular language being inserted into the plan?
15 Commissioner Tackett.

16
17 Mr. Tackett: I just have a question. You guys said that there were five-acre parcels, and so if
18 that language is inserted into the plan, can they take those five-acre parcels and make them
19 2.5-acre parcels and therefore increase the density?

20
21 Ms. McLean: Yes, they would be able to. You could say two-acre rural or larger, and no further
22 subdivision.

23
24 Mr. Carnicelli: Okay, any opposition to that language that the Director brought up? I think, as
25 long as the intent of whatever language we use is no more density, whether it's subdivision,
26 whatever it is. It's like, it's like is even if you've got a...you got a twenty-five-acre parcel, you've
27 got a main farm growing and accessory farm growing, that's all you get. You can subdivide all
28 you want, but you ain't getting. You know, I think that that's the intent of what it is that we're trying
29 to accomplish here. So, is there any opposition to that particular language? Okay, seeing none,
30 we'll go ahead and let the record show that we adopted it by consensus.

31
32 **In regards to density, if a change of zoning to Rural is sought then it should be no denser**
33 **than a two-acre rural or larger and no further subdivision allowed was adopted by**
34 **consensus of the Commission.**

35
36 Mr. Carnicelli: Guys, for personal reasons, I need to take a three-minute recess, so to call the
37 Chair, we're going take a three-minute recess. I'll be right back.

38
39 A recess was called at 8:26 p.m., and the meeting was reconvened at approximately 8:28 p.m.

40
41 Mr. Carnicelli: ...No more density.

42
43 Mr. Tackett: So, you took out the other part that Michele offered to put in.

44
45 Mr. Carnicelli: No, no, no, that's included. I said the intent was that there was no more density

46

1 Mr. Tackett: And no subdivision as well, correct.

2

3 Mr. Carnicelli: Right.

4

5 Mr. Tackett: Thank you.

6

7 Mr. Carnicelli: Yep. Commissioner La Costa.

8

9 Ms. La Costa: Just and as a side note---

10

11 Mr. Carnicelli: Wait, wait, wait, before we do all this, let's get back on the record. So, Carolyn,
12 go ahead and start the recording.

13

14 Mr. Thompson: She started it already.

15

16 Mr. Carnicelli: Oh, she did. Oh, okay, my bad then. Maui Planning Commission meeting of
17 September 8th reconvened on September 22nd, 2020 is now back in session. Thank you everyone
18 for entertaining my change in venue, my daughter needed to go to bed. So,
19 Commissioner La Costa, I believe you had something you wanted to add.

20

21 Ms. La Costa: I was just going to say that most of the larger estates also have in their CC&Rs
22 that they can't further subdivide so that's just a safety net to put that in the language and it's a
23 really good idea 'cause we don't want more density. Thank you, Chair.

24

25 Mr. Carnicelli: Great. Okay, guys so I know Commissioner Pali you talked about which map are
26 we using. I'm gonna go off of the one that says, CPAC version or CPAC recommended subareas.
27 I believe that we've kinda covered our planned growth areas for Kapalua, I know we have, and I
28 believe in the Kaanapali one we have as well. Jen is that correct?

29

30 Ms. Maydan: Correct, Chair. The Director did transmit a few recommendations that are
31 applicable to these two subareas.

32

33 Mr. Carnicelli: Correct, go ahead.

34

35 Ms. Maydan: In a memo dated September 8th, on the second page, there is a recommendation
36 and she, and this was submitted a few times. So, it says, as previously noted, that the Department
37 recommends properties with of short-term rental use be considered for designation as Hotel and
38 we previously transmitted a list of properties with their short-term rental percentages. So, you
39 should have that records. An ...(inaudible)...with colors on it

40

41 Mr. Carnicelli: This one?

42

43 Ms. Maydan: ...that have lists of the short-term properties, short-term rental properties.

44

45 Mr. Carnicelli: This one here?

46

1 Ms. Maydan: That's the one.

2
3 Mr. Carnicelli: Yeah.

4
5 Mr. Carnicelli: Everybody have this one? And while you guys are scrambling if you need to, I
6 believe that Carolyn, e-mailed to us on the 8th, on the day of, maybe the day before, maybe the
7 7th. Christian, it's not gonna be in the book. It's a separate one, this thing here.

8
9 Mr. Tackett: Got it Chair. Thank you.

10
11 Mr. Carnicelli: Yep, Cool, okay. So, guys, this is, is what people infamously call the Minatoya
12 List, and we don't need to get into why it's called that, but you can look at this list of properties
13 that most are zoned you know, say A-1, A-2, there's you know, R-3 in there, there's...what's
14 NBCID?

15
16 Ms. McLean: That is the Napili Bay Civic Improvement District.

17
18 Mr. Carnicelli: Napili Bay, right, right, right. So, if I remember, Michele, you were trying to say,
19 like, okay, if it's over a certain threshold, I mean the recommendation of the Department was if
20 over a certain threshold as of today, then we kick it into zoning it or designating it as Hotel, and if
21 it's not, then doing something else with or whatever it is, I can't remember, I don't have that or
22 maybe I just have this right here. I don't have the actual language. But if you would go ahead
23 and explain.

24
25 Ms. McLean: Thank you, Chair. These are the properties that by their zoning, are allowed to do
26 vacation rental use. And what we provided you was a color-coded chart of the properties in
27 West Maui based on the percentage of units that do vacation rental use according to real property
28 tax. And so, there are 13 properties that have 96 to 100 percent of their units in vacation rental
29 use. And then the other categories are separated just by five, bunching them together in groups
30 of five percent. So, it's up to the Commission to determine if you want to establish one of these
31 thresholds or you could go just with 100 percent. But the Department's recommendation would
32 be to designate some of these properties Hotel so that they could do vacation rental use.

33
34 Mr. Carnicelli: Thank you.

35
36 Ms. McLean: I will also clarify, though, that if you don't designate them for vacation rental use,
37 they will still be able to conduct the use.

38
39 Mr. Carnicelli: Thank you.

40
41 Ms. McLean: And this issue was also put before CPAC, they initially designated a couple of
42 properties and then in the end decided to designate none.

43
44 Mr. Carnicelli: Okay, I guess this goes back to the duck question, so I guess I'll just...questions
45 and/or comments from the Commission. Commissioner La Costa.

46

1 Ms. La Costa: Thank you, Chair. It was my understanding that there were 84 properties on the
2 Minatoya. Are we only looking at these because the, of the percentage of short-term rental 'cause
3 there aren't 84 here?
4

5 Mr. Carnicelli: West Maui.
6

7 Ms. La Costa: Yeah, West Maui.
8

9 Ms. McLean: This is just—
10

11 Ms. La Costa: ...Kaanapali Plantation isn't on here and that was approved when Puamana was
12 looked at, and there are three Kahana Outriggers on here, I don't know if they have three TMKs
13 but there are three Kahana Outriggers on here.
14

15 Ms. McLean: Yeah, they do have three TMKs.
16

17 Ms. La Costa: Okay.
18

19 Ms. McLean: Yeah, I would have to check on Kaanapali Plantation. Yeah, I would have to check
20 on Kaanapali Plantation.
21

22 Ms. La Costa: That was brought up at the same time as Puamana. They had that lawsuit about
23 it, so thanks, Director.
24

25 Mr. Carnicelli: So, my inclination is not to...at least my...as I look at this, is not to pick winners
26 and losers and say like okay, as of...because in, you know whenever these numbers were pulled
27 I guess 2020 tax records, you know, look at something like the International Colony Club has
28 68 percent, and so they could potentially not have say Hotel designation in the community plan
29 and yet that's a property that this body I think gave, some ridiculous number of short-term rental
30 permits to and then when they were determined to actually be part of this list all of those got you
31 know, removed. So, like what happens to those kinds of folks. So, it's almost like, okay if they're
32 on the list, they're on the list. So, anyways, anybody have any thoughts?
33 Commissioner Thompson.
34

35 Mr. Thompson: Just a question. So, are they proposing to change those to hotel designation,
36 would that change the property tax for the owner-occupied that live in there?
37

38 Ms. McLean: Right now for condos I believe that the owners have to designate and they have
39 the opportunity to file a declaration. So, they wouldn't be taxed at hotel rate, but they would be
40 taxed at the short-term rental rate unless they filed the declaration with real property, and that's
41 my understanding.
42

43 Mr. Carnicelli: Okay, guys, I believe we need to do something with this, whether it's, you know,
44 again, it doesn't...Commissioner Tackett.
45

46 Mr. Tackett: I move to leave it as it lay.

1
2 Mr. Carnicelli: In the CPAC recommendation is that what you're saying.

3
4 Mr. Tackett: Not to Hotel designate any of them.

5
6 Mr. Carnicelli: Got it. Okay, so moved by Commissioner Tackett to leave the CPAC
7 recommendation. Seconded by Commissioner La Costa. Anybody like to speak to the motion?
8 Seeing none, is there...I guess, all in favor of the motion? That is one, two, three, four, five.
9 Opposed, none. I didn't see...Stephen, you're not on my screen how did you...did you vote in
10 favor of this motion? Yes, you did. Okay, so that's seven in favor, one abstaining. Let the record
11 show that Commissioner Freitas, abstained but the motion passes 8-0 to leave them in the CPAC
12 designation.

13
14 **It was moved by Mr. Tackett, seconded by Ms. La Costa, then**

15
16 **VOTED: To Keep the CPAC Recommendation in regards to Section.3.5**
17 **regarding properties with short-term rental use (STR) and not**
18 **designate as Hotel.**
19 **(Assenting – C. Tackett, P. D. La Costa, S. Castro,**
20 **K. Freitas - Abstained, K. Pali, J. Edlao, M. Hipolito,**
21 **D. Thompson)**

22
23 Mr. Carnicelli: So, Jen I can't recall, is there anything else in that transmittal letter Department
24 that you would like your address?

25
26 Ms. Maydan: There is only one remaining item.

27
28 Mr. Carnicelli: You got your headset on.

29
30 Ms. Maydan: The last recommendation. It's really obnoxious for my family. I felt bad for them
31 as annoying as this headset is. Let's see what page is it applicable to. So, in the Subarea 2 map,
32 Page 91, I think it is, the recommendation from the Department is to make a change to the parcel
33 that is south of and adjacent to the wastewater treatment facility. So, in the Kaanapali area,
34 mauka of the highway, there's the...right now, it's designated as approximately a four-acre parcel,
35 it's designated Employment center, and the recommendation in the memo is to change it to
36 Industrial.

37
38 Mr. Carnicelli: Is there any objections that? Seeing no objections, we'll go ahead and adopt that
39 with consensus.

40
41 **The approximately four-acre site south of and adjacent to the Lahaina Wastewater**
42 **Treatment Facility (WWTF) be designated Industrial (IN) instead of Employment Center**
43 **(EC) was adopted by consensus of the Commission.**

44
45 Mr. Carnicelli: And I think we've made it through two subareas is that correct Jen, unless there's
46 anything else that somebody else wants to address in these maps. Commissioner Tackett.

1
2 Mr. Tackett: I'm not sure if I missed it last time. My, my opportunity for, for this question, but I, I
3 do know that the boat ramp, the boat harbor, in that boat harbor because they have so many
4 boats, they generally have a little industrial area where they do boat repairs and stuff like that. It
5 used to be in the map, but was taken out of map, and I don't know is if, if and if you guys think
6 that that's important, that those guys have that little boat area in the harbor that has always been
7 there for those guys to do those types of repair works on, on their, on their boats. So...

8
9 Mr. Carnicelli: Are you talking about it, Mala and/or Lahaina Harbor?

10
11 Mr. Tackett: Correct.

12
13 Mr. Carnicelli: Okay, that's gonna be the next meeting. So, that's in the Lahaina map, Subarea 3.

14
15 Mr. Tackett: Oh, okay.

16
17 Mr. Carnicelli: So, we'll get to 3 and 4, yeah, no, we're good. Yeah, that's a good question.
18 Anything else? So, Commissioner Freitas, I believe you had something that you wanted to bring
19 up and/or address?

20
21 Mr. Freitas: Thank you, Chair. It's not about West Maui plan, so that's why I asked you if what I
22 was asking was okay to present to the to the commission.

23
24 Mr. Carnicelli: Go ahead. I mean, while we're here, let's just.

25
26 Mr. Freitas: Okay, it's really quick.

27
28 Mr. Carnicelli: Yeah.

29
30 Mr. Freitas: I was on a meeting with the Council Yuki Lei and Representative Hashimoto trying
31 to boost our restaurants, our local restaurants. Some of the challenges is this new rule with only
32 so many...50 percent of your occupancy inside. And a lot of them have been asking to extend
33 their seating capacity or their premise area to go outside of the building and have run into some
34 challenges with Maui Planning because of SMA and was wondering how we, how I could put
35 something like that or how we could put something like that on the agenda or to see if the Director
36 would like to join in the group of restaurant owners meeting that they have every two weeks, and
37 if the commissioners think that that's something that they would like to help out the restaurant
38 businesses on our island.

39
40 Mr. Carnicelli: I think that it's fairly applicable to what we're doing because we're talking about the
41 community, we're talking about the community plan and unprecedented times. So, let's just go
42 ahead and volunteer the Director's time and tell you that she would love to be a part of that group
43 with all her excess time.

44
45 Mr. Freitas: Director?

46

1 Ms. McLean: Thanks, Chair. Thanks, Commissioner Freitas. The Mayor has already issued a
2 directive calling for expedited permit review for businesses that are closed during Covid to do
3 renovations or other kinds of changes. So, that includes SMA. So, that part's under way. I've
4 also been working back and forth with the Public Works Director on drafting another directive for
5 the Mayor at his direction to make it easier to do outdoor seating and to expand and putting up
6 tents and things like that. I recently worked with Mala wanting to expand into their parking area,
7 so we were able to get that through pretty quickly because expanding into parking areas can have
8 implications for parking requirements. So, we're working that out. So, we do have one thing in
9 place. Another thing is in the works, but I would be happy to join the next discussion to get into
10 details to make sure we're covering all of the issues that you guys have raised so far.

11
12 Mr. Freitas: Okay. Garrett and Bev Gannon are kind of the ones spearheading that, so I'll have
13 them reach out to you, is that okay to see if you could join us in our meeting? Okay.

14
15 Ms. McLean: Yeah, that sounds great.

16
17 Mr. Freitas: Thank you.

18
19 Ms. McLean: Thank you.

20
21 Mr. Freitas: Thank you, Chair. Thank you, Director.

22
23 Mr. Carnicelli: Anything else? We almost made it 12 full hours. Let's see, 14 minutes shy of a
24 12-hour day. Good thing we're had that, we're on that skinny thing. So, anyways, again, guys
25 and gals, thank you, thank you, thank you for all that you do, your service, your commitment to
26 our community, your willingness to be open and have conversations, something that's not really
27 happening all over the planet right now, agreeing to disagree, friendly conversation, passion. We
28 had it all today. It was a long day, but a great day, and I'm glad I spent it with you guys, and I'm
29 going to again reach out to the ever-present Carolyn who is, you know, makes everything happens
30 but we never see. So, Carolyn, thank you very much for doing all that you do. I help your dog's
31 better. Director, Jen, Pam and of course, everyone else, all the community members that join us
32 as well, and sat through this very long day with us. I think some people sat through both meetings,
33 shame on you, but anyways, guys, I just, I just want to say thank you, and I'm glad to be on this
34 commission with all of you. So, thank you all for your service.

35
36 This meeting is now called adjourned.

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38 **C. NEXT SPECIAL MEETING DATE: OCTOBER 13, 2020**

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40 **D. ADJOURNMENT**

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42 The meeting was recessed at approximately 8:48 p.m.

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Respectfully Submitted by,

CAROLYN TAKAYAMA-CORDEN
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

Present

Lawrence Carnicelli, Chair
Stephen Castro
Jerry Edlao
Kawika Freitas
Mel Hipolito
P Denise La Costa
Kellie Pali
Christian Tackett, Vice Chair
Dale Thompson

Others

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