

**LANAI PLANNING COMMISSION
REGULAR MEETING
JANUARY 20, 2016**

APPROVED 02-17-2016

A. CALL TO ORDER

The regular meeting of the Lana'i Planning Commission (Commission) was called to order by Chair Kelli Gima approximately 5:31 p.m., Wednesday, January 20, 2016, in the Lana'i Senior Center, Lana'i City, Hawaii.

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

Ms. Kelli Gima: Good everyone. I'm going to go ahead and call the Lanai Planning Commission meeting to order. It is January 20th, and it's 5:31 p.m. We do have quorum, so we're going to go ahead and get started. First off, we'll start with public testimony. I don't know if there's a list, a sign in sheet that was circulated. I will open up public testimony again after different items that we're, we're voting on, after you hear various presentations. But we'll go ahead start and the first person is Patrice Moynihan. Come on up Patrice. You can get that microphone or there's one right there.

B. PUBLIC TESTIMONY - At the discretion of the Chair, public testimony may also be taken when each agenda item is discussed, except for contested cases under Chapter 91, HRS. Individuals who cannot be present when the agenda item is discussed may testify at the beginning of the meeting instead and will not be allowed to testify again when the agenda item is discussed unless new or additional information will be offered.

Ms. Patrice Moynihan: Good evening. I'm Patrice Moynihan. I live at Lanai City Apartments. I just wanted to say I'm looking forward to the final development and approval. Think of the three families who are going to be able to move into those beautiful homes, and I'm sure they'll be as nice as the other Pulama restorations and new constructions that they've given to this island. And it's a real privilege; to thank you very much for coming out tonight. Appreciate it.

Ms. Gima: Thank you Patrice. Next, Ron McOmber. Okay. Moving on, Margie Peary. Okay, so you're not providing public testimony. Okay. Alright. Next is Gail...Reiner. Sorry. Come on up Gail.

Ms. Gail Reiner: Hi, my name is Gail Reiner. I've been a Lanai resident for 11 ½ years. When I first started looking to buy property on Lanai, 12 years ago, those three homes on Lanai Avenue that is in discussion for permitting to go ahead with them, were just abandoned buildings. Nobody lived in them. Since I have been here for 11 ½ years, no one has lived in them until Pulama decided to refurbish, reconstruct them. They were then boarded up and looked...not appealing. And when people come to Lanai and see them, that would be one of the first things you'd see on the way to Koele would be these three buildings, going up, boarded up. So I'm here, again, to ask the Lanai Planning Commission to support and go forward the go ahead to let the permitting process be accepted so that Pulama Lanai can continue and start the construction for these three homes. Again, we do need housing on Lanai. These were three houses that have a huge historical significance. The families and backgrounds, who lived

there originally has been well documented, and it's a attribute to people who lived attribute to the people of Lanai, and attribute to the future of Lanai. And I am here, again, to ask your support for this permitting, and to let the construction begin, and to support this. Thank you.

Ms. Gima: Thank you Gail. Next I have on the list and I apologize I can't read the, the last name. Hector? Okay, so not providing public testimony. Is there anyone -- I just seen a couple of people come on in -- that would like to provide public testimony at this time? No? Okay. So like I said previously I'll open up public testimony again as we go through the various items. So right now I'll go ahead and close public testimony, and then we'll go ahead and move on to Item C, which is the approval of the minutes of October 21st, 2015 meeting. Commissioners any --. I'm sorry, I'm looking at -- the December 16th, 2015 meeting. Commissioners, any discussions? None? Okay. I'll entertain a motion to approve the December 16th, 2015 minutes.

C. APPROVAL OF THE MINUTES OF DECEMBER 16, 2015 MEETING

Mr. Bradford Oshiro: . . . (inaudible) . . .

Ms. Gima: Okay, Brad moves. Can I get a second?

Ms. Stacie Koanui Nefalar: . . . (inaudible) . . .

Ms. Gima: Stacie seconds. All in favor, raise their hand. One, two, three, four, five. Opposed? None. Okay, so that has been approved.

It was moved by Commissioners Bradford Oshiro, seconded by Commissioner Stacie Koanui Nefalar, then unanimously

VOTED: to approve the December 16, 2015 meeting minutes as presented.

(Assenting: S. Ferguson, K. Gima, S. Koanui Nefalar, B. Oshiro, B. Zigmond)

(Excused: J. Aoki, M. Baltero, J. Barfield, S. Marlowe)

D. NEW BUSINESS

- 1. MR. KURT MATSUMOTO, Chief Operating Officer of LANAI RESORTS, LLC, a Hawaii limited liability company doing business as PULAMA LANAI requesting an Environmental Assessment Determination on the Final Environmental Assessment (FEA) prepared in support of the Community Plan Amendment from Business to Single Family Residential in order to construct 3 single family homes with carports at 605, 615, and 623 Lanai Avenue, TMK: 4-6-009: 050, Lanai City, Island of Lanai: (EA 2015/0006) (CPA 2015/0005) (CIZ 2015/0006) (K. Wollenhaupt) (FEA previously mailed**

under a separate cover to the Commissioners. Commissioners, please bring your copy of the FEA to the meeting. Draft EA reviewed at the October 21, 2015 meeting.)

The EA trigger is the community plan amendment. The Commission is the accepting authority of the Final EA.

The applicant has also applied for a Community Plan Amendment and Change in Zoning. The public hearing on these applications will be scheduled after the Chapter 343, HRS process has been completed.

The Commission may accept the Final Environmental Assessment as a Findings of No Significant Impact (FONSI) or take some other action.

Ms. Gima: We'll move along to Item D, which is new business, and the first item on the list is . . . *(Ms. Kelli Gima, Chair, read the above project description into the record.)* . . . So I will turn it over to...

Mr. Clayton Yoshida: Good evening Madame Chair and members of the Lanai Planning Commission. Clayton Yoshida, Administrator for the Current Division of the Planning Department. With me here tonight are Planning Director William Spence; head of our Plan Implementation Division, Kathleen Aoki; our Administrative Planning Officer, Joe Alueta; our staff planner, Kurt Wollenhaupt; and our -- your Secretary to Boards and Commissions, Leilani Ramoran-Quemado. And, doing the presentation for the Department is staff planner Kurt Wollenhaupt.

Mr. Kurt Wollenhaupt: Good evening members of the Lanai Planning Commission. It's a pleasure to be with you here once again for this project which is known as the Lanai Avenue Homes. We're here today for a Final Environmental Assessment. Now I'm sure that you're all familiar with the process. However, just to give you a brief reminder, on October 21st, 2015, this Commission saw the Draft Environmental Assessment. As you all know, an Environmental Assessment is required when there's a trigger. So what trigger do we have here this evening? We have the trigger because we need a Community Plan Amendment. That Community Plan Amendment is to change the community plan from Business Commercial to Single-Family Residential so that in fact these three homes could legally be built in this designated area.

It's been determined that we have to have an Environmental Assessment. And the Environmental Assessment acts an information document that all of you will be using once it's been deemed complete, once it's been accepted by the OEQC, once it's passed 30 day challenge period -- it will be the information document that you will use in a future public hearing that will come back to you, in a few months, in which you will consider the Community Plan Amendment and the Change in Zoning. That will be the -- one of the steps in a very -- quite a lengthy process. Once this body, if should they deem a recommendation of approval for the Community Plan Amendment and the Change in Zoning, it will then be sent to the Corporation Counsel for the drafting of an ordinance. Then it will go to the Land Use Committee of the

County Council for their review, and then finally to the Full Council for two readings, and then signature by the Mayor. So we're on the path. We did have the meeting on October 21st, 2015, in which this body declared that it would be the accepting authority and there would be an Anticipated Findings of No Significant Impact.

So where we are tonight is that Karlynn Fukuda, of Munekiyo & Hiraga, along with Lynn McCrory, of Pulama Lanai, will be giving some updates and details of the project so that the Commissioners and all the members of the audience will know exactly the project that we're speaking of. And at the end of that, the Commission will then have all three alternatives to choose. One, they could choose to defer the Final EA because they would need additional information. They could deem that there would be such significant impacts that really there would be no, no type of mitigation possible, and they would have to do a full Environmental Impact Statement. Or, what we would deem probably, the likely result would be that this document would be considered complete, that the Commission would issue a Findings of No Significant Impact. That -- this is known to you as a FONSI. Should that occur, then it would be published in the environmental document of the Office of Environmental Quality Control, and then there would be 30-day legal challenge. After that period expires, then we will come back to you with a full report for the CPA and the CIZ.

So if you have any questions, I'd be happy. Although, Ms. Fukuda has a very complete presentation to talk to the Commissioners about this project. Thank you.

Ms. Karlynn Fukuda: Can everybody see the screen okay? Okay. Good evening Chair and members of the Lanai Planning Commission. My name is Karlynn Fukuda of Munekiyo Hiraga. We are here tonight to present the Draft Final EA for the proposed Lanai Avenue Residential Homes Project. Joining me tonight are Kurt Matsumoto, Chief Operating Officer, and Lynn McCrory, Senior Vice-President of Governmental Affairs for Pulama Lanai, the project applicant. Also shown here are the project's sub-consultants.

As Kurt mentioned the project entails the construction of three replacement homes and three carports located on Lanai Avenue. The property is identified as tax map key: 2-4-9-006-050, or parcel 50. The property is approximately a half acre in size. The table shown here indicates the existing and proposed land use entitlements for parcel 50. As Kurt mentioned the proposed Community Plan Amendment from Business Commercial to Single-Family Residential is the trigger for the Chapter 343, Hawaii Revised Statutes, Environmental Assessment.

This map here is from...the tax map key, and parcel 50 is located here on the corner of Lanai Avenue and Sixth Street, as well as Koele Street. The proposed project involves the construction of the three replacement homes and three individual carports, and the homes will be used for rental use. The homes will be approximately 1,100 square feet in size. Previously the site contained three homes, and one three car carport. The former homes and carport were demolished in August of 2014. The replacement homes will have exterior similar to the former homes with modifications to the interior.

As Kurt mentioned we are requesting approval by the Lanai Planning Commission, or

acceptance by the Lanai Planning Commission of the Final Environmental Assessment document, and an issuance of the Finding of No Significant Impact, or FONSI, determination.

As noted here the former residences were constructed in the 1920's, as part of the original Lanai City development. However, in recent times, they fell into disrepair. There was a structural engineer report that was done that noted the homes were structurally unsafe with termite damage, mold, and deterioration to the foundations. Once the replacement homes are completed, they will be available for rental housing on the island.

The next slide is some site photos of the site as it exists today. And here we have the proposed site plan. Again, this is the boundaries of parcel 50, and we have the three homes and the three individual carports. This next slide -- and I apologize that it's not translating very well -- but this is a floor plan of the proposed replacement residences. Lastly, you have here the front elevation and the side or north elevation of the proposed replacement residences, which, again, match the former exteriors of the homes that were on the site.

As we have talked about, the Community Plan Amendment is the trigger for the Environmental Assessment. The Anticipated Findings of No Significant Impact was published in the OEQC, as Kurt mentioned, Environmental Notice, on October 8, 2015. And this body agreed to be the accepting agency, as well as, reviewed and commented on the Draft EA document at your October 21st, 2015 meeting.

The following table provides a brief summary of some of the comments received during the 30-day comment period on the Draft EA. And I know that the print may be hard to read so we did provide copies of the presentation to the members so that you'd be able to follow along. And also please note that copies of all of the agency comment letters received on the Draft EA, as well as the draft responses are located in Chapter 9 of the Draft Final Environmental Assessment that you all received for your review. I'd like to briefly go through the agency comments noted on the next few pages.

So the first one at the top here we have from the State Historic Preservation Division, or SHPD as a lot of people know them as, or SHPD, And essentially the State Historic Preservation Division had commented that they did not believe that any historical properties would be affected with the implementation of the proposed project. And our draft response noted that the site has been previously graded and was part of a previously developed area in Lanai City. And that in the event any cultural resources including cultural deposits or remains were discovered during the construction of the new homes, State Historic Preservation Division would be notified.

The Department of Health had commented that the waste water disposal information was not included, and so the Final EA has been updated to note that there would be County sewer service that would be utilized for the homes. And that if a noise permit is required, it would be obtained prior to start of construction.

The Office of Environmental Quality Control commented that they support the utilization of

native floral and low impact development, and those comments have been passed on to the design team for incorporation as applicable.

The Department of Land and Natural Resources, Engineering Division, had commented that the site is located in Flood Zone X which is an area of minimal impact for development. And so we basically acknowledged their comment.

The Department of Health, Clean Water Branch, basically said that, you know, they had previously reviewed the document or commented, and they had reviewed the Draft EA, and they basically, you know, just acknowledged that we have to follow Hawaii Administrative Rules relative to the development.

The State Department of Transportation said if the project requires transportation of heavy equipment or materials over state roads, we need to seek a permit, which we acknowledged.

The State Department of Health, Environmental Planning Office, had a number of comments. One of them, including the waste water plans, which, again, as we noted, would be utilized with County sewer service. And again, a noise permit which may be required. And the Environmental Justice Screening tool that had been developed by the Environmental Protection Agency could be utilized.

The County Department of Environmental Management had basically said we needed to have sewer service clean outs, which we acknowledged and noted in our response to them that that will be done. And that a solid waste management plan should be formulated for the construction of the project, which at this point in time would be difficult to be developed but that's something that the applicant would be looking at as construction actually got closer to, to the time.

Department of Planning acknowledged that the Lanai Planning Commission had reviewed the Draft EA document back in October of 2015. The Fire Prevention Bureau, the County Fire Prevention Bureau had stated that they really didn't have any comments at this point, but they reserved the right to comment on the building permit, which we acknowledged. And then there were the other agencies that are listed here; State Office of Planning, County Department of Water Supply, Parks and Recreation, Public Works, County Department of Transportation, the Police Department, the -- and the Department of Human Concerns, which basically submitted letters saying they really didn't have any comments, and we acknowledged that they had no comments on the Draft EA.

So on the Draft Environmental Assessment, when we looked at the project, the site is located in Lanai City. It's outside of the FEMA flood zones, and the tsunami zone. The site was previously developed, and there are no archaeological sites present. Oral histories as was presented during the Draft Environmental Assessment review were done for the families that had formerly lived in those three residences, and has been incorporated into the document. The HABS report is the Historic American Building Survey, so that has also been done. And the Maui County Cultural Resources Commission had also reviewed the HABS report. There

is existing County services to the site for police, fire, medical, and recreational, and educational facilities, as well as existing roadways, utilities and the like. And due to the pre-developed nature of the site, and the non-intensification of use -- basically there were three homes before, there will be three homes after. It was determined that in regards to environment, infrastructure or socio-economic consideration, the project is not anticipated to be contrary to the goals and objectives of the State and County rules, regulations and plans.

This slide is a summary of the various community meetings that has been held on this project. There has been two public informational meetings held by Pulama Lanai; one, in September 2013, and then one in July of last year. And then as I had noted, the Maui County Cultural Resources Commission held a meeting back in October of 2013 here on Lanai, and then on December 5th, 2013. Again, that was to review the HABS report on the three former site, the three former residences. And then, as has been noted before, the Lanai Planning Commission reviewed the Draft EA at the October 21st, 2015 meeting, which also provided the public for an opportunity to comment on the project.

So in summary, we are requesting the Planning Commission's acceptance of the Final EA and issuance of the Findings of No Significant Impact determination. And as Kurt had provided in his opening remarks, the project will be back before the Lanai Planning Commission at the time that the Community Plan Amendment and Change in Zoning are reviewed. This concludes my presentation, and I'm available to answer any questions you may have. Thank you very much.

Ms. Gima: Thank you. Like I said, I'm going to go ahead and open up public testimony again. If there's anyone in the audience that wants to provide testimony specifically on this item, specifically on the Environmental Assessment. Ron? Just state your name for the record please.

Mr. Ron McOmbler: My name is Ron McOmbler, resident of Lanai for about 40-some years. If you remember Michelle's statement when we were talking about this several months ago, she had her dog buried on that property. I think it would behoove Pulama to find out where that dog burial is, and either solve that problem with her. Because if it was my dog I would want to have it taken cared of. I don't think it's a manini thing, but it, it might be to her. It might be very important to her, so I think Pulama ought to contact her and see where that burial site is and does it come in conflict with the construction going on. That's all I've got to say. Thank you.

Ms. Gima: Thank you Ron. Anyone else. Okay, we'll go ahead --. Oh, go ahead Kathy.

Ms. Kathy Carroll: Kathy Carroll with Mike Carroll Gallery. And we just want to reaffirm our support for the Findings of No Significant Impact, and we're just -- we're really excited to see the homes go back up and to honor that property.

Ms. Gima: Thank you Kathy. Dave?

Mr. David Green: Dave Green, Lanai resident, down at Manele. I'd just like to also recommend that you go along with the Finding of No Significance. I think the process that this has gone

through, the architecture of the sites, the various buildings being virtually identical, I think it's a great thing, and Lord knows we need more rental properties on the island.

Mr. Gima: Thanks Dave. Anyone else? Last call. Alright, we'll go ahead and close public testimony. Commissioners, questions for the applicant? Comments?

Mr. Oshiro: My only concern -- you know, this is a good, good thing that's happening -- but my only concern is the water runoff. Because if you've all been here on Lanai, and you've seen the runoff, you know that the water comes down Sixth Street, it comes down into Nani Street, off of Seventh Street, and over Lanai Avenue and down. And if any more water is added, which happened before, the two restaurants down here gets flooded out. I know it's not Pulama's responsibility, it's the County, but if somehow we could divert the water from coming down Sixth Street, I think we might lift the overflow problem inside the city. And I think most of the roads up, up along that -- above Sixth Street or above Nani Street belongs to Pulama. It's just a suggestion because, you know, if we have a flood again, that the merchants is the ones that's going be losing business because it's already happened more than once. I mean, the drainage is not good enough. I know, it's not Pulama's, it's the County's. But I'm saying if the water can be diverted from the up top, this wouldn't happened. It was mentioned to the previous owner that the water was coming down, and they never did anything, so I just letting you guys know my opinion.

Ms. Gima: Commissioners, any other questions, comments for the applicant? I just want to make a quick comment. I really appreciate having that oral history component in the Environmental Assessment. I thought that was very, you know, sensitive to the previous owners, so thank you for that. If there's no further discussions, comments, or questions...do I hear a motion to -- or anybody wants to propose a motion?

Ms. Koanui Nefalar: I propose to make a motion that we approve with No Significant Impacts.

Mr. Oshiro: . . . (inaudible) . . .

Ms. Gima: Okay, so it's been -- motion been made by Stacie to approve the Environmental Assessment with Findings of No Significant Impacts. Second by Brad. All in favor of this motion raise your hand. One, two, three, four, five. All opposed? None. So that has passed.

It was moved by Commissioner Stacie Koanui Nefalar, seconded by Commissioner Bradford Oshiro, then unanimously

VOTED: to approve the Final Environmental Assessment with Findings of No Significant Impact.

*(Assenting: S. Ferguson, K. Gima, S. Koanui Nefalar, B. Oshiro, B. Zigmund)
Excused: J. Aoki, M. Baltero, J. Barfield, S. Marlowe)*

E. UNFINISHED BUSINESS

- 1. MR. WILLIAM SPENCE, Planning Director transmitting Council Resolution No. 15-112 referring to the Lanai, Maui, and Molokai Planning Commissions a proposed bill to amend the comprehensive zoning ordinance to permit affordable accessory dwellings in Residential Districts. (RFC 2015/0153) (J. Alueta) (The public hearing was conducted on December 16, 2015 and the matter was deferred by the Lanai Planning Commission) (Commissioners: Please bring the Department's report prepared for the December 16, 2015 meeting with you.)**

The Council is considering a proposed bill to permit accessory dwellings in residential districts on properties of between 5,000 and 7,499 square feet, for the purpose of increasing the availability of affordable housing. The proposed legislation is available at <http://co.maui.hi.us/index.aspx?nid=121>

The Commission may take action on this request.

Ms. Gima: Alright, we're going to move to Item E, which is Unfinished Business, and that's Item 1 . . . (Ms. Kelli Gima, Chair, read the above project description into the record.) . . .

Mr. Joseph Alueta: Good evening Commissioners. When we last left you, you guys deferred action. We did get some consensus on some items of the proposals. To refresh your memory, there were two proposals basically. There's the Council Resolution which initiated all of this. Not to be outdone, the Mayor and the Administration came up with their own proposal to try to also address some of the homeless and affordability of -- for rentals, and to get more on the market immediately. The Commission primarily supported mostly the Commission's -- the Council's proposal. You like the fact that you wanted to maintain some type of affordability. Even though from an aspect of enforcement, the Department feels that we will -- it will be difficult if not impossible to enforce. Parking was a concern, especially on Lanai, given your narrow roads -- small town. You noted "no limit" on the accessory dwelling. So you thought -- I think some of you felt that there was -- you, you wanted to have some type of limit -- I mean, no limit on the size of the accessory dwelling, rather than the small size that was being proposed, which is about 450 and 400 by the Council. And you wanted to see it down to -- in your initial review, you felt you wanted to go down to 5,000 which is what the Council proposed to go down to 5,000. But you wanted to see what your lot sizes were within Lanai City because you wanted to know how it's going to impact your community.

I'm going to pass out...the revisions to our -- to the GIS map that shows some of the lots sizes, and they're color coded. So the table's going to show lots less than 5,000 square feet. So it's going to show down lots -- kind of -- based on the color -- hopefully a sand -- no, it's kind of a tan color for less than 5,000 square feet. And then the 5,000 to 7,499 square feet is in red. So that would be...basically what those lots that would qualify under the Council's proposal. Okay. The pink color is basically lots -- and I guess yellow -- are lots that would be, or currently

allowed to have an accessory dwelling under the current 19.35. Okay. And I'll remind you that the reason we're showing lots of 12,000 square feet and over, those are the yellow lots, under the Mayor's proposal he had proposed to have allow for two accessory dwellings, instead of just one on those larger lots.

And again, I'm just here to take your comments. We did transmit the comments that we had to Council because we wanted to make the deadline. However, we had not received any minutes, official minutes from either of the Commissions yet. And, again, the Council has not taken it up, that I know of, nor have they scheduled it. So we -- and again, there's still time. I think they do like to wait for the official minutes. But I do know that it is a hot topic as it is. A hot topic on Oahu and the rest of the State with regards to not only homelessness, but just affordability of rental units, not just affordable houses for fee simple purchases.

Ms. Gima: Thank you. I'll open up public testimony again. Anyone in the audience want to testify specifically on this item? Jon, are you wanting to testify? No? Okay. Sure, come on up and please state your name for the record.

Mr. Jon Bernier: My name is Jon Bernier. I've been on Lanai for 11 years. My question is can these units be used for short-term rentals or would that be prohibited?

Mr. Alueta: Under the Council's provision, they are saying that it has to be an affordable rental. Okay.

Mr. Bernier: . . . (Inaudible) . . .

Mr. Alueta: No, they would have to be -- it would either be rented to family members, or it has to be rented under the affordability provision of the Housing and Human Services. So, it should not be --. In theory, it would not be short-term rental. The -- the...Mayor's proposal, which is a different one, makes it explicitly clear that they cannot be used for short-term rental. And it also makes it explicitly clear that existing accessory dwellings that are currently already constructed, even on lots between 7,500 and above, would also be prohibited from being converted to accessory dwelling -- to transient vacation rentals or B&B. The same way we enforce everything. So that -- in fact, that's easier to enforce than it is the affordability. It's easier to -- it's easier -- it's easier to enforce on, on the TVR aspect because of the advertisement. I mean, obviously everyone's got a Chevy Colbolt -- every tourist -- or convertible Mustang, red. That's pretty easy to find. It's when they rent it on a free market basis to -- and they're say that family members. And that's the provision that we have a problem with on the Council side.

Ms. Gima: Thank you. Anyone else? Okay, we're gonna go ahead and close public testimony. Commissioners, any questions, comments, discussion?

Ms. Beverly Zigmond: Madame Chair? I don't believe that I grasp the idea that Joe just pointed out right now, which is under the Council's proposal. It's not explicitly stated that it doesn't explicitly prohibit short-term rentals, and I would like to see whatever we do on Lanai prohibit short-term rentals in those accessory dwellings.

Mr. Alueta: Just to be clear, this is for the new definition of an affordable accessory dwelling that the Council has created. So it would only -- that would only apply to the lots between 5,000 and 7,499, which is where, currently, you cannot build an accessory dwelling. Okay.

Ms. Gima: Commissioners, any other questions, comments?

Ms. Zigmond: Madame Chair?

Ms. Gima: Yeah?

Ms. Zigmond: Joe, I'm sorry, I am not remembering so much from last time. Do we have in the Council's proposal a limit on the number...of dwellings and, or the size?

Mr. Alueta: Yes. I created on page 3, I tried to create a handy-dandy cheat sheet for you to keep track of, of what's going on. Council's proposal would again, again, only impact lots between 5,000 and 7,499. Okay. So currently under the current law, you are unable to build an accessory dwelling of any size. Council would create a new definition called affordable accessory dwelling that would basically allow for these smaller lots, between 5,000 and 7,499 to build an accessory, an affordable accessory dwelling for lots between 5,000 square feet and 5,999 square feet, they would be able to build a 400 square foot accessory dwelling. And for lots between 6,000 square feet and 7,499 square feet, you would be able to build a 450 square foot accessory dwelling. At the last meeting the Commission noted that they did not want to have any limit on the size. At least that's what I heard and that's what I have in my notes that you didn't want to have a limit on the size of the accessory dwelling. So that you could build a larger accessory dwelling. You felt the 400 and 450 was too small. That would be, you know, for families, I guess you could say, I guess maybe that was your -- the concept behind it and that's where the need was. I'm not sure. I mean, so -- but that was in my notes.

These lots would still be...subject to meeting the provision for infrastructure. One of the main concerns that we had, when this Bill, as I had pointed out, had come around about six years -- seven years ago, in 2009, was that the lots of these size typically are within your older communities. We had, again, did a similar map like this that was passed out between on Lanai, as well as Maui and Molokai, which shows the neighborhoods that would have it, and most of them are within your older neighborhood where they lack side walks. I went running today, your sidewalk system is very unique. I had to cross the road several times to get on the sidewalk so -- but it --. And then most of your main residential roads, obviously, there was no sidewalks, so -- and that's not so much of a problem. The infrastructure that we'll be looking for is primary sewer capacity, sewer -- not just in the -- not just in the plant itself, but within the pipeline itself and the pump stations that go along with it, as well as the water services that would be needed to supply depending on -- I'm not familiar with how well the water system is here. In some areas of Maui, most of them have been upgraded. However, some are may still be under a cast iron -- I mean, not cast iron, but under galvanized pipe and -- you know, in some of older neighborhoods, so they don't have enough water pressure. But that would still be, again, the comments from Public Works and Water Department, they were like, we've got no problem with it, as long as we still have the veto power when the lot comes in for their building permit, we're

going to say there's inadequate capacity. So, just because you approved it down to 5,000, doesn't necessarily mean that every lot is going to qualify for it. It's all going to still come to down to -- unless the Council says you don't need to. But who knows what they do. But it's -- that's typically what the comments are coming back from. And that was our concern the last time that many of these neighborhoods -- maybe they make the water, maybe they make the sewer, but as you all know and you voiced at the last meeting that you start putting in another family of four, where do they park? So, you know, and from that aspect.

Again, the comments that we had at the previous meeting was, and, you know, it was Christmas time, so I was trying to Christmas tree, hang, put the ornaments of my residential ordinance. And the residential ordinance that, you know, the Council did not approve everything. They only took a part of it, and they didn't approve what I considered, or the Department considered to be important components. And one of that was the lot coverage which would have been the 40% lot coverage. So that if you have a house or the footprint of the dwellings only cover 40% of the lot, there's still a potential for room for one, percolation, but also for parking, so that you don't have setback to setback construction. Which is what you typically --. I mean, I think there's a few aspects of it here, so -- but that's, that was our concern on Maui, as far as that, you get the setback to setback construction. And all of sudden there the minimum of two stalls per dwelling unit, and one per accessory dwelling. And they work based on mini -- small lot size. I mean, small size that Council is proposing. Because if, you know, 400 or 400 square foot accessory dwelling, if that's only rented to one person, no problem. Maybe a couple, but most people, almost everybody has one car per person now, so that's where we run into trouble.

But, again, to summarize back at your comments at the last, and what you've said so far I got, you wanted to maintain affordability; parking in a concern as I talked about; noted you didn't want the have limits on the sizes because you felt the size was too small for family to really make it useable. Again, you want it down to 5,000. You didn't want to go down below 5,000 on the lots. And then the concern also was to make it clear that TVR's would be prohibited somehow in that definition that they've created.

Ms. Gima: Thank you for that recap because, yeah, it was a month ago, and a lot, I think, has slipped many of our minds. So Joe what is the specific action or decision that we're making? To just approve? No, it's not approving.

Mr. Alueta: If you are comfortable with the Council's proposal, you can recommend that you support or you recommend approval of the Council's Resolution, and you can put in certain modifications that we talked about, such as....I guess for you guys, you would, probably your notes would be that you would want to see an increase in the size of the accessory dwelling at 400 and 450. Under the affordability, it may be too small for families. And then also to make it explicitly clear that it should be no TVRs allowed. But everything else they're proposing which is -- and we'll make a note of it is that you want to maintain that affordability, you want to -- and we'll put all the notes -- we just didn't get a formal motion. So if you want to just formally make, support with these comments, these five comments that I have, then that would be the motion basically.

Ms. Gima: Commissioners, any other questions? Go ahead Stacie.

Ms. Koanui Nefalar: I'm not fully comfortable with having -- with it -- with not having a limit for me. I wouldn't want my neighbor, both neighbors on the side of me to be setback to setback. Like, it's just going to be so crowded. I don't want to live like that, and I don't think any other community people would want to either. We do need housing. You know, we do want our families that have moved away to be able to come back. So having a, having an accessory dwelling on a property would be, would be nice, but not to the point where it's overcrowded.

Mr. Alueta: Okay, when you're talking limits, that's why -- the limits that was previously discussed was on the square footage of the accessory dwelling, not so much on the number of the accessory. It's pretty clear they will be allowed one. So you have your main dwelling, and then you'll be allowed to construct a one accessory dwelling. Part of the provisions that we also want clarified within 19.35 -- again, one of my Christmas tree ornaments. I wanted to add on to the existing bill was to make it clear that, that you can have an attached accessory dwelling. That is -- it's, it's explicitly implied based on the designs, on the standards that are in 19.35. But we want to make it clear that, you know, this accessory dwelling can be attached. So essentially you'll have one large, or a house that could be divided and have two kitchens in it. So you could have an area walled off, and you would have one area that's 450 square feet which could be conveniently the size of the carport, enclosed, and then a kitchen added, which is, you --. And then the next one is that there's a main dwelling has its own kitchen. And so you basically have two units. One is just designated as the accessory dwelling. So that's pretty much how --. I think -- and that's where some of this, like I said, if this is passed in some form or another, you'll -- you may just have a lot of illegal accessory dwellings become legal now. Especially on Maui, there's quite a few, I mean, that, that we have to deal with. But that's kind of where we're -- you're kind of headed. So if your, if your concern is the number of accessory dwellings, then you're still only going to have one. If you're concerned a number by region that's, again, not going to be able to be stated without -- I guess the only limit would be based on infrastructure.

Ms. Koanui Nefalar: Yeah, my would be more of -- I'm more concerned of size.

Mr. Alueta: The 400, 450.

Ms. Koanui Nefalar: Well, if we not put a limit on it, then would it be too big? Like how --

Mr. Alueta: Again, I'm just repeating what you guys -- that was my interpretation from last, last month was that -- last year that you --

Ms. Gima: I don't think, and correct me if I'm wrong Commissioners, I don't think we recommended that there not be a limit. I think, if anything it was the opposite.

Mr. Alueta: Okay, that's, that's --

Ms. Gima: Yeah.

Mr. Alueta: -- great. I mean...but if that's -- if you want to say that, like I said, your formal motion is to maintain those limits of the 400 and 450. So that would be -- you can change it to that or that can be the motion. So note that to maintain the limits on size.

Ms. Gima: Yeah, that, that sounds more accurate. When I heard you say that I -- it, it sounded a little off. I don't, I don't think we ever said that not to have a limit on the size of accessory dwellings.

Ms. Zigmond: No, because my stomach tightened that, and so thank you Stacie for bringing that up. Because we talked about all those construction workers.

Mr. Alueta: I, I think the reason it came about was that we had -- again, there was a lot of things going on, a lot of concepts being thrown at you, some new, some familiar. One of the concepts was, that came out, that was supported by a few Commissioners on Maui was that don't have a limit. You can have two dwellings. Two. You can have one main and one accessory dwelling. What's the difference if somebody builds a 2,000 square foot house and a 450 affordable accessory dwelling, as opposed to somebody building a 1,500 square foot house and another 1,500 or a 1,000 square foot square foot accessory dwelling. The impact is you still have two dwellings on the lot, and so I think that's where you guys had kind of said, hey, maybe we like that concept and we want to see no limit. And that's where -- sounds familiar. So I don't --. Again, I'm not trying to put words in your mouth. I'm just saying how I came to that, on my notes, that's where -- I'm trying to track back to where it could. So if you want the limits, or you like the limits that are being set by the Council in their proposal then, then this should be a slam dunk. You just make a motion to approve the Council's Resolution as, as they have it, and then we note your concern on maintain that affordability, parking is a concern on Lanai and that may be addressed by having a stricter parking requirement, note to keep the limits of the 400 and 450...don't go below the 5,000 square foot in the lot size that's being proposed, and make it clear that these can't be used for transient vacation rentals or B&B.

Mr. Oshiro: Joe, the Mayor's and the Council, they say that on each property there's suppose to be two parking space per dwelling, plus another one for the accessory? Three?

Mr. Alueta: Yeah. That's, that's in 19.36, the parking ordinance, and it doesn't change. And none of them have made any provisions to change that. And I take it that there was no, no support for having more, more accessory dwellings on larger lot. Okay, so just as the proposal is pretty much. Okay.

Ms. Gima: No, we're not talking about the Mayor's. We only have the Council's Resolution in front of us. I think we decided on that.

Mr. Alueta: You made it pretty clear you didn't want to deal with the Mayor's one.

Ms. Gima: Right, we did that at our December meeting, so it's specifically just the Council's resolution. So is there anyone wanting, you know, to make a motion? Joe just kind of gave a good overview of how he would word it with out comments.

Ms. Zigmond: Madame Chair, I will make a motion to approve what Joe just said with the correct understanding this time, and noted comments...for the Council's proposal.

Ms. Gima: Okay, so Beverly made the motion, Brad second. Joe, can you just read it again for the record exactly what you said earlier?

Mr. Alueta: Sure. My understanding right now is that you're making a motion to support Council's Resolution 15-112 with regards to affordable accessory dwellings. You want to stress that it should maintain the affordability; parking is a concern for Lanai; note that you don't want to see any changes to the limit that's being proposed which is currently 400 square feet and 450 square feet on the affordable accessory dwellings; do not go below the 5,000 square foot lot size as proposed; and to make it explicitly clear that no -- none of these affordable accessory dwelling units can be converted to a TVR or B&B.

Ms. Gima: And before we vote, any discussion Commissioners? No? Okay, so all in favor of the motion raise your hand. One, two, three, four, five. Any opposed? None, so that passes. Thank you Joe.

Mr. Alueta: Thank you very much.

It was moved by Commissioner Beverly Zigmond, seconded by Commissioner Bradford Oshiro, then unanimously

VOTED: to approve Council's Resolution 15-112, with regards to affordable accessory dwellings. And stress, it should maintain the affordability; parking is a concern for Lanai; maintain the limit being proposed which is currently 400 and 450 square feet; not go below the 5,000 square foot lot as proposed; and affordable accessory dwellings cannot be converted to TVRs and B&Bs.

(Assenting: S. Ferguson, K. Gima, S. Koanui Nefalar, B. Oshiro, B. Zigmond)

(Excused: J. Aoki, M. Baltero, J. Barfield, S. Marlowe)

F. COMMUNICATIONS

- 1. Planning Department transmitting a status report memo on the Planning Department's study to amend the Lanai Special Management Area (SMA) boundaries (First presented at the October 21, 2015 meeting.) (K. Aoki)**

There may be ongoing community discussion.

Ms. Gima: Up next we have our Item F, which is Communications. Is it -- am I looking at the right thing? Yes. . . .*(Ms. Kelli Gima, Chair, read the above project description into the record.)*

Mr. William Spence: Good evening Commissioners. I know this is a long time coming. There's a lot of comments and a lot of, you know, discussion with everybody. What we did, we listened last time, and I know you said you didn't want any maps, but we provided you some maps anyway. Not, not a proposed SMA boundary, but just the kinds of information that we're going to be using to help you develop the new boundary for the SMA. The -- I brought with me, Kathleen Aoki. Some of you may know her from before when she --. At one time she was a member of the Long Range Division. She was a member of the Current Planning Division, working under Clayton. She was Deputy Planning Director, and actually did a time as the Planning Director. She left for Kaunoa Senior Center, and is now coming back to head up the Planning Implementation Division. This is a small division that we're -- that we recently formed. You know, one of the biggest complaints is nobody does anything with our communities plans, and you know -- right on Ron -- so, so you have things in your community plans that, you know, do this ordinance or that ordinance. You know what, it's, it's small, and our community plans are very ambitious, but at least we've started the division to be tasked specifically to do those things. So I welcome Kathleen back into the Planning Department. She has a lot of experience and a lot of knowledge in these areas, so anyway, this is going to be her assignment now, and we'll see where this goes.

Ms. Kathleen Aoki: Thank you Director Spence. Yeah, so far for those of you that I don't know, it's nice to meet all of you. I think Beverly is about the only one that I kind of remember. Yeah. So Will has asked me to take on this task to look at and amend the SMA boundaries for Lanai. What I wanted to do today was basically sort of -- if you'll humor me -- start off on a fresh slate because I really don't know the specifics of this body and what it is that you wanted to look at. And so I wanted to just sort of have an informational gathering meeting for you to tell me what concerns you have with the current boundaries, if there's specific areas that you want to look at. We can bring my GIS person over who can show you different layers a little bit more in detail than what these maps provide. But I wanted to at least give you something to start with. There's other layers we can look at too. I just want it to be clear that the layers that we look at, a lot of them, are things that are already produced by other entities, agencies, the State, so they're only as good as the information that they have gathered. So you may ask for things that we may not necessary be able to provide because there's just not the information out there. But you can always ask and we can check and get back to you. So with that, I'll leave it up to you Chair. That's how I'm kind of looking at this. If it pleases you, we can start that way.

Ms. Gima: No, yeah, that's fine. I'm glad you want to gather information from us. This was brought up back when John Ornellas was chair. This was his, his thing that he wanted to get on the agenda. And when I was reviewing my notes, I mean, he's been requesting to have this looked at since 2013. So it's been some significant time, and we made those requests, didn't get it on the agenda. I wish he was here tonight; he isn't. But correct me if I'm wrong, other Commissioners, his intent to bring this to our meeting on the agenda was, one, just to do an overall review of the SMA guidelines. Review it. I don't think there's been any major changes or amendments since its inception. So just wanting to do a general review. And then, two, I know he was looking at when it comes to the shoreline setback -- I'm trying to remember here -- he was wanting to look at the boundaries being an elevation versus going back. I'm pretty sure

that's what it was, and I can try and get more information from him because really it was his little, you know, his...thing to get on the agenda. So like I said, I wish he was here tonight. I appreciate you coming and listening to us, and wanting to gather information. And...I mean, I'll open it up for public testimony in a few minutes as well, so if anyone else from the community wants to comment. But that, kind of in a nutshell was the reason he brought it up and -- and anything else?

Ms. Zigmond: Madame Chair? I -- I believe that in addition to it being John's request for a long time, it will be helpful for all of us because of various changes that are going on the island and proposed changes and etcetera, so if we have some idea --. And I'm actually you put the maps even though we said we didn't need them, but thank you because that was very helpful. And I think the discussion is going to be valuable going forward for all us as...as we continue to see the changes that are going on the island so thank you for that.

Ms. Gima: Yeah, and think also, just in additional to what Beverly is saying, you know, we have new Commissioners that come on. Obviously we have SMA applications that come before us and the community might not be aware of certain things, so I think, just having an overall review will be helpful especially during the times where we don't have big action items on our agenda. This is something that we can be doing that I feel will be really productive not only to the Commissioners, but to the, to the community as a whole.

Ms. Zigmond: Madame I, I...I believe that since -- I don't know how many years ago it was -- but we did amend the Rules so that this Commission reviewed exemptions. I believe that was something we did.

Ms. Gima: Right. Yes. You're right Bev. So what I'm going to do, I'll, I will open for public testimony, just so Kathleen, so that you can hear from the community, get some feedback as well. Who would like to start off? Ron? Okay, come on up.

Mr. McOmbler: Yeah, this is really frustrating. My name is Ron McOmbler. I'm a member of the CPAC. I remember when the CPAC asked specifically if we could deal with this issue, and we were told at the CPAC that it was not anything that we could do or deal with, with the SMA because it's already a boundary set. Because there are some spots on the island that we thought that we needed to change, either the height of the setback because some of it is right down on the ocean and some of them are cliffs. We wanted some stuff above the cliffs that would be protected. But we were told specifically -- now this is frustrating to me because the CPAC specifically asked if we could deal with this and be brought before you folks as a final thing with the community plan. This is not -- I'm really frustrated about this. This is one of the reason we're upset about what's going on with the County right now and our community plan. This is a big chunk that should have been addressed at the CPAC level. And now they're coming up with this document? I wished this document had come out while we were sitting at the table with the CPAC. This is, this is not comfortable for me, as a member of the CPAC. We asked if we could do this, and we were told flat by the Planning Committee you can't do it, and, and it's not a questionable thing.

Ms. Gima: You asked to do what specifically? To make –

Mr. McOmber: To address some of the, some of the SMA setbacks around the island.

Ms. Gima: Okay. Not to make any amendments at that time; just to address this.

Mr. McOmber: Yeah, no, but we did -- what we were -- as part of doing the planning, there were areas that we thought that should have been, the SMA distance should have been changed, either in height or in setback. And we were told specifically by the Planning Department, at that time, we couldn't do it. Now, this, this thing came out. I wish this has come out a year ago then we could address it where it should it been. Not only in your laps, but it should have been done with the CPAC. CPAC should've addressed this. And we specifically asked for it. And so it's really frustrating from my side of the thing.

Ms. Gima: Well, the good news is it's better late than never, and it's here now, and members of the CPAC can be here in the audience to provide comments. I mean, it's here now. It is what it is, and so moving forward, you know –

Mr. McOmber: I understand that, but still what's frustrating is it wouldn't have been so bad if we had to ask for it in the first place.

Ms. Gima: Okay.

Mr. McOmber: And now, and now it shows up a year and half later.

Ms. Gima: Okay. Yeah.

Mr. McOmber: This is, this is not acceptable. I'm sorry. Thank you.

Ms. Gima: Thank you. Anyone else? Stan.

Mr. Stanley Ruidas: Hello, Stan Ruidas, Lanai resident. When I was part of the Planning Commission back in, I guess, 2008, I initiated this under Clayton, and Kathleen was the Director. So that's the history of when it started. The reason why it started is because we don't have a definition of the SMA. It's just a thin line around the island without the definition of how far it is from the waterline. So, while looking at the island and talking to Kepa back in those days, we didn't want to put -- well, we didn't want to mark all the archaeological sites because then people would come and disturb them, okay. So we went with like a -- like for, like, the west side, you cannot go to elevation because it starts off at, I don't know, 1,500 feet or something. So you would go with a distance. So round number would have been around 1,000; 1,000 feet from the shoreline. But then when you run into areas where, like, on the east side you got, you got sites way up above, so that's why the elevation proposal came into play and that was a round number of 1,500 feet. But it could be a 1,000. So if you make it a 1,000, 1,000 and when people come in for an SMA whichever proceeds the other will take effect. So that was the thought about defining our SMA and updating it.

Ms. Gima: And so what happened when you brought that up?

Mr. Ruidas: Well, you know how meetings go on Lanai. We cannot have a meeting just to have a meeting. That, that is what was written in my e-mails. When we brought it to the CPAC, we had put it in and the County had take it out. So, at least, you know, now it's on the table.

Ms. Gima: So, it, it, it sounds like since about 2008, the community has been asking to review this, and proposed amendments, and nothing has happened.

Mr. Ruidas: Yes. And the sad part is this is the Planning Commission's SMA. So if you cannot change your own rules, why have rules? You know, you cannot manage rules that you cannot define, so, so that's what I have.

Ms. Gima: Thank you Stan. That was really informative and helpful. Thanks.

Mr. Ruidas: You're welcome. And thanks to Will and Kathleen for bringing it up. At least it's on the table.

Ms. Gima: Any other community members, questions, comments? None? Okay, we'll close public testimony. Commissioners, any responses to what either Ron or Stan brought up?

Ms. Zigmond: Madame Chair, I remember there being resistance at any attempts to change our rules or boundaries, so when Stan say you can't just have a meeting to have a meeting I -- thank you for saying that Stan. So, again, I'm glad that this is here, and I think maybe we need to make sure it stays here until we are happy...with what we want. Thank you.

Ms. Gima: Commissioners, anyone else? Kathleen, any specific questions or for the two gentlemen that testified?

Ms. Aoki: For Ron, he mentioned, you know, in the CPAC discussions there were specific areas. It would be helpful if either he can share that with you if you're willing to have that discussion...so that I can start looking at these areas. Because what, what would probably -- you know, you can do it kind of you can look at the entire island which I would recommend, you obviously look at the entire island. But there could be areas where you're fine where it's at. So you would to relay that, you know, this is okay, this is not, there is where we really want to look at. What we did with one of the maps is we provided you the proposed Community Plan map that is going up before Council so that might be something you'd want to look at in the areas that are proposed for expansion. I think what's important to remember with the SMA is that your focus --. There's --. You know, we provided you with Chapter 205A, so all those different things is what you're suppose to be looking at. We have to remember that it's a coastal management program. So, somehow wherever you make that line there has to be a rational nexus to what it is that you're trying to protect and all those, you know, things that you're looking at. So, you know, it's going to be hard to try to say, okay, well, there's this feature or it, you know, the runoff might come down, you know, from up here, there still has to be that nexus. So to say, oh, there's a -- and also archaeological. That's why we put that specific map in. But if there's

something that's two miles off the coast, you know, you can't be drawing lines that goes like this and come back down. So I think as long as you understand -- you keep that in mind on it's a coastal protection, what it is you're trying to protect. You know, you want to maintain your access. You want to maintain your scenic view plains. All of those kind of things that you want to have a little bit more scrutiny over when somebody comes in to do a development. Because it may not necessarily just be a hotel or something like that, it could be your neighbor that wants to do something eventually down the road, in 20 years, in this area. So what is it, you know, what is it that you're trying to protect. So, Madame Chair, again, if Ron happens to remember the specific areas that the CPAC mentioned, and then you guys can discuss it, but that would be helpful.

Ms. Gima: Well, Ron is still here. Do you remember the specific areas that you folks spoke about and would like to share with us?

Mr. McOmber: Ron McOmber again. As Stan would say, and it would really be hard to go back now and, and go through that unless you're giving us the time to do that. You're taking it basically out of our hands. We have nothing to do with this anymore at CPAC. And as far as the statement she had made about well some of it's going to be up and some are -- yes, it is because the shoreline isn't just straight going all the way around. There's some canyons, and there's some hills, and there's some stuff that needs to be protected. We wanted to address that at the time so we wouldn't have this problem now. And it would come forward. It may have been thrown out like some of the other stuffs that had been thrown out, but, you know --

Ms. Gima: But do you remember the specific areas that you guys --?

Mr. McOmber: No.

Ms. Gima: No. Okay.

Mr. McOmber: I think we need to sit down with the map again and talk about it. I mean, it doesn't make any sense. We were cut off. We were just told we couldn't do it any way. So we would take the boundary that you see on the map, and it's this all the way around the island. It didn't make any sense to us.

Ms. Gima: Would you be able to talk with some of the other CPAC members? Maybe they can recollect, you know -- because Kathleen just wants to know what you guys were referencing when you were looking at the different maps. And then kind of find out those specific locations and areas.

Mr. McOmber: Well, I think -- I think if that is going to be the case then we need to get back together and sit as a group, and sit and talk about it. I mean, it's not just my personal opinion or Stanley's personal opinion. Your dad may have the same opinion. There's all kinds of people that sit on that CPAC, and there's some people that didn't give a damn, but some of us did. And so I don't know. Maybe this is the way to solve but I'm a little hoo-hoo that we were basically told you couldn't do it.

Ms. Gima: No, I, I understand. I, I just wanted to address her specific question right now about the specific areas.

Mr. McOmber: Well, I mean, I can sit down, but there are other people on this island that we referenced and talked to -- fishermen that hang out in these areas that I don't hang out in the areas.

Ms. Gima: So it sounds like it would be very helpful to have this again on the agenda specifically to gather community input whether it's previous CPAC members that -- and then Kathleen you would be able to take that information and then we can see where we're going to go from there. Yeah, because I understand Uncle Ron. It's not just CPAC, it's not just the Planning Commission, there's many other community members.

Mr. McOmbers: Whether we had brought it to you with a final package, you would have looked at it say, oh, this makes sense.

Ms. Gima: Sure.

Mr. McOmber: I don't know, I hope you would say that but we were shut off. We were just told you couldn't do it. It -- you can't change the SMA, and we were a little upset about that. I mean, that was basically taken off the itinerary. Thank you.

Ms. Gima: Right. Thank you.

Mr. Spence: Just a comment, Madame Chair. And I can -- I can appreciate Mr. McOmber's frustration with it. The CPAC was time constraint; six months. You know, a lot of stuff happened and everything. But they had six months to complete what they were suppose to do, and it's very well laid out in the County law what the CPAC is suppose to review. SMA is not one of those. Even if, even if the end the CPAC felt constrained for time. If we took a lot of time doing something that was not prescribed by law, that would take away time from doing other things like land use and these other policies. The...if you look at the very first page of this memo, we include, regardless of whether the CPAC got to look at the SMA boundaries or not, we're following up with one of the, one of the policies in there to review the SMA boundaries and make changes as necessary to comply with the objectives and policies defined in 205A, Hawaii Revised Statutes. That process is really more properly in front of this Commission. And, and...these are your boundaries. They're set by you. I remind you that, you know, it has to go through review, not just here, but also the Mayor has to sign it. Whether it --. You know, Mayor has to sign it, it has to go for review with Office of State Planning, who implements the CZM Program for the State of Hawaii. But, this is a very public process. Anybody, as you've pointed out, anybody who wants input into this, we welcome that input.

Ms. Gima: Yeah, and thank you Director Spence for pointing out that it is this body's boundaries and we're the right entity to look at it. And regardless of what didn't happen in the past because, I mean, again, as Stan said, this has been brought up back in 2008. Whether it was brought up back in 2008, or when CPAC, or when John had requested for it, I think we need

to focus right now that it's here now. We obviously have someone assigned to this task which is great, and that you guys have finally heard us that this is something we want to do. So I think it can be really exciting moving forward especially getting the community's input –

Mr. Spence: Right.

Ms. Gima: – on this. And, you know, I look forward to, to working with you more on this Kathleen, and moving forward for our community.

Mr. McOmbler: Madame Chair, may I?

Ms. Gima: Yes.

Mr. McOmbler: William said that we had six months. Now how come it took us nine months? It took us nine months.

Ms. Gima: No, I understand Uncle Ron.

Mr. McOmbler: Well wait.

Ms. Gima: No, no.

Mr. McOmbler: The argument is we had so much stuff thrown on the table when we first started because Pulama come up and threw a whole bunch of stuff that we –

Ms. Gima: Okay, Uncle Ron, I gotta stop because I hear you. I hear you completely, and I know that you might have been –

Mr. McOmbler: This was more important than what Pulama was throwing.

Ms. Gima: Okay. But this is -- it's here now. What happened six months ago, happened six months ago. Not to say that I agree with it, but it's here now and we are moving forward. It's on the agenda.

Mr. Oshiro: I've got a question. Okay, I remember when I first came on the Commission, when we were doing -- I don't know what we was doing -- we met on a Saturday, and they brought in, the County brought in University of Hawaii Oceanography and they said that in 18 -- I mean, 30 years the ocean going rise 18 inches, which pretty much going wipe out the east end of the island. So are we going to draw a new boundary in 18 years, I mean, in 30 years, or what's going to happen? You know, I just kind of throwing that question out at you.

Mr. Spence: I think that -- I should really give this to Kathleen. But this is all sea level rise, coastal hazards; those are things that are addressed in 205A. So as we bring this forward to you, bring it for information, those are things for you to consider. The SMA boundaries are not adjusted very often. I forget, like, probably 80's per . . . (inaudible) . . . maybe, maybe earlier

than that. So, it's, you know, my opinion perhaps it has been really too long since we've looked at where the location is. The...I know Maui is long over due for this as well. But...they should be reviewed periodically. What period of time that is, I can't exactly say. I think 20 years is too long, or more.

Ms. Zigmond: Madame Chair? Thank you. I'm delighted to hear you say that, and we are just the people to do it, so I'm going to make a request, Madame Chair, that we have a standing agenda item and every time that it is possible without going over the limits of, you know, midnight or whatever need be, that we talk about it because it is going to be a process as everybody is saying. So, we can get other the CPAC members here, we can get the fishermen, the fisherwomen, whoever needs to come, but I think it should definitely be something that's ongoing and we don't let it slide again because shame on us if we do.

Ms. Gima: Yeah, I mean, I, I, I like that idea Bev. Again, obviously, if we have a long agenda item of things that we need to vote, we wouldn't get to it, but just having it there, I think reminds everyone, the Commissioners, Planning Department and the community that this is on everyone's minds and it would be great to continue to get the feedback from Kathleen. If there's any updates on your guys end, I think that would be good for all of us. Back there sir, I need you to come up to the mic.

Mr. Bernier: I have a request for this that since you haven't looked at it in 20 years or so that someone put it on, like, Google maps or something on the computer so you can blow up and expand as opposed to just passing handouts around. And then when it comes time for the community to come up with suggestions, they can all go to their computers in advance and, you know, look at the areas that are under consideration. Because going through with, you know, lots of talk and lots of things, unless you can see it specifically, and I don't know if that exists in your system, that would really be helpful for everybody.

Ms. Gima: Sir, can you just state your name for the record, again.

Mr. Bernier: Jon Bernier.

Ms. Gima: Thank you. I, I like that request. I think that would be helpful. Any other community members...want to comment on this? Okay. Kathleen, I think you've heard from us, pretty much, what we'd like to see moving forward.

Ms. Aoki: Yeah. So what we can do is, like you say, put it on as an agenda item, and each time I come, if I have information to share or more maps or whatever it is, we can have that discussion. So I'm fine with -- you know, it's going -- as long as nobody has any kind of expectations on that sort of format that it's going to get done in two months, because it's not. Yeah. Okay. So, I'm totally fine with that, and gathering information, and listening to the public, and having you folks comment on it. I think that's about the only way this can kind of work.

What I wanted to say to this gentleman is the SMA boundary maps are located -- they are available on the State -- okay, Clayton help me -- it's on the CZM link for the State Office of

Planning. So if you go to the State Office of Planning, and you navigate through to their coastal zone management section, you will see SMA maps. So it's going to look like this. And you can, you can, you can hone in on certain areas and kind of look.

Mr. Bernier: . . . (Inaudible. Did not speak into a microphone) . . .

Ms. Aoki: I don't know. I think they're just PDF maps. They're not GIS kind of layers or anything.

Ms. Gima: But you guys have the way to do that if you guys presented to us, here, correct?

Ms. Aoki: Right.

Ms. Gima: Because I think we've had that before I think when we were reviewing the community plan.

Mr. Spence: I think what we can do, we can -- we can put a link to the Office of Planning website where this is located. We can put that on the County website. But also...as information is provided to this Commission, we can also make sure that gets up on the, on the County's website and it can be downloaded for the general public. So, if, if that's -- if that's enough information on that, I'd sort of like to ask what this Commission wants to see next time.

Ms. Gima: For me, I think, next time just --. Because again, yes, Kathleen, we recognize that it's a process, and I think part of that process is engaging the community and...allowing them to voice their concerns, or opinions, or thoughts, and kind of not just the regular people that are attending the meetings, and having a more, kind of diverse group. So I think that would be a start. I think it would be helpful to know from you specifically kind of what you would want to know from the community, or specific questions that you would have. But I think that would kind of have to start the process because we can sit here and tell you A, B, C and D, but if the community is not engaging --. And they might not. But I think having that option or having that on the agenda as, you know, Kathleen is coming to gather information from the community.

Ms. Koanui Nefalar: Madame Chair? Kathleen, did you say earlier that you could bring a GIS person?

Ms. Aoki: Yeah. I, I have a staff person who is a GIS analyst, so...part of it though, I think, is that we have to make sure there's Wi-Fi. Don't they have to get on to some -- or he downloads it on to his computer. I think there's kind of a mix of everything. So, I'll have to talk to him and see. But he does know that he's going to be asked to come here, to, to answer those sort of technical questions when it comes. And then he can, you know, enlarge areas, or tell you elevations. Again, you want to have a sound basis for why it is you're drawing a line where you're drawing it.

Ms. Gima: So maybe that would be great, for the next, to have those visuals here so when the community does come out and wants to provide feedback that those visuals or those maps are,

are an option. Another -- I think we had when we reviewed the community plans, Tara Owens.

Ms. Aoki: Okay.

Ms. Gima: She did the sea level rise coastal hazards. I think that would be great to have kind of someone with that expertise to come and talk about that as we move forward and, and looking at possibly making amendments to the SMA.

Ms. Aoki: Okay. Would you want her --? I mean, has everybody heard her presentation?

Ms. Gima: No every one this Commission. Because not everyone sitting here was reviewing the Community Plan, and not everyone in the community as well. That's just a thought. Not to say that it needs to happen right away, but just a thought.

Ms. Aoki: Yeah. Okay. That's -- yeah, like Will was saying, it will be multi-meeting kind of thing.

Ms. Gima: Sure. Sure. Absolutely.

Ms. Aoki: Okay.

Ms. Gima: We're not asking you, we're not asking you to get all of this for next month.

Ms. Aoki: Okay.

Ms. Gima: Yes, multi-meeting over a time; just some suggestions.

Ms. Aoki: Okay. No, I appreciate that.

Ms. Gima: Commissioners, any, anything else that you want to share with Kathleen? Anything else Kathleen, Director Spence?

Mr. Spence: The -- Madame Chair, the only thing I wanted to really point out is because we included the 205A, Hawaii Revised Statutes 205A. We included those because this -- this is what your boundaries, the goals of your boundaries. Okay. We'll start of 205A-2, the Coastal Management Program. The objectives and policies, like recreational resources, we can map those. Historic resources, we can map those. We don't want to give away too much stuff away to the general public, but we're, I like to call to them treasure hunters. We see that unfortunately. Scenic and open space resources, coastal ecosystems. We have, we have data layers for each one fo those things. And so what we would like to do, at least to me, your boundaries should -- could and should give consideration to all of these different objectives...and the policies, the --. And then there's some specific things also, in later on in 205A is 21, Special Management Area the findings and purposes. And the County Special Management Boundaries, the law regarding that. And so these are the things that and -- that we're going to try to follow is we go through, you know, this process. It's technically, I know that we use SMA for project review. It's not suppose to be. It's suppose to be more of an

environmental review. So, there's some, there's some boundaries that we need to observe, but within those boundaries, I think there's a whole lot of flexibility on what this Commission and what this community wants to see, so --.

Ms. Gima: Yeah, I think it would great to see those, those various layers and have those visuals, so that's something definitely that we can look forward to. Not saying that it has to happen month, but it's great to hear kind of the ideas moving forward.

Mr. Spence: And let me, let me just ask one question. Do, do you think...if we have more for the next meeting, do you think a bunch of members from the public would show up or –

Ms. Gima: Yeah, I think so.

Mr. Spence: Okay.

Ms. Gima: I think if we got the word out, and explained specifically -- I mean, a lot of people may not even know what SMA is, and so getting it out there, well in advance, if we know that this going to happen, I think a lot of people will come out.

Mr. Spence: Okay. That's --. Okay. I'll say something on one of the next agenda items, but we'll see what we can...we can bring forward at the next meeting.

Ms. Gima: Okay. Thank you again, for getting this moving forward. Thank you Kathleen.

Mr. Spence: And...you know, I, I know there's been a lot of delays and stuffs. We just -- there's a lot of reasons for it. It's not -- I know there's perceptions that there's been resistance to this. I don't think it's been so much resistance as much as its been not staffing, or you know, focused on other things, or whatever. But, you know, we're adopting a new plan. I know this is a long standing request to this Commission, so let's go forward and take a look at it.

Ms. Gima: Thank you. I know we only have a few items left, but I need to take like a few minutes break, restroom break. Like, like -- no, no, I can't -- like, three minutes.

(The Lanai Planning Commission recessed at approximately 7:05 p.m, and reconvened at approximately 7:08 p.m.)

G. DIRECTOR'S REPORT

1. Open Lana'i Applications Report as distributed by the Planning Department with the January 20, 2016 agenda

Ms. Gima: Okay, let's resume the meeting, and going on to the last few items on the agenda. Under Item G, Director's Report, the first item, open Lanai applications report as distributed by the Planning Department with the January 20th, 2016 agenda.

Mr. Yoshida: Yes. Thank you. First of all, Madame Chair, I have to apologize. We also have from the County our, your Deputy Corporation Counsel, Richelle Thomson, who sees that we don't go too far astray from the parameters of the law. We have circulated our Open Lanai projects by TMK report if there are any questions by the members.

Ms. Zigmond: Clayton, I'm sorry, I don't have my cheat sheet of the, the acronyms, so could you remind us what CP and SUP2 is please?

Mr. Yoshida: CP is a conditional permit...that's for uses that are not specifically listed as permitted uses or special uses in the particular zone district. SUP2 is a State Special Use Permit of 15 acres or less, where the Commission is the final authority. Primarily for uses within the State Ag or State Rural districts.

Ms. Zigmond: Okay, I'll ask another question then too, I think we asked this last time, do we know where the Hale Ohana is, other than Lanai City?

Mr. Yoshida: Hale Ohana. I believe I would ask Kurt.

Mr. Wollenhaupt: I don't have the specific address. We're just in the process of sending Donna Lowy her permit. There were no complaints. I believe it's across the street -- I pointed it out to you, that's on...right, between the -- by the fire station, on the other side of the street. So there were no complaints and she had met all the requirements.

2. Agenda Items for the February 17, 2016 Lana'i Planning Commission meeting

Mr. Yoshida: Are there any other questions on these items? If not, our next -- your next meeting is scheduled for February 17th. We have scheduled the Conditional Permit application from Pulama Lanai to conduct up to 40 special events at the Manele Golf Course. The Department is moving forward in scheduling the meeting the four o'clock on that day. 4:00 p.m. to 5:30 p.m. so we can catch the 6:45 boat back to Maui.

Ms. Zigmond: Clayton, don't we get to vote on that? I, I, I object to that. I totally object to that.

Mr. Yoshida: I think there was a discussion at the last meeting that pretty much they -- I think the members there left it -- well, some --. Where we left it is they left it to the Department realizing that at times there may be difficulty in obtaining quorum.

Ms. Zigmond: I, I object to that. Let's go for Saturday then. We asked you to consider that. We are working people. And the public's not going to come. Kathleen, we were just telling her we're going to have public, people from the community come and testify or to, to listen, to give their comments on the SMA and you're shutting everybody out by doing that.

Mr. Spence: Okay. Madame Chair, just a comment on that. Part of -- part of the things we've

always said about starting at 4:00 p.m. is that if we have a big project, you know, if we're anticipating a lot of people, a lot of testimony on something, we will be staying the night. And so, that was one of the -- if -- I would anticipate members of the community coming out to discuss the SMA boundaries, sharing their manao, and a presentation of all the different data layers is going to take some time.

Mr. Oshiro: And, you know, the problem is yeah, okay, you probably not going to the president and the vice-president here because they work till 4:30 p.m. You not going get them at 4:00 p.m. come here. Who's going to open the meeting? I ain't opening the meeting. You know what I'm saying? You not going get the president of this committee, and the vice-president; they work till 4:30 p.m. So how do you expect, you know, us to get anything done?

Ms. Gima: And we shared that last time that, you know, if you start it four, there will probably at least four people who won't be here directly at 4:00 p.m. And so if they're okay with that after hearing it, then it's unfortunate for applications that come before us and need to be voted on a timely manner.

Mr. Spence: I know. And as I recall the last time that we met, it was sort of a "you know, you gotta do what you gotta do." And you know, this isn't as an easy decision for us so I don't think Commissioners should consider that we're -- you know, I don't want to go to the litany reasons why, you know, why the Department has constraints, etcetera. I mean, if we have to hold it off till 4:30 p.m., then we have to hold it off to 4:30 p.m. That's, you know, something else.

You're going to have meetings where things are going to get done really quickly, you're going to have -- and that's going to be pau. You're going to have meetings that are going to be really long, and involve a lot of discussion and testimony, and we're perfectly willing to stay for those.

Ms. Gima: So this is not set it stone that every meeting is going to be 4:00 p.m. to 5:30 p.m. Because, I mean, I think we need to see how this plays out. I mean, because we could come next month and it could be a complete mess so this is not set in stone for every single meeting moving forward.

Mr. Spence: We would -- we need to start earlier so if we can get home, we can. If not, then, you know, we, we're going to stay the night. Just looking at the agenda items, you can pretty much anticipate the level of public participation and the questions the Commissioners are going to have.

Ms. Gima: Did you guys consider what we had suggested at our last meeting about Saturday visits? I mean, Saturday visits, Saturday meetings?

Mr. Spence: Again, we start running into things where we're asking staff to give up their Saturday to be here. We're asking one Saturday. We're asking this Commission to start.

Ms. Zigmond: Again, we did not approve that. The community had input before. You, you can't just arbitrarily say you're, you're going to change our meeting.

Mr. Spence: This is not arbitrary. We've been talking about this –

Ms. Zigmond: And we've refused. We've said no.

Mr. Spence: Okay, then, you know, I think if, if Commissioners can't make it at 4:30 p.m., you can't make it. We need to try this.

Ms. Zigmond: . . . (inaudible) . . .

Mr. Spence: Okay, we need to try this, okay.

Ms. Zigmond: . . . (inaudible) . . .

Mr. Spence: Okay.

Ms. Zigmond: . . . (inaudible) . . .

Mr. Spence: We're asking for an hour and half, once a month, rather than --. Hang on. Rather than asking staff to give up an entire Saturday. Asking the tax payers of this County to spend \$4,000 every meeting. That's basically what we're asking.

Ms. Gima: Can I just, just state that I think many of us who committed to volunteering our time to be on this Commission did it knowing what the hours were. So...you guys are going to do what you guys are going to do, and...and we'll see how it works next month.

Ms. Koanui Nefalar: But I think you would need community. Since we're talking about tax payers, we should ask the tax payers what they want. What is easy and –

Mr. Spence: I know this isn't popular.

Ms. Koanui Nefalar: Not that it's popular, it's just it's not...not wanted, not like –

Mr. Oshiro: You know, I'm the only one that can make it at 4:00 p.m., okay, because I'm retired, okay. The rest of the people that sit up here work till 4:30 p.m. And you've got a guy down here that owns a restaurant. And on Wednesday we get barge, so he's -- he, he might even be here. You know, if you push that to 4:00 p.m., he might be working. So what you going to do? I going sit here by myself?

Mr. Spence: Well, if nobody shows up, nobody shows up.

Ms. Gima: And that's a complete waste of the taxpayers' dollars after us telling you that, that could happen.

Mr. Spence: Somehow we can't --. I'm telling this Commission we cannot continue the practice that we have been going on. It use to be we flew back the same night. We can't do that. We

also can't just stay over; come over for a meeting, talking about a couple of SMA permits, and then spend the night.

Ms. Koanui Nefalar: Did you folks -- when the budget committee was in session, did you folks ever figure out to increase the budget for Lanai so you folks can stay over?

Mr. Spence: It's more than just a budgetary item. It takes about -- it, it takes almost two full days out a person's life. They get up in the morning, they pack, they make the arrangements if, if they have to make arrangements for children or for pets or whatever.

Ms. Gima: Director Spence, I'm going to stop you because I think we all that understand when we travel off island for work. We all get it. I mean, we understand it, but we do it.

Mr. Spence: We do it...but it's 48 hours of time for a two hour meeting.

Ms. Koanui Nefalar: These are -- this is our lives. These our lives, you know, what we're planning for people's --

Mr. Spence: Absolutely.

Ms. Gima: I'm going to propose --. We're going to open up public testimony because I think I see a lot of --. I mean, this is a community, they're allowed -- they want to be here, they want to provide testimony, so I'm going to open it up to public testimony. If there's anyone in the audience that wants to comment on this. So we'll start with you ma'am. Yes, please go on the mic and state your name.

Ms. Margaret Peary: My name is Margie or Margaret Peary, and it's kind of disappointing to hear this that the time will change. Like you said, you're all volunteers, most of you work, and just the --. I wish I had written down your comment, Director, like "oh well, if nobody shows up, nobody shows up." I think that was the comment and I was shocked because these are important decisions that are being made here and, and just that flippant remark if nobody shows up, oh well. Well then how does this Commission function? There -- they don't have a quorum if, if four people are not going to be here, particularly our chairperson and their vice-chair. It, it just, it is unconscionable as far as I'm hearing. And you signed up for this, you're being paid for this, these folks are not, our community needs our Commission, and I quite frankly am very disappointed. And if -- and I wasn't here to hear the previous remarks but it sounds like the Commission has said this is not okay, in the past, and they have reiterated it, and yet all of sudden it's being proposed and kind of put, like, oh well, if people come, they come. If they don't, they don't. I don't think that's a very professional attitude to take, and you guys need to figure something else out because 4:00 p.m. just isn't going to get it.

Ms. Gima: Thanks Margie. Let Jon, then Butch.

Mr. Bernier: Jon Bernier again. I'm going to take the other view point because I understand the, the people that come over here from Maui. That's asking a lot of them to do that. Yes, it's in

their job, but their job is not to spend that much time over here, so there's got to be some other way to do it. I don't know, maybe the ferry can leave an hour or later or something that one day a month; maybe not. But there's got to be something else that's got to be done. I understand your issues, and I understand their issues. And to say that, you know, making people stay a night over here on Lanai, that's not unacceptable. I understand their point of view. So there's got to be some way of people get together to figure another way, like starting at 4:30 p.m. But other wise, or other wise, just make sure that you keep the agenda items to fewer agenda items, and maybe meet more frequently or something like that. I have no idea what it is. Maybe you meet three times in two months, but you make sure that the people that come here can get back that evening. And so, you know, I understand both sides. You guys work and you guys want to finish your work and then go to this. And they have, you know, they have their work to do. So, there's got to be some other work around that can appease both sides, and I don't think enough time has been spent on thinking about it. I mean, I'm not -- I haven't heard all of the stuff, but there's got to be something else.

Mr. Reynold "Butch" Gima: It seems like the decision -- I agree with Bev. It seems like it was a unilateral decision. And I'm -- it also appears that the Planning Department is making this based on fiscal reasons, and I don't think that's wise to do that because I think in the end planning in general and our community loses out. Will, I think your reason about 48 hours is kind of weak, and I think if you were to understand what Lanai people have to do when we have to travel to County meetings or State meetings and the preparations that goes into it, having to accommodate Island Air or Ohana, and, you know, renting cars. So, like I said, I think, I think that's a weak reason. When the Mayor came over in 2014, community members offered some suggestions. And I don't know if you guys worked out the number with those suggestions. One of them being, as Kelli said, coming over on Saturday. The other one was chartering Expeditions which is a lot cheaper obviously than flying. I don't know if you guys cost it out that...recommendation. If you didn't then it makes the Planning Department's suggestion even weaker. By starting at 4:00 p.m., I mean, you put the Commissioners in a bad situation because either they come to the meeting late, possibly cancelling the meeting, or forcing them to take vacation which is costing them money out of their own pocket having to take vacation.

And I think it's weak too, Will, if you said, well if the meeting goes longer, then we'll find a place, we'll stay over night. Well, I think you just can't stay overnight on a whim. You, you guys are going to have to call ahead and say, Hotel Lanai or Manele, do you guys have room? So I don't think you can just say, oh, we're going to come over and then if the meeting is going longer, we're going to stay unless you bunk up at Ron's house or, you know, somebody's house. And, and, and that...and that just reinforces the concern that the Commissioners have had for, for many years, not only with the Planning Commission, but with many other State and County meetings where they get here and the people who come from Maui and Oahu are always fidgety about are we going to finish on time so we can make the plane or the boat. And that's not fair to the process, it's not fair to the volunteers in, in the meeting, and obviously it's not fair to our community. So I would tend to agree with Kelli. Okay, I heard a compromise, let's check it out. But if it doesn't work, then we gotta go back to square one. And if you guys have not checked out, costed it out Expeditions, you know, please do that before the next meeting. Thank you.

Ms. Gima: Thank you. You know, one other thing too, it's not fair to the applicants, you know, when their, their application is on our agenda and it's being rushed or we don't have quorum. And then secondly, I think we also spoke about in the past, other than the Saturday option was having, like, a video conference available, so you're not having to bring, five, six, seven people with you. You know, two people -- three people can stay back, join on video conference, present on their specific applications and then sign off versus coming and paying their way, staying overnight, another person to add to the rental car. I think something as simple as video conference would, could be very beneficial. Sure, there are specific people that have to be here every time, like, Clayton, Corp Counsel, Leilani. But you know when -- I'm just using you as an example, Joe, you were here for one application, Kurt same as you, if you're done, you can sign off the video conference and that saves x-amount of money right there. So that's also another option I know we brought up in the past as well. Well, yes...I mean, it -- you guys have made up your mind about next month. Whether we like it or not, Commissioners, that's what's going to happen. We're need to move forward with that, see how that goes. We all kind of have our, our...we see, we know kind of will happen, but I just ask that this not be set in stone. And if it doesn't work that we need to revisit this. And please look into the video conference option.

Mr. Spence: Okay, if this is --. A couple of things, it is much more than fiscal, so that's -- and I know I've said that, but I want to reiterate it. It's much more than fiscal. I have to look out for staff. I have to look out for all of these people's time, as well as yours and getting the goals of the Commission done. If it helps, we can start at 4:30 p.m. I still anticipate next time it's going to take longer if we're going to put up GIS maps and, and all that, so we're going to be staying over any way.

The -- we can look at an agenda. We can look at, oh, Pulama's wanting to do this. We know that's going to be a long meeting. You know, we can plan accordingly as far as reserving a place to stay and all that. But when it's a, you know, a bed and breakfast, an SMA Minor, you know, those should not be taking --

Ms. Gima: Remember how long it took for the -- our last meeting for the Resolution for the accessory dwelling. I think nobody anticipated it was going to take that long.

Mr. Spence: Okay, and those things are going to happen. But we have to try something different.

Ms. Gima: Sure. Okay.

Mr. Spence: If you want to do 4:30 p.m., we can start at 4:30 p.m. Okay.

Ms. Zigmond: So what will constitute it doesn't work for you?

Mr. Spence: I can't say that right now.

Ms. Zigmond: So if there's no quorum, then that doesn't work?

Mr. Spence: Well, right now we're cancelling meetings because we don't get quorum or we have no agenda items.

Ms. Zigmond: Very rarely has this Commission had to cancel a meeting for lack quorum.

Mr. Spence: Okay.

Ms. Zigmond: Very, very rarely.

Ms. Gima: It's probably happened once or twice since we've been on.

Mr. Spence: Okay. You know, I know this isn't population. I'm sorry, but we have to do something different so –

Ms. Gima: Okay, we can –

Mr. Spence: If you're better starting at 4:30 p.m., we can do that.

Ms. Gima: What I would suggest is that you guys take really what was said tonight, look into those other options, and we'll hear from you what our start time will be for the next meeting. I think you've heard from all of us what our thoughts are, you heard from the community, and so we'll just honestly at this point wait to hear from you guys. I don't think there's much more convincing we can do at this point. I think you've heard it. We've heard your guys reasons as well.

Mr. Spence: I've heard it a number of times, and we've told you a number of times. So I don't know how many more times we have to discuss we have to try something –

Ms. Gima: – Yeah so that's why I don't want to continue to beat this subject.

Mr. Spence: Okay, that's fine.

Ms. Gima: Let's move on and we'll hear from Leilani when she e-mails us about our meeting.

Mr. Spence: Okay.

Ms. Gima: Okay. Anything else Clayton that you have?

Mr. Yoshida: That's all we have to report.

Ms. Zigmond: So what you were in the middle of talking of our agenda items when you threw that in, Clayton, could you reiterate the agenda items please?

Mr. Yoshida: We have scheduled the public hearing on the conditional permit for Pulama Lanai to conduct up to 40 special events at the Manele Golf Course. I believe you folks want to

continue discussion on the SMA boundary review so we can get more CPAC members or whoever, resource people, community people.

H. NEXT REGULAR MEETING DATE: FEBRUARY 17, 2016

Ms. Gima: Thank you. Item H, our next meeting date, February 17th, 2016, and we will wait to hear regarding the time. It is now 7:33 p.m. and our meeting is adjourned.

I. ADJOURNMENT

There being no further discussion brought forward to the Commission, the meeting was adjourned at approximately 7:33 p.m.

Respectfully submitted by,

LEILANI A. RAMORAN-QUEMADO
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

PRESENT:

Stephen Ferguson
Kelli Gima, Chair
Stacie Lee Koanui Nefalar, Vice-Chair
Bradford Oshiro
Beverly Zigmond

EXCUSED:

Joelle Aoki
Marlene Baltero
Jarrod Barfield
Stuart Marlowe

OTHERS:

Will Spence, Planning Director
Clayton Yoshida, Planning Program Administrator, Current Planning Division
Kathleen Ross Aoki, Planning Program Administrator, Planning Implementation Division
Joe Alueta, Administrative Planning Officer, ZAED
Kurt Wollenhaupt, Staff Planner
Richelle Thomson, Deputy Corporation Counsel