

**LANA`I PLANNING COMMISSION
MINUTES – REGULAR MEETING
MARCH 21, 2007**

APPROVED 06-20-07

A. CALL TO ORDER

The regular meeting of the Lana`i Planning Commission was called to order by Chairman Reynold “Butch” Gima at approximately 7:02 p.m., Wednesday, March 21, 2007, in the Old Lana`i Senior Center, 309 Seventh Street, Lana`i City, Lana`i.

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

Mr. Reynold “Butch” Gima: I want to call to order the March 21, 2007 meeting of the Lanai Planning Commission. Let the record show we have quorum with Commissioners Gamulo, Zigmond, Gannon, Gima, Endrina, and Oshiro present. Before we go to agenda Item B, there’s a request by the Planning Department to move up agenda Item E, which is Communications, before the workshop, because we’re waiting a staff person from Manele. Does anybody have any objections to that? Or do we need a motion to actually amend this?

Mr. James Giroux: No, you can do consensus.

Mr. Gima: Okay. So at this time, we’ll turn it over to Paul on the Resolution.

Mr. Paul Fasi: Thank you Mr. Chairman. This matter arises from a request by letter dated December 18, 2006, for a five-year Special Management Area Permit Time-Extension, and a five-year Project District Phase II approval time-extension, originally filed in March of 2001. The applications were filed pursuant to Sections 12-402-17, of Chapter 402.

Mr. Gima: Excuse me Paul. I thought we were doing agenda Item B.

Ms. Colleen Suyama: The Resolutions.

Mr. Fasi: Excuse me. I thought we were going to be diving right into Communication.

B. RESOLUTIONS THANKING OUTGOING MEMBERS BRADFORD OSHIRO AND REVEREND MICHAEL GANNON

Mr. Gima: Because we’ve got Resolutions and we’ve got approval of the minutes. I’m sorry. I saw you standing up, so I assumed you were taking care of the Resolutions.

Mr. Fasi: I can do it again later.

Ms. Suyama: I’m taking care of the Resolutions.

Mr. Gima: Thank you Colleen.

Ms. Suyama: We have two out-going members of the Lanai Planning Commission. One is Reverend Michael Gannon, and we have a Resolution for you.

“WHEREAS, Reverend Michael Gannon has served the County of Maui since April 2006 as a member of the Lana`i Planning Commission; and

WHEREAS, Reverend Gannon has served with distinction and has performed his duties in the highest professional manner with the Lana`i Planning Commission; and

WHEREAS, Reverend Gannon’s term of office expires on March 31, 2007; now therefore

BE IT RESOLVED that the Lana`i Planning Commission hereby commends Reverend Gannon for his dedication and untiring public service to the people of Lana`i; and

FURTHERMORE, BE IT RESOLVED that the Lana`i Planning Commission expresses their sincere appreciation for Reverend Gannon’s services and extends their best wishes in his future endeavors; and

FURTHERMORE, BE IT RESOLVED that copies of this Resolution be transmitted to the Honorable Charmaine Tavares, Mayor of the County of Maui; and the Honorable G. Riki Hokama, Council Chair of the Maui County Council.”

And we would also ask that each of the Commission Members sign the Resolution. In addition, there is a letter of commendation from Mayor Charmaine Tavares to Reverend Gannon.

“Congratulations on a job well done! On behalf of the people of the County of Maui, please accept my deepest appreciation and gratitude for your dedication and service on the Lanai Planning Commission. Your efforts and contributions have made a positive difference.

I truly believe that it is important for citizens to play an active role within both our community and government. The process of recruiting and selecting nominees to the various Maui County Boards and Commissions has given

me a greater appreciation for volunteerism and community service. I would like to commend you for your willingness to devote your time, energy, resources and insights to the betterment of Maui County.

Once again, thank you very much for doing your part to make our County the best that it can be. I hope that your experiences have been rewarding and worthwhile.”

Signed Charmaine Tavares, Mayor, County of Maui. There’s also a certificate. We’re going to have this framed. You know, we have the frames on order, and we’ll send it to you.

Reverend Gannon: Thank you so much.

Ms. Suyama: The other outdoing member is Bradford Oshiro, and we have a Resolution for Bradford.

‘WHEREAS, Bradford Oshiro has served the County of Maui since April 2002 as a member of the Lana`i Planning Commission; and

WHEREAS, Mr. Oshiro has served with distinction and has performed his duties in the highest professional manner with the Lana`i Planning Commission; and

WHEREAS, Mr. Oshiro’s term of office expires on March 31, 2007; now therefore

BE IT RESOLVED that the Lana`i Planning Commission hereby commends Mr. Oshiro for his dedication and untiring public service to the people of Lana`i; and

FURTHERMORE, BE IT RESOLVED that the Lana`i Planning Commission expresses their sincere appreciation for Mr. Oshiro’s services and extends their best wishes in his future endeavors; and

FURTHERMORE, BE IT RESOLVED that copies of this Resolution be transmitted to the Honorable Charmaine Tavares, Mayor of the County of Maui; and the Honorable G. Riki Hokama, Council Chair of the Maui County Council.”

And we'll also ask all the Commission Members to sign the Resolution. Similar to that, we also have a letter from Mayor Tavares to Mr. Oshiro.

“Congratulations on a job well done! On behalf of the people of the County of Maui, please accept my deepest appreciation and gratitude for your dedication and service on the Lanai Planning Commission. Your efforts and contributions have made a positive difference.

I truly believe that it is important for citizens to play an active role within both our community and government. The process of recruiting and selecting nominees to the various Maui County Boards and Commissions, have given me a greater appreciate for volunteerism and community service. I would like to commend you for your willingness to devote your time, energy, resources and insights to the betterment our Maui County.

Once again, thank you very much for doing your part to make our County the best that it can be. I hope that your experience has been rewarding and worthwhile.”

Signed Charmaine Tavares, Mayor, County of Maui. Similar, there's a certificate.

Mr. Gima: Thank you Brad and Mike. Anything to share with the rest of the Commissioners?

Reverend Gannon: It's the fastest year of my life. That's all I have to say. Great. Thanks.

Mr. Gima: I don't think we were aware that your terms were up.

Reverend Gannon: I wasn't aware.

Mr. Gima: I wasn't aware.

Mr. Ron McOmer: I think they cut it in half so they can get them out of here faster.

Mr. Gima: So now the Planning Commission is down to five. What's the – just out of curiosity – what's the quorum and voting requirements with five Commissioners?

Mr. Giroux: You need an affirmative vote of – five would be necessary for action.

Mr. Gima: So, it's unanimous?

Mr. Giroux: You need unanimous.

Mr. McOmber: Mr. Chair, can I ask a question? We have a member who hasn't been showing up regularly. What about these people that don't come to the meetings, that are members of the Planning Commission, and they don't show up? What is the regulations with the County on that? How many meetings can they miss?

Mr. Giroux: I don't think they have any rules on it. I think the member would have to decide whether they – a letter would have to go to – from the member to the Mayor, actually resigning.

Mr. McOmber: Still, at a time like this when you lose down to five members, somebody that doesn't show up on regular basis, really puts a strain on that quorum.

Ms. Suyama: We understand that. When we have a problem with the Commission Member or a Board Member, in terms of attendance, that affects the operation of the Commission, we send that attendance record to the Mayor's Office. And the Mayor has the ability to ask for that person's resignation.

Mr. Gima: Colleen, did the Department have any nominations come through either from Mayor or to Council?

Ms. Suyama: I know the Mayor – the Mayor's Office – have been talking to some people in Lana`i to see if they were willing to serve. Because when she sent out the request for people to serve on the Boards and Commissions, I understand there was no interested party from Lana`i. So I think she's been making some calls – asking interested citizens if they would serve on this Commission.

Mr. Gima: Thank you.

**C. APPROVAL OF THE DECEMBER 20, 2006 SITE INSPECTION MINUTES AND
FEBRUARY 21, 2007 MEETING MINUTES**

Mr. Gima: Okay. Let's go on to Item C, approval of the December 20, 2006 site inspection minutes. We'll take that one first and then the February 21, 2007 minutes.

Mr. Lawrence Endrina: I move to approve the December 20, 2006 minutes.

Ms. Beverly Zigmond: I second.

Mr. Gima: Okay, it's been moved by Commissioner Endrina, and seconded by Commissioner Zigmond that we approve the December 20, 2006 site inspection minutes. Any discussion? Yes?

Ms. Zigmond: I just wanted to say that Leilani did an awesome job considering the circumstances.

Mr. Gima: Yes, it was difficult. Okay, hearing none, all in favor say "aye."

Commission Members: "Aye."

Mr. Gima: Oppose? Okay, motion is carried.

It was moved by Commissioner Lawrence Endrina, seconded by Commissioner Beverly Zigmond, then unanimously

VOTED: To approve the December 20, 2006 Site Inspection Minutes as presented.

**(Assenting: L. Endrina, B. Zigmond, D. Gamulo, M. Gannon, B. Oshiro
Excused: S. Kaye, J. Elliott)**

Mr. Endrina: Move to approve the February 21, 2007 minutes.

Ms. Zigmond: I'll second.

Mr. Gima: Okay. It's moved by Commissioner Endrina, and seconded by Commissioner Zigmond that we approve the February 21, 2007 minutes. Any discussion? Hearing none, all in favor say, "aye."

Commission Members: "Aye."

Mr. Gima: Oppose? Okay, motion is carried. Thank you.

It was moved by Commissioner Lawrence Endrina, seconded by Commissioner Beverly Zigmond, then unanimously

VOTED: To approve the February 21, 2007 minutes, as presented.

(Assenting: L. Endrina, B. Zigmond, D. Gamulo, M. Gannon, B. Oshiro

Excused: S. Kaye, J. Elliott)

E. COMMUNICATIONS

- 1. MR. RALPH MASUDA, Vice-President of Planning and Zoning of CASTLE & COOKE RESORTS, LLC requesting an amendment to the Special Management Area Use Permit and Project District Phase 2 Approvals for a 5-year time-extension on the period to complete construction of the Manele Residential and Multi-Family Development at TMK: 4-9-017: 001, 002, 003, 004, 005, and 4-9-002: 049, Manele, Island of Lana`i. (95/SM1-015) (95/PH2-001) (P. Fasi) (A time extension was previously granted by the Lana`i Planning Commission in 2003.)**

The Lana`i Planning Commission may take action on the time extension request.

Mr. Gima: Okay, you're on Paul – on to Communications.

Mr. Fasi: Thank you Mr. Chairman. I'll be very brief, as this matter was previously brought before this body on April 16, 2003. The Lanai Planning Commission approved the five-year time extension through April 30, 2007. On December 20, 2006, the applicant requested an additional five-year time-extension. The Planning Department would prefer that this be extended to a 10-year time extension since the build out is going rather slowly. However, I was informed by the applicant that the build out is approximately 50% right now. Procedural requirements all have been met. The Planning Director waived the requirement for a public hearing pursuant to Sections 12-402-17C, in the Special Management Area Rules of the Lanai Planning Commission. The said waiver was acknowledged by the applicant on March 15, 2007.

Just very briefly, the project entails a development of approximately 164 single-family residential lots, and approximately 54 multi-family units. As I mentioned, approximately 50% of it has been completed. The Planning Department would like to request that you consider a 10-year time extension, rather than five. If there are no questions for the Department, that would basically conclude my report.

Mr. Gima: Okay. Questions? Bev?

Ms. Zigmond: I was curious, are there any limits in extensions, either in time or number? I mean as a general rule – not specifically to this project – like, in a general rule?

Mr. Fasi: That decision is up to this body. There are no limits.

Ms. Zigmond: Okay. One is just a typographical error, but if you could –. This is on the Department's Report to the Commission, on page 4, description of the project #2 – that first sentence – “the single family lot will be larger and ½ acre.” Do you know what that is suppose to read?

Mr. Fasi: “The single-family lots will be larger and ½ acre.” That is a typo there. It should be “½ acres.”

Ms. Zigmond: Just ½ acres?

Mr. Fasi: Correct.

Ms. Zigmond: And then –

Mr. Fasi: This is basically a report that was given to the Commission in 2003.

Ms. Zigmond: Right. I read over all the materials. I'm just trying to understand a couple of things, if that's okay? On page 5, the Brief History of the application, between #4 and #5, there's like a time lag of almost two years. Did nothing significant happen?

Mr. Fasi: Yes, Ma'am. This – I did not originally process this application. I believe that the Planning Department just had a lapse there because we're just flooded with applications and this one just kind of fell through the cracks.

Ms. Zigmond: Okay. On page 6, that first paragraph toward the end of that first paragraph – “however, should there be a significant change in the project” – I'm just curious for my own knowledge – what would be a significant change?

Mr. Fasi: Anything that would deviate from the standard and project specific conditions would fall into that category – would trigger that. So they have to build the project in significantly to what they originally submitted. And it does get checked and reviewed with their compliance reports.

Ms. Zigmond: Okay. On page 7, Standard Condition #4 – “The conditions of this Special Management Area Use Permit shall be self-enforcing” – how does that happen?

Mr. Fasi: What that means right there is basically we are depending upon the applicant to follow these Standard Conditions upon which he is required to build this project under.

There has to be a certain level of trust. We can't have a zoning enforcement officer there watching the project 24-hours.

Ms. Zigmond: I guess what I'm getting at is not that, but is there a person that would be, like, accountable for things?

Mr. Fasi: That would be the applicant.

Ms. Zigmond: I mean, who would be the applicant?

Mr. Fasi: That would be Castle & Cooke Resorts.

Ms. Zigmond: You don't have a person?

Mr. Fasi: It wouldn't be a person. No.

Ms. Zigmond: Okay. Page 8, Project Specific Condition #7 – "Two public access and parking area" – where are they? I couldn't – I'm not sure where those are.

Mr. Fasi: I will defer that to the applicant, if you don't mind.

Ms. Zigmond: Okay.

Mr. Gima: While they're figuring that out, good questions Bev.

Ms. Zigmond: I have two more – three more – sorry.

Mr. Fasi: While they're reviewing that, go ahead. If you have any questions for the Department, I'll answer them.

Ms. Zigmond: Page 9, #14. I guess they're for you Paul. I'm not quite sure.

Mr. Fasi: I'll try and answer them if I can.

Ms. Zigmond: #14, an update on the non-potable water sources – it says, "shall continue to develop other sources" – any updates on that?

Mr. Fasi: I'll defer that to the applicant.

Ms. Zigmond: Okay. #16, "quarterly monitoring reports" – is that being done?

Mr. Fasi: That is being done.

Ms. Zigmond: And are those results anywhere? Like that the public –

Mr. Fasi: They're in the Planning Department.

Ms. Zigmond: Actually Paul, just one more. #22 – who is the Environmental Quality Control Coordinator?

Mr. Fasi: I'll defer that one to the applicant.

Ms. Zigmond: Okay. Thank you.

Mr. Fasi: If there's no further questions, I'll have the applicant answer those three questions for you.

Ms. Zigmond: Thank you.

Mr. Ralph Masuda: Starting from the back. The Environmental Quality Control Coordinator is Clay Rombaoa, our Director of Engineering.

Mr. Gima: For the record, this is Ralph Masuda from Castle & Cooke.

Mr. Masuda: And then, the quarterly monitoring reports, we've, as of February, we've submitted a total of 56 quarterly reports on the water quality and the biological surveys for Hulopo'e Bay stretching from Puawai Gulch, at one end of the Project District, through the project district and with control stations at Kawehi Gulch, which is about 12 kilometers or so away from Hulopo'e. That's by Doctor Brock.

Mr. Fasi: I just gave the Commissioner the site map of the parking and access. Does that answer your question about it?

Ms. Zigmond: Yes. Thank you. And that's for the people? That's for the –?

Mr. Fasi: General public.

Ms. Zigmond: General public. Okay.

Mr. Masuda: We have a Fisherman's trail that's under the Na Hele Koa Estate, the State. And we have provided, beside the beach park, accesses by the Terraces at Manele entry,

and at the other end of the Project District, below the quarry road area.

Ms. Zigmond: And just the one on the water.

Mr. Masuda: The water?

Ms. Zigmond: The water – to develop other non-potable water sources for irrigation. How's that going?

Mr. Fasi: Number –?

Ms. Zigmond: #14.

Mr. Masuda: This condition goes back to the original approval back in 1995, and we have developed since that time, well #14 as a brackish water source. Now we have wells #1, #9 and #14 as the brackish water sources.

Mr. Gima: Pau Bev?

Ms. Zigmond: Yes. Thank you.

Mr. Gima: Okay. Mike?

Reverend Gannon: Did you mention who was the self-enforcing person? That was her question of #4 – “the SMA Use Permit should be self-enforcing” – who is that person? And do they know they are in charge?

Mr. Fasi: I don't believe that this refers to any one person. It refers to just the project in general. And that as the project gets developed.

Mr. Gima: Excuse me Paul. Could you let the applicant answer that?

Mr. Fasi: Oh.

Mr. Gima: Thank you.

Mr. Masuda: “Self-enforcement,” I guess it ranges from complaints from the general public to the Department, and it's considered prima facie evidence that there is some violations happening. And that it will be up to the Department or the Planning Commission to question the developer on what conditions that person thinks that is in violation.

Reverend Gannon: And if it does get a complaint, who would fix that? I guess that would be the question.

Mr. Masuda: If the complaint is valid, then it would be either the Department or the Commission coming over and telling them what's the code. These conditions are for the developer.

Reverend Gannon: I have one more question. Are those parking stalls have to be paved? Proposed parking access – are those paved stalls you're creating?

Mr. Masuda: The one by the Terraces, there's eight.

Reverend Gannon: They have to be paved and marked.

Mr. Masuda: That's right. It's paved.

Mr. Dwight Gamulo: Are they marked?

Mr. Masuda: It might not be marked now.

Mr. Gamulo: When are they going to be marked?

Mr. Masuda: When it was originally done, it was marked.

Mr. Gamulo: Well, will they have to be – marking has to be maintained? It's not required to be maintained?

Mr. Masuda: It's not required.

Mr. Gamulo: It should be required to be maintained.

Mr. Masuda: We can pave. I mean, we can mark it.

Mr. Gamulo: How does the public learn about this?

Mr. Masuda: There's suppose to be a sign right on the road, on Hulopo'e Drive.

Mr. Gamulo: Is there?

Mr. Masuda: I believe so. Yes. You can't use the construction road access right now, but

there is signs right by the golf course, by the cul-de-sac. There should be another sign by the entry, just before the Terraces that accesses parking – public access to the shoreline.

Mr. Gamulo: Okay.

Mr. Bradford Oshiro: Ralph – quick question – on the same thing on the parking. Because of the construction, you know, when you pass this certain zone, in a certain area down there, it's not open to public if you cannot get in.

Mr. Masuda: The only place to park – I don't know about the access right now.

Mr. Oshiro: Because the quarry – you know – when you talking the quarry –

Mr. Masuda: You cannot use that road now.

Mr. Oshiro: But, then it's suppose to be open to the public right?

Mr. Masuda: It's suppose to be. But because the road was not designed to County standards, there's a problem with liability with the access road coming down, you know, pass the quarry and back. We've had accidents over there before. But because of heavy construction going on right now, I think that's the reason the Company decided to close the road.

Mr. Gamulo: So how are you going to comply with this? I mean, what is the time table when it's going to be done?

Mr. Masuda: That access is a foot access but it ends at a cliff. It ends at – I forget what cove that is – at the Puawai Gulch end of the project district. There's no way that you can get from there, down. So, it joins up with the Fisherman's trail and then it goes down. So, in order to get on the Fisherman's trail, you have to go from Hulopo'e – Hulopo'e Beach – to get on the Fisherman's trail and walk it. There is access but it's a longer walk.

Mr. Gamulo: But it says here that there's suppose to be parking area...(inaudible)...

Mr. Masuda: That's right. And there is but we cannot –

Mr. Gamulo: But you can't get in to it.

Mr. Masuda: The walking – you're going to have to walk it.

Mr. Gamulo: Well, something should be done about that.

Mr. Masuda: You're going to have to walk that because we cannot, right now, we cannot allow the general public –

Mr. Gamulo: You're suppose to carry your car? It says that it's suppose to have a parking area provided and divided into set court. Are you suppose to carry your car to park it? I mean, it's ridiculous.

Mr. Masuda: Well then maybe that condition should be deleted.

Mr. Gamulo: No, I think it should be complied with.

Mr. Masuda: So how can we allow access off of a road that doesn't –

Mr. McOmber: Because it was your agreement to do that.

Mr. Masuda: There is a parking area. But you've got to listen – every road in the project district is private. It's not a County road.

Mr. Gamulo: I guess we have to defer, but we're going to have to take some kind of action on this situation.

Mr. Masuda: There are other accesses. There's one from the sewer treatment plant. Ron was one of them.

Mr. McOmber: I'll get my say in a minute. Right now, there's no public review right this second. I'll say my peace in a little bit.

Mr. Masuda: He was there. And there was another one further up, by the nursery, but nobody can use that one also. But that's utilizing the same construction road coming down. So right now, you have the beach – the Fisherman's trail – because you can't – once you hit that cliff there, there's no way that you can get down to the water.

Mr. Gamulo: I know the area. Yeah, you can't get down from there. But there's a – yeah, but something has to be done as far as the parking – access to the parking. Maybe you have to build another road through the golf courses or something. But that's part of your agreement.

Mr. Gima: So Dwight, you and Mike are concerned about how they are complying with the

conditions?

Mr. Gamulo: Yes. Right. I know I am.

Mr. Gima: Is that your question too, Mike?

Reverend Gannon: If you say they have to do something and then there's no way to accommodate that – as you said, you either change the rule or make them comply.

Mr. Masuda: You can access the one – Puawai – that parking area – by driving through the courtyard.

Reverend Gannon: So you can drive up to it, you just can't drive down.

Mr. Masuda: You can't come down on that construction road. You can drive to Hulopo`e, drive pass the hotel, and come on back and get to that access. However, that access, you walk down and you get on the Fisherman's trail and then you walk all the way back to Hulopo`e Bay Beach park.

Mr. Gamulo: Or you can walk the other direction.

Mr. Masuda: Well you can't go right because that's the big gulch over there – Puawai Gulch.

Mr. Gamulo: So there's access somewhere along that road. It isn't as if as there's no place to get down – probably before going all the way back down to Hulopo`e.

Mr. Masuda: You would walk down, then walk the Fisherman's trail and back.

Mr. Gamulo: Yeah, but you don't have to go all the back to Hulopo`e to get down on the beach. There's access down at the beach, like the hills going down the cliff.

Mr. Masuda: Well, you could.

Mr. Gamulo: Yeah.

Mr. Masuda: You could.

Mr. Gamulo: But, it's not as though this is an access that doesn't make any sense. What doesn't make any sense is that there's no access to the parking lot.

Mr. Masuda: That's why we're saying that you can drive Hulopo'e – we can get on Hulopo'e Drive and get to that place.

Mr. Gamulo: Oh, you can get there?

Mr. Masuda: You can. But you can't come down on the construction road.

Mr. Gamulo: So come down this way?

Mr. Masuda: The construction road.

Mr. Gamulo: But, you can get to the parking area?

Mr. Masuda: Yeah, you can get to the parking area from Hulopo'e Drive. But you cannot use the construction road that passes the quarry to get to there.

Mr. Gamulo: To get to where?

Mr. Masuda: To here.

Mr. Gamulo: To get down to the gulch? As long as you can use this – I'm worried about the – I was thinking about this. If you can get to this parking lot here, and then you can get down to the Fisherman's trail.

Mr. Masuda: Or you can walk.

Mr. Gamulo: That's what I'm asking.

Mr. Fasi: A picture is worth a thousand words.

Mr. Endrina: Along the same lines though – the other parking – proposed parking area. It's paved but there's construction things being kept in that parking lot, and there's also a boat. So if that – if whoever is doing the compliance check, you can check that. You're the one? Because that's being used as a staging area for construction.

Mr. McOmber: And there's no signage there.

Mr. Endrina: Yeah, there isn't any signage. Is the path also under your jurisdiction too then? Clearing the path? I think that's got to be taken a look at.

Mr. Gima: Questions answered Mike?

Reverend Gannon: So if we choose to defer their extension without letting it expire until they fix the problem, can we do that?

Mr. Gima: James?

Mr. Giroux: The questions is if you want to see a remedy prior to hearing the extension?

Reverend Gannon: Right.

Mr. Giroux: Then that would take a motion to defer and then maybe a compliance report.

Reverend Gannon: I would move, if there's no other further question –

Mr. McOmber: We do have public testimony before we do that.

Reverend Gannon: Do I make the motion and then they talk?

Ms. Zigmond: No.

Mr. Gima: No. We ask the questions at public testimony and then the motion is made. Any more questions Mike?

Reverend Gannon: No. Thank you.

Mr. Gima: Okay, Larry?

Mr. Endrina: Under the drainage area, out of the 11 shown on the map that's either called a debris basin or a culvert, how many of them are fixed? Or how many of them are in place?

Mr. Clay Rombaoa: I can answer that. My name is Clay Rombaoa with Castle & Cooke. DW11 is finished. That's the one right up Hulopo'e Drive and Mauna Lei Drive. The other two under construction, which is not finished but soon to be is DW5, off of Manele – I'm sorry – the Highway Kaupoi and Hulopo'e, right by the hotel. And then DW6 is up toward the water treatment plant. So those two are about 90% complete. So the one that – to answer your question – the one that's finished is DW11 off Maunalei and Hulopo'e.

Mr. Endrina: So only one is finished and two is deemed finished?

Mr. Rombaoa: Yeah. Close to. Yeah.

Mr. Endrina: So the rest will go in when?

Mr. Rombaoa: We have a capital improvement plan. It's about a five-year time frame. We spaced it out.

Mr. Masuda: We had to complete DW11 before we could start construction at the Palms of Manele. That was a condition of approval from the Council. Not only was that, but we also had the ...(inaudible)... the subdivisions and the dusty roads – just above the Palms of Manele on the map.

Mr. Endrina: Other than these, are there any more plans or is this what's planned for the whole project?

Mr. Masuda: These are the plans – from the light gray to the dark gray.

Mr. Endrina: What I mean is the drainage area for the basin. These are all the ones that needs to be put in?

Mr. Masuda: This is in accordance with the drainage master plan that was complete by RM Towill for Manele.

Mr. Gima: There are other components of the Master Drainage Plan for Manele besides what you see on here.

Mr. Masuda: Oh, yeah.

Mr. Gima: I think that's what he's asking. Could you comment on that?

Mr. Rombaoa: Again, yeah, there's some culvert that would be put in – some swales –and those are going to be put in as we develop the Manele Project area. So again, it's been phased, and we have a five-year plan, which I can't detail right now. I will – the things he touch – the original plans – as the development occurs.

Mr. Endrina: As the lots near the archaeological preserve get worked on, when was the last time you had a meeting with the Lanai Archaeological Committee?

Mr. Jon Shimizu: My name is Jon Shimuzu from Castle & Cooke. The last meeting was on Tuesday.

Mr. Endrina: This past Tuesday?

Mr. Shimizu: This past Tuesday.

Mr. Endrina: Is it regularly scheduled thing or is it just as items come up?

Mr. Shimizu: The archaeological committee meeting?

Mr. Endrina: Yes.

Mr. Shimizu: Basically, they've been pretty regular.

Mr. McOmbler: Ask Martha.

Mr. Gima: Any other questions from the Commissioners? I have a few. Clay, followup on the Master Drainage Plan, wasn't part of the plan also some improvements of planting a foliage at a higher elevation above the project district?

Mr. Rombaoa: No. The foliage planting is going to be placed on the areas that we disturbed, such as the basin. As we excavate the basins, we disturb the slopes. We have the erosion control plan to plant grass on it to minimize/eliminating erosion. And we get approvals from the County and sign off on those as part of our punch list.

Mr. Gima: So it's kind of deviated from RM Towill's initial plan to plant more foliage at higher elevation above the – to slow down the water coming down the –

Mr. Rombaoa: I don't think – I've gone through RM Towill's Master Drainage Plan and I'm not aware of any random – just planting.

Mr. Gima: No, it's not random planting. There was a plan on how to plant – I think – I forgot what type of grass – was to slow down the water.

Mr. Rombaoa: Again, I am not aware of that, and I've gone through it. So, I'll go over it again and make sure, but I am not aware of that. Only the areas of that we disturb throughout construction.

Mr. Gima: Commissioner Kaye wanted to know what specifically contributed to the delay that you need the extension?

Mr. Masuda: Market.

Mr. Gima: I'm sorry.

Mr. Masuda: Market.

Mr. Gima: The market. Anything else?

Mr. Masuda: Plus the approval process – the approval process. Subdivision approvals – you don't get your subdivision in one month. It takes you a couple of years to get your subdivision approved.

Mr. Gima: Any issues with – she was asking if there was any issues with noncompliance on any conditions or the requirements of the Planning Department that lead to the –?

Mr. Masuda: Commissioner Gannon just pointed out one tonight about the – or Commissioner Oshiro pointed out the beach access parking lot that's actually being used a construction storage area.

Mr. Gima: No, but did that issue contribute to needing an extension? That's what she was asking whether any other conditions that you guys were in noncompliance that contributed to the delay?

Mr. Masuda: No.

Mr. Gima: Okay. Would you comment on Standard Condition #3 and talk about what the protocol or procedure is in terms of how you – how construction water is used and how it is tallied? Water is used during construction, and I'm just wondering how that is determined or what is the protocol and procedure so that the construction companies use water for construction purposes. I mean, you guys just give – you can just take water from any place for construction or do you guys have a procedure or protocol on how they're suppose to use water? And is there any accountability? Are they charged for the water? Could you comment on your Company's protocol and procedures on that?

Mr. Rombaoa: On the construction water, we use predominately, mostly is used for dust control, to keep down the dust obviously. So we have a water truck which is ours. Our water trucks, our employees, go to a stand pipe near the construction road at the top and that is brackish water. And they make their rounds around the project district, the back road along Hulopo'e Drive to keep the dust down, and perhaps wash sediments off the roads. Again, about 95% of the construction water – I mean, it's obviously the stuff they use for irrigation – that's again, that's tied in from the non-potable source. I say about 95% to 99% of it is used for that purpose.

Mr. Gima: So only Castle & Cooke employees can use the water for dust control purposes down in the Project Area?

Mr. Rombaoa: Yeah because we're the only ones that have a water truck. So a lot of our contractors, they don't have water trucks anymore, and it's normally not part of their scope of work.

Mr. Gima: Okay.

Mr. Endrina: I have a follow up question.

Mr. Gima: Go ahead Larry.

Mr. Endrina: Is that brackish water or non-potable water part of the overall allowable for construction? I mean for the Project District? Is there a certain amount, I guess, that's given to the Project District? Is the construction water coming as part of that allowable?

Mr. Rombaoa: It's coming from our reservoir.

Mr. Endrina: Yeah, so that comes out from – that's part of your usage?

Mr. Rombaoa: Yeah.

Mr. Endrina: For the Project District?

Mr. Rombaoa: Yes.

Mr. Endrina: So it should be recorded as part of your water report?

Mr. Rombaoa: Yeah.

Mr. Gima: So where is it recorded? In the periodic water report?

Mr. Rombaoa: No, I don't think it is. I'm not sure, but I don't think it is part of the report. It's part of total consumption.

Mr. Gima: What you mean "total consumption?"

Mr. Endrina: So it must be recorded then?

Mr. Gima: So there is no way to identify how much water is used in those situations?

Mr. Rombaoa: I don't know. I can ask.

Mr. Gima: Will you find out and submit the report to the Planning Commission via the Planning Department regarding Larry's specific question?

Mr. Rombaoa: Okay.

Mr. Gima: Thank you. Now Clay, you were identified as the Environmental Quality Control Coordinator in the Project Specific Condition #22. Does that mean –. Could you define what Environmental Quality Control Coordinator entails? What's the scope and responsibility of that?

Mr. Rombaoa: In my mind, to make sure that we comply with the environmental laws, making sure our construction sites comply with our permits into ...(inaudible)... best management practices. To me, that's pretty straight forward – I have to look for and make sure that we comply with those requirements.

Mr. Gima: So, if there was any one person in your organization, it would be you, then, that would be singled out as the so-called "self-enforcing" individual that – I think, several of the Commissioners were asking about earlier, under standard condition #4?

Mr. Rombaoa: I think Mr. Masuda mentioned that – because obviously I can't be at every place at one time, so, I guess when certain things – I mean, if there's people from the general public that notices something that they feel is a violation then they could – you could probably notify us or notify the County and it will eventually come back to me, on those that I can't personally catch. And the ones that I do, you know, I can take action on those.

Mr. Gima: I mean, the language in standard condition #4, self-enforcing, seems to imply that the applicant is synonymous itself. So it's not the responsibility of the community to point out these things. They could be helpful in doing that, but the responsibility is the self or the applicant. And this is a real sensitive issue for me because way before you guys came on board – only Ralph was here – when Kirk Schneider was the President and we were not even a Planning Commission at that time, I specifically was asking for a quality control person for each project. So, when something – if a practice, a construction practice, a safety issue is not being adhere to that, that quality control person is the individual to ensure that, that practice is complied with. So I'm asking you, are you the one, when push comes to shove, if something happens down at the project, is it on your

shoulders or is there another identified quality control person for this project?

Mr. Rombaoa: That would be me.

Mr. Gima: Okay.

Mr. Giroux: Butch, could I just make a comment on the wording?

Mr. Gima: Sure.

Mr. Giroux: “Self-enforcing” in the legal sense, when you’re looking at a document – because this is a permit – “self enforcing” means that this document in and of itself gives the Planning Department the power to actually stop the project in its tracks. Normally in an SMA situation where there is no permit and somebody is violating a shoreline area, it is within 205A that the State is given certain powers to the Judiciary to take injunctive action. And what this document is saying is that the Department does not have to go to the Judiciary and get an injunction to get them to stop their action. They merely have to give them a citation, tell them to stop, and then they have 10 days to protest that action. So when the language of “self-enforcing” is used, it doesn’t mean that the fox is watching the henhouse. It means that the County, being the enforcement agent of the Planning Commission, can go out and say “you need to stop now.” And the person holding the permit needs to listen to that. The County does not need to go the Judiciary which is another arm of enforcement and say we want an injunction because there’s an immediate harm that is irrevocable. And that would be the standard of having an injunction that comes out of the Judiciary. So basically, what they’re saying is, the Planning Department does have the power, if it sees an infraction, to stop the project until that infraction is cleared or that there is a hearing to basically clear that infraction. So, just to clarify.

Mr. Gima: Thank you.

Mr. Masuda: Does the Planning Department have to see the violation physically?

Mr. Giroux: Well –

Mr. Masuda: Or can they take testimony from the citizen?

Mr. Giroux: They would act as any enforcement arm would – that they would take that as evidence. But somebody from the County would need to – and within the County, it’s the Zoning and Enforcement Agent – would need to investigate and put a – basically confirm that there is an infraction.

Mr. Gima: Thank you James. Any other questions from the Commissioners?

Mr. Endrina: I have a question.

Mr. Gima: Larry?

Mr. Endrina: On these compliance – on your 56 compliance reports – it goes to the Planning Commission. Is it possible for us to get that?

Mr. Fasi: I'm sorry. Could you repeat that again?

Mr. Endrina: It was mentioned that 56 reports were sent to the Planning Department as of February – the compliance reports – to the Planning Department.

Mr. Gima: The water quality reports?

Mr. Endrina: I thought it was the overall compliance.

Mr. Fasi: We can make a request to the applicant to send them to the Planning Department if you want to review them.

Mr. Masuda: This is the report.

Mr. Fasi: They're big reports.

Ms. Zigmond: Sorry, we don't have anything else to do anyway.

Mr. Masuda: It's on file with the Lanai Library also.

Mr. Endrina: Okay.

Mr. Masuda: This whole book – the water analysis and biological surveys.

Mr. Endrina: That's for the water stuff, but for the compliance for these conditions.

Mr. Fasi: Those are the reports.

Mr. Endrina: Those are the reports?

Mr. Fasi: Correct.

Mr. Masuda: We've been filing those reports since 1998 or 1999.

Mr. Gima: Okay. If no other further questions for the Commissioners, we'll go to public hearing, with two people testifying. Anybody else wants to testify?

Mr. McOmber:(Inaudible)....

Mr. Gima; Okay I'll put your name. First one is Winnie.

Ms. Winnie Basquez: No. Go to Ron first.

Mr. Gima: Okay, next one is Pat Reilly.

Mr. Fairfax "Pat" Reilly: My name is Fairfax "Pat" Reilly – 468 Ahakea Street – resident. When I signed up there, I was going to testify on behalf of the other item on the agenda too, so, but I want to testify on this. First, let me give the Planning Commission my deepest respect for the questions you are asking. I was somewhat startled that this is a decision action under communications, and maybe I misunderstood that item on agenda. I thought I heard Mr. Fasi say that the Planning Department waived the full hearing of this extension without requiring the Planning Commission's vote to grant a four year. And that maybe within the jurisdiction of the Planning Department, but the questions you're asking signifies the importance of the Lanai Planning Commission. Thank goodness that we have a Planning Commission because these are the very questions that need to be asked as projects go forward.

Several of the conditions within that project are also part of the legal agreement between Lana`ians for Sensible Growth and the Corporation, and those two parties have been working very hard to try to resolve some of the issues and have been very successful. I noticed that this expires April 30th, which does not give the Planning Commission much time to hear a full hearing to ask the questions, to get the responses that you need, and I'm not sure exactly how best to do that. And I'm not sure what happens once it expires. I would say a 10-year extension – and I don't know why the Planning Department recommends a 10-year extension after listening to these kinds of questions. Because to me it says that the Planning Department is not aware of the issues on Lanai. And so, I would ask the –. I can't make a recommendation. I have so many questions to ask, but I would ask what happens if the April 30th deadline hits, what is the role and responsibility of the applicant? Do they have re-file a complete application or is there a way to extend this a short period of time to permit the applicant to answer some of these questions on compliance? I think the issues of compliance are critical. Thank you.

Reverend Gannon: Can I ask a question?

Mr. Gima: Hold on. James, you want to answer that?

Reverend Gannon: Could I ask a question to his comment first? In answer to that, can I, if I make this motion, make a 90-day extension to get back this information we're asking for instead of 10-years? Can you do that?

Mr. Gima: Why don't –

Mr. Reilly: Chair, I think that's out of order during public testimony.

Mr. Gima: Why don't we wait till public testimony is over. So hold your question, and then let's discuss that after public testimony.

Reverend Gannon: Okay.

Ms. Suyama: Do you want me to clarify that – expiration of a permit?

Mr. Gima: Sure. Yes. Thank you.

Ms. Suyama: The normal practice is that as long as an application has been filed prior to the expiration date and is being reviewed and is being reviewed by the Commission, normally what happens is if the Commission adopts the extension, it is retroactive to the date of expiration. So it would be from the date of April 30, 2007 to whatever date you determine to be the time, the length, of the extension. The only time that doesn't work is if the permit has actually expired, and at that point, you could say that the permit has expired, you need to, then, file a new application.

Mr. Gima: Does that answer your question Pat?

Mr. Reilly: Well I'm still confused. Is April 30 the expiration of the permit?

Ms. Suyama: I'm not sure if it's April 30.

Mr. Reilly: That's what it lists in the document.

Ms. Suyama: April 30 is right. It's the expiration date.

Mr. Reilly: Of the permit?

Ms. Suyama: Of 2007.

Mr. Gima: But the request for extension was submitted in December of 2006.

Mr. Masuda: But, there's a 90-day requirement prior to the expiration.

Mr. Fasi: The procedural matters for this time-extension have been met by the applicant.

Mr. Gima: Okay.

Mr. Reilly: I just don't – I don't know if I could do this, but the clarification on the Planning Department saying – maybe I misunderstood what Mr. Fasi said about the Planning Commission didn't decide to have a full hearing – the Planning Department seems to shorten that part.

Ms. Suyama: There's a provision in the Commission Rules that talked about that a hearing can be waived by the Planning Director if there is no substantial changes to the application. In this case, there is no change to the application. They are asking you for an amendment to a condition that was established for this project. And based upon that, the Department waived the requirement for a public hearing. But, it does not mean that people cannot come to the Planning Commission meeting and provide testimony. It's just that it is not a noticed hearing that we would provide notice to surrounding owners, or we would provide notice in the newspaper that there is a specific public hearing on this item.

Mr. Gima: Okay. Winnie?

Ms. Basquez: Okay. My name is Winnie Basquez. I would like to talk about the Manele Boat Harbor.

Reverend Gannon: It's not on the agenda.

Ms. Basquez: About this situation with this Planning stuff. Like he said, we need to have a public hearing because if you see only few people come, the other people are not going hear about, and they ain't going to get no voice. So if you saying that, okay, public hearing – this is it? What about the other 2,000 something people – what about them? They live on the Island. They have to know what's going on. And if you folks don't publicize anything, or send out flyers to everybody – that's the question – who's going to answer? When the meeting is all "pau?" Did you go to the meeting? Yeah, but I cannot say anything. I'm going to say something wrong. But you folks have to open a regular public hearing, so everybody can come – everybody can hear what's going on in this

community. They have meetings here. It's so hard to have people come because they work – yeah, I can see that people are working. But then, the thing is that the issue that goes on the Community – I have to say – and that's it for me. But the things is, please people, you folks, you have to open your folks minds and talk to people, talk to them, get information, then when you folks have community meetings, then you folks know what they're talking about. You just can't say, only a few people will come, and that's it. I don't think so. What about the other people? They have their voice. They have their rights. You know what I mean? That is what I think because people will need to know things, and plenty stuff coming up. "Shibai" kind or "hush-hush" kind, but the things is that, you know, Lana`i has changed a lot. But the thing is that we have newcomers to committees. We don't know who they are. We don't know where they work. How do we know this kind information coming out is all valid information? And that's all I want to say. And thank you very much again.

Mr. Gima: Thank you Winnie. You bring up a good point. Ron?

Mr. McOmbler: My name is Ron McOmbler. I've been on Lana`i for about 36 years. I'm President of Lana`ians for Sensible Growth (LSG). We have an agreement with Castle & Cooke. And I'm going to try to touch all of this stuff because I also sit on the Park Council. And the Park Council has been getting reports from the citizens that there's no place for them to park and have access to the beach, from either end of that project. We were told that those parking spots would be paved and be in a safe location. The one at the other end – along the gulch is not a safe location. You need to drive out there and look at it folks. It's a graveled shoulder. They do have a problem because if those get a way from there, they go in that gulch. There's no place to park. There is a sign. They have signage at that end. Would you like to know where the signage is for the other end of the project? It's the road that goes to a sewage treatment plant. There's a sign. You have to go off the road and look to the right as you're going mauka, there's a sign, and that's a gravel pit. That's just a gravel road. Now the excuse that you can't come down the service road is not an excuse. This is an agreement with LSG and this community – that access would be put in place once all the roads are all prep. I see on your map that it shows it in that cul-de-sac, on the other side of the hotel. That was their purpose of that egress to the ocean, was on the other side of the hotel so you didn't have to go through the hotel or go down to the beach and walk back. That cul-de-sac right now has a boat parked on it. It has two loads of construction materials and waste. One of the residents have come to the Park Council and complained about this. We went down and looked at it, took pictures of it. This is not in compliance.

I am amazed. I am wonderfully happy that you folks are asking these questions because if you didn't ask them, I would have to stand up here and make a complaint that you may

not even understand. To have a five-year or a ten-year extension of this, and they haven't complied with everything that they told this community that they're going to do, is ludicrous at best. Those compliance and the runoff they still have – LSG, in the 1987 MOA, which I understand from our attorney last night, is an enforceable agreement with LSG and this community. One of them was to eliminate the berm at Hulopo'e and get that sand berm packed down so that water can ease back up to the ocean. That still hasn't been done and it may never be done. But just to show you what they are not doing. The water quality – I get those reports. If you'd like to see those, I get them every three months. So they have complied with that. It's not in English, but you have to have a Professor interpret them. And the only Professor that will interpret it is a Doctor that does it. And if you go to UH, they will not interpret it for you because he does it, and they won't give any negativity about. We had to send it to USC and UCLA to have it interpreted. It is not full – the compliance part – it's not done in English. We don't understand it.

LSG at that time was suppose to have a partnership with the Company to pick who the Biologist was that was going to do that. We never had that choice. This person was picked by Castle & Cooke. He's paid to do this. We did not – and part of this agreement – we did not to get to choose that person. Castle & Cooke needs to understand, they cannot – you cannot give them a five-year extension. I would recommend, at the very most, six months for them to come back into compliance, and we should have a full-blown hearing on this. I'm serious. They're going to go over with their development. They're closing roads out. They're making it impossible for people to use that shoreline. We need to stop this now. Sitting on other Boards and Commissions, and sitting on the Water Working Group, sitting on Hulopo'e, sitting on the Harbor Advisory – you have to question about water. Go down that construction road tomorrow. Go to the fill stand that they fill their trucks in, and put a bucket underneath it and see how much water is leaking on the ground every day. And it's been brought to their attention, time after time, after time. They're wasting water, and it's not metered. It's coming out of a budget that is for the golf course, and golf course maintenance, and luxury home maintenance.

We do not, on the LWAC or on our monthly report, know how much water is specifically going to the pine trees out in the middle, that are going down the road. We have no idea what the new trees they're going to plant now. We understand they're going to plant a bunch of trees between Kaunalapau Highway and the sewage treatment so they can block that. We don't have any idea. Nobody has come to us and told us how much water they're going to need. We need compliance here, and we need you folks. I'm glad that you asked those questions, and please be diligent in your questions. This has got to stop. We've got to have some transparency here and we're not getting it. So, from my standpoint, they're in violation of the parking, let alone, the parking – it's the first item. The first item that you people picked up on. And the quality of water in Hulopo'e has been good and bad, good

and bad, but that isn't the important thing. It's our drinking water, and what they're doing with our water.

LSG has an agreement with Castle & Cooke, and they have ignored it. We are no longer – LSG is no longer going to do that folks. We're going to have to do something because it has been 17 years since they've signed the last MOA, in 1990. I think it is time that Castle & Cooke steps up to the plate and do right for this community. If you have any questions, I'd be glad to answer them.

Mr. Gima: Thank you Ron.

Reverend Gannon: I have one other question.

Mr. Gima: Sure.

Reverend Gannon: If that's possible.

Mr. Gima: Yes.

Reverend Gannon: Something was mentioned about the archaeological portion of it, and somebody pointed to Martha, as one of the representatives for the archaeological cultural thing. Could you maybe mention how that meeting went if you have any comments on the compliance with that archaeological issue? Is that an appropriate question? Could I ask that?

Ms. Martha Evans: We do meet on a regular basis. This particular application is not ...(inaudible)... So, and we do ...(inaudible)... We do address various concerns with things that are coming up. I'm not exactly sure if this is the area that we've been talking about. Actually we do have a plan for a construction of a stacked wall between the golf site and the preserved areas, to ensure that this particular application – that is one of the things that is addressed in the application. So we do meet on a regular basis – monthly.

Reverend Gannon: So could I make a motion?

Mr. Gima: You mean a motion on this application?

Reverend Gannon: Yes.

Mr. Gima: Before we get to that – any other public testimony? So, public testimony portion of the hearing is closed. Before we get to – before I entertain any motions, let's look on

page #6 to see what our options are in terms of proposed action. And before I entertain a motion, any further discussions/preferences, in terms of what has been discussed this evening? Dwight?

Mr. Gamulo: I want to know if, Bev, if they answered all of your questions that you had?

Ms. Zigmond: They have answered them well. Thank you.

Mr. Gamulo: Another thing was, you know, you brought up – Mrs. Evans – you brought up the question about the wall that is suppose to be built, and you don't know whose responsible for that?

Ms. Evans: No, I do. I'm saying that is the – you know – with regards to this area, that's one of the last items that we did talk about. We do know, we are, the Archaeological Committee, made a recommendation with regards to the building of the wall. In fact, the Company is now in the process of contracting with the person responsible – Kawehi Rider – to ask him if he could put that wall in place. Like I said, I'm not sure if that is part of this particular application.

Mr. Gamulo: Would you need time to find that out?

Ms. Evans: Jon, is that part of this particular application?

Mr. Shimizu: As far as a specific requirement.

Mr. Gary Yokoyama: It involves the wall. It is part of this application. Can I address?

Mr. Gima: Sure.

Mr. Yokoyama: Gary Yokoyama, I'm Corporate Counsel for Castle & Cooke Resorts. The wall that Mrs. Evans is talking about is a wall that Castle & Cooke has agreed to install which will provide a buffer. What's the linear feet of that wall?

Mr. Shimizu: It's about 1,700 linear.

Mr. Yokoyama: To provide a buffer between the residential lots along the Kapiha`a Archaeological area – and to provide a buffer between the residential lots and that archaeological site. So it is part of the application area. I believe, it's part of the Manele Project District.

Mr. Gima: Okay. Any other comments, questions, references? I guess one preference I would have, no matter what action is taken – it's not so much a new condition – but just a written report to the Planning Commission on Project Specific Condition #14, regarding “the applicant shall continue to develop other non-potable water sources for irrigation purposes.” So I'd just like to see what the plan is for continuing development of other non-potable water sources for irrigation purposes. Any concerns or objections to requesting a report?

Reverend Gannon: I'd like to see all of those things addressed, like the water compliance part, the parking compliance part, the access sign compliance, the archaeological thing. That's a great report, but I'd like to know when they are starting, who's doing it, how long is it going to take. So I would favor deferring it for a specified amount of time until they fix that. I think 90-days, but maybe that is too short. I don't know. That's what I would be in favor of.

Ms. Zigmond: I have to agree with that, but I'd also like to see the water usage. I don't know if that's what you were including or not – the water quality. And perhaps even getting a public hearing at that time.

Reverend Gannon: Yeah, the water.

Mr. Gima: Colleen, could you comment on what both Mike and Bev had just mentioned in terms of what would be a –

Ms. Suyama: It seems that the Commission is looking for compliance. The motion should be deferral so that the applicant can provide compliance to the conditions of approval.

Mr. Gima: Is 90-days reasonable?

Ms. Suyama: It's up to the Commission whether you want to defer it for 90-days or you want to defer it indefinitely until the applicant provides the information. I don't know how long it will take them to get a compliance report together.

Reverend Gannon: Why don't we ask how they feel about 90-days? Can I ask that? How do you feel about 90-days?

Mr. Masuda: I'd like to be sure of what conditions you want us to address within that 90-days. Because if you're going to have a public hearing, then we'll have to notice in the paper, and it's going to be a 30-day notice in the paper, or something like that.

Ms. Suyama: It usually takes us, at least 45-days to do the notice, because we need to get it to the publisher, et. cetera – there's deadlines. The other thing is that if it's going to be a public hearing, that's required by the Commission, there's also individual notices that is going to be required of the applicant, to the surrounding owners within 500 feet. And in this case, if it's the whole entire Project District, you're talking about a lot of notice requirements in terms of everyone who has a lot that they bought, should be notified, at 500 feet around the perimeter of the Project District, which I believe is Castle & Cooke. It's just internally within the Project District will get the individual letter notice.

Mr. Gima: Okay.

Ms. Suyama: And that will take them a longer time than our notice requirement. So that's why I said, you have to look at the applicant. If you're going to ask for a public hearing, how much time are they going to need, once we give them notice, in which to do the individual notice, as well as, to provide the compliance report.

Reverend Gannon: So, maybe just to clarify – but I don't know that we can ask the question – my water compliance was your question of the meter – is that coming out of their portion of water for the construction part of it? Is the water compliance issued?

Mr. Endrina: They said it is.

Reverend Gannon: Right, but we don't know. We don't know how much that is, how much they used, you know what I mean?

Mr. Gima: I mean, Clay is already submitting – he already agreed to submitting a report on that question already.

Reverend Gannon: So we can tie that to the motion, I guess is what maybe is the question?

Mr. Gima: Yeah, I think that's what Ralph is asking. If we do defer, we have to decide how long and then what specific conditions do they need to provide a compliance report on.

Reverend Gannon: Okay, so how does 90-days suit you?

Mr. Masuda: If it's like Colleen had said – if it's a public hearing, it's going to require noticing by us to the surrounding property owners, and also we are going to have to publish in the paper and all. So we are going to have to ask for six months.

Reverend Gannon: Butch, how much is that? 128?

Mr. Gima: 180.

Reverend Gannon: 180.

Mr. Gima: You okay with that?

Reverend Gannon: I won't be here.

Mr. Gima: Well you can still attend the meeting.

Reverend Gannon: I can. It's my motion. I should show up.

Mr. Gima: Yeah.

Reverend Gannon: All right, 180. So can I make a motion then maybe?

Mr. Masuda: Can we get – or in the motion, you identify the conditions?

Mr. Gima: You have to identify which Standard Conditions and which Project Specific Conditions you want them to address.

Reverend Gannon: All right.

Mr. Gima: Before you make the motion –

Mr. Gamulo: Can we discuss that?

Mr. Gima: Yeah. What numbers? Let's go with Standard Conditions, which ones do you guys want a compliance report on?

Reverend Gannon: Yours was #3, which was the water. Right?

Mr. Gima: Yes.

Reverend Gannon: #14 that you mentioned. #7 is the parking. And then I don't know which one was the signage part of it.

Mr. Endrina: That's part of #7.

Reverend Gannon: That is part of #7. And then the archaeological aspect of it.

Mr. Gamulo: You know the beach one, it's not only the signs of where the parking is, but there's suppose to be directions to it. Is that correct? Some sort of notice on the main road to the project.

Reverend Gannon: And then #9, the archaeological. Is that it?

Mr. Gima: Okay.

Reverend Gannon: And then if we have a public hearing, which I don't know what that is.

Mr. Gima: So #3, #7, #9, #14.

Reverend Gannon: And if you're going to do a public hearing, is that one of them?

Mr. Gima: No, I believe you would have to state that you want this to go to full public hearing.

Reverend Gannon: If us seven people have this many questions, it seems to me that the community might have even more.

Mr. Gima: Could be.

Reverend Gannon: Anybody else have any other numbers?

Mr. Gima: It's your last "hurrah."

Reverend Gannon: Should I say – you want your thing back?

Mr. Endrina : #12, I think, should be part of it too.

Reverend Gannon: #12.

Mr. Endrina: It's part of #9.

Reverend Gannon: All right. I would move, if you would allow me, to give a 180-day extension. So I would move to defer it for 180-days, pending compliance with #3, #7, #9, #12, and #14, back to this Commission.

Mr. Gima: For a public hearing.

Reverend Gannon: For a public hearing.

Mr. Endrina: #10.

Reverend Gannon: And #10. What is that? And #10.

Mr. Endrina: Second.

Mr. Gima: Okay, it's been moved by Commissioner Gannon, and seconded by Commissioner Endrina that we defer the applicant's request for an extension, pending compliance reports on Conditions #3, 7, 9, 10, 12, and 14, and to be heard at a full public hearing. Any discussions? Hearing none. Dwight?

Mr. Gamulo: We're just going to defer till they have a public hearing? Deferral means an extension of the approval?

Ms. Suyama: A deferral is to defer. It's not an action to get back an extension.

Ms. Zigmond: ...(Inaudible)...

Mr. Gamulo: But, yeah, it's going to expire.

Reverend Gannon: But it doesn't expire.

Ms. Suyama: It doesn't expire because it's in the process of getting renewed. And until the Commission actually takes final action, it's either going to be extended or it's going to expire.

Mr. Gamulo: Okay.

Mr. Gima: Okay, any other discussion? Questions? Hearing none, all in favor, say "aye."

Commissioners: "Aye."

Mr. Gima: Oppose? Okay, motion is carried. Thank you. Let's take a five minute break.

It was moved by Commissioner Michael Gannon, seconded by Commissioner Lawrence Endrina, then unanimously

VOTED: To defer the applicant's request for a time extension, for 180-days, pending compliance reports on Conditions #3, 7, 9, 10, 12, and 14; and for the applicant to return to before the Lanai Planning Commission for a full public hearing.

(Assenting: L. Endrina, D. Gamulo, B. Zigmond, B. Oshiro,
M. Gannon

Excused: S. Kaye, J. Elliott)

(The Lanai Planning Commission recessed at 8:30 p.m., and reconvened at approximately 8:40 p.m.)

D. WORKSHOP ON THE POSSIBLE RELOCATION AND RECONSTRUCTION OF THE LANA`I CANOE HALE (T. Abbott)

1. **January 25, 2007 request letter from JON SHIMIZU of CASTLE & COOKE RESORTS, MARTHA EVANS of the LANA`I ARCHAEOLOGICAL COMMITTEE, STEPHEN FERGUSON of the LANA`I CANOE CLUB, and ROBIN KAYE of the Hulopo`e BEACH PARK COUNCIL requesting that a workshop be conducted at the March 21, 2007 Lana`i Planning Commission Meeting to discuss the relocation and reconstruction of the existing Hale Wa`a, currently situated on the grounds of the Hulopo`e Beach Park in the Manele Project District.**

Mr. Gima: Okay, meeting is back in order. At this time, Tom Abbott will introduce the workshop on the possible relocation and reconstruction of the Lana`i Canoe Hale. Not Tom Abbott.

Mr. Thorne Abbott: Thorne.

Mr. Gima: Thorne Abbott. Tom Abbott was my former supervisor.

Mr. Abbott: Aloha Commissioners, always a pleasure to come over to Lana`i, and we will spend some time here and serve your needs and interests. Basically, the project, if it's something that the Commissioners feel would be a community benefit, I think the Department would be very supportive of. It is in the shoreline setback area. There are approvals – an SMA approval and a Shoreline Setback Variance that was approved quite some time ago. So it would probably be prudent to get a letter or I don't even know if it will require a motion necessarily, but a statement of – a restatement of support of something

more timely. It does have a recent State Certified Shoreline Survey as I understand. And I'll turn it over to the applicants. And you folks, I know, there's some various concerns about the project, and we'd be glad to explore those for you, and serve on your behalf as you direct us.

Mr. Gima: Thank you, Thorne. Jon?

Mr. Shimizu: Hi, I'm Jon Shimizu from Castle & Cooke, and there are representatives from each of the committees here. Just from Castle & Cooke's view point, we are assisting with putting this through. Right now we are mostly looking at ideas and Bob Strum...(inaudible)... the Lanai Planning Commission and Planning Department, as far as, the best way to proceed with this and go forward. Before we get into that, I'd like to ask maybe some of the other members, as they've been much longer than I have, as far as what the history of the existing Hale Wa`a is. Martha Evans?

Ms. Evans: I wasn't expecting to do this, but the, Halau Wa`a, Hale Wa`a or Lana`i Wa`a because there are a number of different models that we're looking at, is actually a requirement of 1987 Memorandum of Agreement (MOA) that was signed between Castle & Cooke, Lana`ians for Sensible Growth, Hui Malama Pono O Lana`i, the State Historic Preservation Division, and the Office of Hawaiian Affairs. So it's one of the conditions that we need to fulfil as signatories of that MOA. The original Halau Wa`a was started – I don't even know when – I mean, Ron can probably give you a better idea of when that happened. And that, moved forward with support from both the Archaeological Committee and the Park Council. Over the years, things actually, as the Hale Wa`a was being built, the organizations became aware of the need to get permits from the County. And the thing that held this Halau up for all of these years is the sprinkler system. And so basically, the current structure, you know, many people view, as an eye sore on that beach. There's concerns. There's concern about it not being safe. There's concerns about the foundation not being safe and so forth. The Archaeological Committee was – I have to tell you, we were inactive for a number of years, and just recently, over the last two years, we really tried to bring things back to where they need to be. And one of our major project is the construction of the Hale Wa`a, or whatever you'd like to call it. And so, for years, the Park Council said we supported you, why is it still standing there? What we're trying to do is rectify some of the things that we have done. So, we have been told that, that Halau, as it stands, is within a 100 feet of that kiosk. And so, if it's going to stay in that area, we need to install a sprinkler system. What we are proposing instead is to move the Halau – and this is the Archaeological Committee with – Castle & Cooke is a member of the Archaeological Committee — to move the Halau a little bit farther down the beach. Take it out of that 100-foot area – and I hope I'm not doing your job, Jon, but –

Mr. Shimizu: I'll go over it.

Ms. Evans: So, we really want to build something that will be a source of pride for the community. It will help us to identify with our cultural heritage. And the thought is that we use the indigenous structures – and not install a sprinkler system. It's our understanding that without that sprinkler system – if we moved it, the building. What you need to know, that for years, the people were blaming the Canoe Club for that structure not being completed. It was not the Canoe Club. It was not their responsibility. It was the Archaeological Committee's responsibility. And we're at the point now where we feel very confident that we have the ability to move the structure and build it in the manner in which it was originally intended.

Mr. Stephen Ferguson: Hi, my name is Stephen Ferguson, better known as Ferge. I'm the President of the Hui Wa`a O Lanai Canoe Club. Just to kind of go over what she said. The Hale started many years ago. And as the Archaeological Committee kind of went away for a couple of years, the Canoe Club kind of felt, well, it's one canoe hale, so we should try push it through. And at that time, the Canoe Club was really strong, and so we kind of took the Hale under our wing, and said, you know what, we going try push it through. So on the Canoe Club side, we were the ones who sought out the SMA. We pushed that through. We actually applied for the permit, and it went all the way through until the Fire Marshall – and he said, you've got to put a fire sprinkler. Basically, what it was, it was one catch 22. At first when we applied, they said, you cannot build it because no more one permit. When we applied for a permit, they said, they don't have a Code for the building, so we cannot issue you one permit. So we was kind of stuck, but we pushed through with the SMA. We got that all done with help from a few people.

Then we heard about this indigenous structure that was being developed. Along with that, the Code, they were training certified Hale builders who were required to oversee the construction, under this new indigenous structure code. So we kind of just when hold off to see what this Code was going entail – what is the whole rules and regulations of the indigenous structure code – because we knew about this fire sprinkler thing. So an indigenous structure code comes out, and we're thinking okay, we can do this, we no need the fire sprinkler. But had one catch – had the 100-foot radius. When we went check measurements, we stay about 75 feet from the kiosk. So that put us right back at with the fire sprinkler. Just to check ourselves, we when out and try to figure out what the fire sprinkler would cost if we kept the Hale in the same place. And one bid came back. We would have to supply power and electric to within 10 feet of the Hale, and then it would cost us 50-grand for put the fire sprinkler in. So, was right there, that kind of went, you know, we can't afford that. So that's where it was.

So now that the Archaeological Committee is coming back, we kind of went back to them and say, you know what, if you guys continue what you started, we here for help. We just no more the – we're not as strong as we use to be, but if we all get together, we can get this thing done because we get the people with the heart, with the drive to get it done. Now, we figure our best bet is we've agreed upon slightly downsizing the Hale and moving it. It works for the Canoe Club, and we still get benefit from the use of the Hale. Going benefit the community. Going benefit the hotel. I think I'm done, everyday while we practicing, tourists taking pictures of the Hale, asking us what's going on, when we going be done? When it's done, it's going be a big attraction. It's going to be nice, and we get the people to do it. And I think now that the Club getting stronger again, everybody getting together, and some backing from the Company, Darrell guys and everything. That's all I needed to say about the Hale. Thank you.

Mr. Shimizu: I might be easier if you take this apart and kind of look at it. I guess what I'll be doing is I'm going to go over the different pages. Beyond the purpose, on the third page, is basically some pictures of the vicinity. That is this page here. On the next page is the site plan that shows the existing location of the existing Hale Wa`a. And then right next to it, also in the red circles, to the right, is a proposed location. And this one might be good to take a look at, on the next page, which is an aerial photograph and then kind of a picture of the area that the Hale would be going in and kind of attached in on what it might look like in that location, in context.

The next page, page #4, is an excerpt from the Indigenous Hawaiian Architectural Structures. Some of the diagrams have explained what the Hale Wa`a structure would look like – the structure and also the various sizes of it. And the next page is an example that was taken on Maui County that it would be similar. And basically what we are asking here is we'll be helping as far as designing the process that we need to go through for permitting, based on the indigenous Hawaiian Architectural structures – based on this new relocated location.

Mr. Oshiro: I have a question.

Mr. Gima: Go ahead Brad.

Mr. Oshiro: What is a kiosk? In the Post Office, when they say "kiosk," it's where you weigh your own stuff and drop in the mail. What does this thing look like? I just want to know. I can see it, but what's in it?

Mr. Shimizu: I believe that's where they have towels.

(Multiple speakers ...inaudible.)

Mr. McOmbler: That's where you get your chairs and towels when you sit on the beach.

Mr. Gima: Any other questions from the Commissioners? Dwight?

Mr. Gamulo: What's the – they going take out those trees there – where you have the circle?

Mr. Shimizu: Basically, it would be pruning back of those trees. It's a Lilo and Kiawe trees. I believe that structure, at 25 feet by 60, should be able to slip right into the spot.

Mr. McOmbler: That's an old, old pictures you're looking at. That's does not look the same anymore.

Reverend Gannon: Can I ask a question?

Mr. Gima: Yes.

Reverend Gannon: So in these six photos you have, which do you think best represents the slip into the tree method you're describing?

Mr. Ferguson: The third one on the top.

Mr. Shimizu: The third one.

Reverend Gannon: Number three. So it slips right in between there?

Mr. Shimizu: Yes. The third one on the top is very similar to the picture that's on the aerial.

Reverend Gannon: So you don't lose any picnic tables or shade or anything like that. So you just relocate them or move them to the side, or something like that?

(Multiple speakers...inaudible...)

Mr. McOmbler: We're watching that pretty closely – Park Council is.

Reverend Gannon: What happens to the old structure?

Mr. Shimizu: The old structure would be demolished. I believe the stones from the foundation can be reused in the new structure.

Mr. Endrina: Is there other structures or something next to this Hale that would be for storage or something like that? Storage use – I mean, is there another building attached to it?

Mr. Shimizu: Not attached.

Mr. Endrina: It's just this Hale itself.

Mr. Ferguson: Just the Hale. It's going be a replication of a traditional Hale. Not going get ohana units attached to it.

Mr. Shimizu: It would look very similar to this structure here, or this one is very similar also. Part of is attached. There's also a stacked on foundation ...(inaudible.)

Mr. Oshiro: One more question. What is it made of? What is the foundation?

Mr. Shimizu: The foundation is similar – would be similar.

Mr. Oshiro: No, the kiosk.

Mr. Shimizu: The kiosk?

Mr. Oshiro: Your bath and towels. What is it made of?

Mr. Shimizu: It's a concrete slab.

(General Public): Brad you got to go down there. You was there.

Mr. Oshiro: I'm sorry, I don't go down there no more. It's not the beach I remember when I was growing up. The beach doesn't appease me anymore. I have no attraction to this beach anymore. I really don't. I lost all interest. I mean, I care about, but I don't want to go down there. I don't go down there, myself, and socialize or do anything down there because I do not see it as it was. Everything has changed. It all went to tourists. I understand this is the only safe swimming beach on the Island. I understand why it's all like that, but it's not for me. And that's why I don't go down there. I take people down, drive around, out of there, but I don't stop.

Mr. Shimizu: The last time we went down was before the kiosk was –

Mr. Oshiro: Yeah, a long, long, long time.

Reverend Gannon: Can I ask another question?

Mr. Gima: Sure.

Reverend Gannon: So, Ferge, the one on the example they give of Maui and the Hana Hale, they say it's for "meetings, demonstrations, and ceremonies," could you – do you see that, Lana`i Hale being used for meetings, or weddings, or gatherings or whatever? What would be the other purposes of it?

Mr. Ferguson: I think, aside from the basic use, I know we going use them for store canoes during our season, and that going be a good area for us. We have a spot on the beach. Off season, we looking at being able to remove the canoes from the beach,. During off season, and the Hale can be used for Keiki programs or some kind cultural things. And I know Napua No`iau would be able to – we use to do stuffs with Napua No`iau along there, you know, with the kids, and do some cultural educational stuff. And the Hale is not "ours," you know, it's going to be for the community. So, I think, with the Archaeological Committee, probably, I think going benefit everybody, and I think kids mostly – that's my concern is.

(General Public): I use to work with Napua No`iau and we use to have Kupuna Workshops down there. We use to have crafts. We had Kumus come in and teach the kids, as well as the parents everything from lei making to Uli Uli or whatever kind of cultural activities we had that would be in the central area. We had just talked stories with the Kupunas of Lana`i – that's the kind of stuffs we're looking at – cultural stuffs.

Ms. Evans: And one of the things that haven't been mentioned is that if you go down the beach, closer to where the hotel is, there's some ruin of an actual Halau Wa`a, and so the thought – when this was written into the MOA – the thought was that we would replicate something – we would replicate it instead of trying to rebuild it. So this is a replication of something that exists already. To get in – they can see the walls –. But it's a replication of what would have been on that beach.

Reverend Gannon: And then, one other question. Who's paying for it?

Mr. Ferguson: Right now the Canoe Club is trying to finalize our 501C3 nonprofit status. We're looking at obtaining some grants and stuff. I know the Archaeological Committee, they're doing the same as far as grants – getting grant money and stuff.

Ms. Evans: The Archaeological Committee, when was formed, had a budget. And we're rather low on it, but because we've been in business for a long time. So one of the things

that we have committed – committed to – is providing a budget for that – for the Halau. And we're also in the process of – separate from the Archaeological Committee – kind of a off shoot of the Archaeological Committee – we're in the process of forming the Lana`i Cultural and Heritage Center – 501C3. And we've already applied for Article – we have our Article of Corporation and we have our Federal EIN Number. We're waiting for our nonprofit status to come through. And all of that presses the fact that with that 501C3, we can then look for grants that would help us to do this. And of course the man power, we hope to be supplied by the community members.

Mr. Ferguson: By eliminating this fire sprinkler, that kind of took one big weight off – financial weight off our shoulders as far as – that was like the biggest expense that we would have to deal with. The rest of the stuff not going be that bad. The fire sprinkler was just way out of the budget.

Mr. Oshiro: What are we looking at here? What are we suppose to do? We just give our blessings?

Mr. Gima: This is just a workshop. We're not taking any action. So the closest part of the Hale is 75 feet from the kiosk?

Mr. Ferguson: The back corner to our rock wall is 75 feet to the front corner of the kiosk, the front column.

Mr. Gima: And what's the width of the current structure now?

Mr. Ferguson: I think it's 25 to 30 feet.

Mr. Gima: So have you guys considered taking out the one side and moving it?

Mr. Ferguson: We thought of that. If we take that one wall and pop it to the other side, then we can keep one wall in tack. But by doing that, it will put the Hale right where the waves come through. Where the Hale is right now is on the highest part of the beach. Between the Hale and the Milo trees is where the high water mark runs through the parking lot. And we would put the Hale right in its channel, and the water would run right through the Hale. The proposed site – the new proposed site now – is the second highest spot on the beach. So the water runs through that first channel, through the Milo trees, and then it runs on the other side where if you guys remember when the time we had that big storm and it created that big trench – that would be on the opposite side of the new proposed site. So, the Hale – the new proposed site now is the second highest spot, so we can put – if we got to move it, that would be next best place to put it. That's why we

thought about hopscotching that wall, right over the other side, and then we can at least keep one wall in tack. But, the more we looked at, the more we thought about it, we going get beat up right there.

Mr. McOmber: The trouble with that other wall is without a traditional wall – it was done with concrete – many of Hawaiians do a concrete.

Mr. Ferguson: Get concrete underneath.

Mr. McOmber: Yeah. That was – if you're going to use a traditional wall, do it like you're doing –

Mr. Ferguson: With the new indigenous structure code and having a certified Hale builder, they do it completely traditional – no concrete – he's trained to show how the things is built and locked in with just the rock and everything, without using the concrete. And that's the new indigenous structure code that's approved by Maui County. We just got to make sure – we got to have a certified Hale builder signed on and oversee the project.

Reverend Gannon: So, if you move the kiosk, you don't need fire extinguishers.

Mr. Ferguson: The Hale was actually started before the kiosk was built. Because it was never permitted or nothing, and the kiosk was permitted, County permitted and built, so we're getting the boot.

Mr. McOmber: I'm for that. Let's take the kiosk off the beach.

Mr. Ferguson: Yeah, but the Hale actually started before the kiosk. In the beginning, we had nobody around us to worry about fire codes or anything.

Mr. McOmber: And they can take all their chairs and umbrellas with them.

Mr. Gima: How much of the area around the proposed Hale will be impacted? Because that area is a favorite camping spot for residents. There's a lot of shade over there. So I'm just wondering how much behind and on the side will be impacted?

Mr. Ferguson: I would say – we'll probably loose about, maybe 10 feet on each side, but we're also giving up one prime spot too. You know, if we wasn't there, the campers would be there because it's one nice spot in the corner. We put in our own showers there – get grass – it's one nice place. And if it wasn't for the canoes – if the canoes wasn't there, all the campers would be right there in that corner. If I had my way, I would stay, right where

I stay, because to me, that's the best spot. And for me being part of the club, I hate to give up a spot. To me, that's our home on the beach. If we give up the spot on the beach, every time I take the keiki for practice or stuff, I got to come on the beach, and tell myself, you know, tell people, "excuse me, excuse me, canoe coming through," to all the hotel guests. I got to ask for access to the beach. By having our Hale on the beach, everybody recognizes that area as our Hale and access to the water. Honestly, I don't have to excuse myself to get to the beach. We just carry our canoe and we go. And the kiosk – the people down there, they know, they usually don't put chairs out in front of our Hale because they know we're launching our canoes. So once we remove ourselves from the beach, we actually going lose part ownership of the beach of getting access in. It's like we got to ask for permission now. We got to ask the guests for permission – can we come through? So if I had my way, I would just stay right there. But because all this Codes and stuff, the next best thing is move it over. And it's actually going to be so far down that normally the hotel – the guests – their chairs never reach out that far. So they will never have to leave a gap between chairs so that our canoes can come up. They'll have their prime spot. We going get our spot. I think we've settled with, you know, with the idea of moving, and the thing going be good for us, good for everybody, I think.

Mr. Gima: Okay. Any last questions from the Commissioner before we go to public hearing? Thorne.

Mr. Abbott: The Department has a few questions, if you wouldn't mind.

Mr. Gima: Sure.

Mr. Abbott: How much do you anticipate the cost to be?

Mr. Shimizu: I don't think we've gotten that far yet, as far as establishing a cost.

Mr. Abbott: Let me rephrase the question. Will it be under \$125,000 for this?

Mr. Shimizu: Yes.

Mr. Abbott: Who owns the structure? Once it's built, who actually owns the structure would be responsible for the maintenance, the liability if there was an accident or something like that.

Mr. Ferguson: I would say it probably be the responsibility for whoever when permit for it right? So, as of now, the Canoe Club is the one who actually submitted the permit, so, I guess, for the time being, we would be the responsible party, I guess, because we're

actually submitting the application of a permit.

Mr. Abbott: And who owns the land underlying?

Mr. Shimizu: Castle & Cooke.

Mr. Abbott: And does Castle & Cooke – have they given you an easement or permission to use that land? Obviously, they have, but is that an easement or is it a permanent gift or what is the relationship there?

Mr. Shimizu: It will probably be a license, but that hasn't been worked out yet. A perpetual license to use that area.

Mr. Abbott: And can any of the public use that area? Would it be considered publically owned?

Mr. Shimizu: I don't think we've gone that far.

Mr. McOmer: That whole beach park is quasi-public though – and we'll get into that – but that's all quasi-public. It's publicly owned. Castle & Cooke is privately owned, from the high water mark.

Mr. Yokoyama: Ron is correct. Castle & Cooke owns the underlying land, but it has dedicated the use of the park and the surrounding lands for public use.

Mr. Abbott: Okay. That's all the questions I have.

Mr. Gima: Okay, if there are no other questions from the Commissioners, we'll take public testimony. Okay, Pat and then Ron.

Mr. Reilly: My name is Pat Reilly. I guess I wanted to say to the Planning Commission, if you think of this project starting from a Memorandum of Understanding of a great vision between Martha Evans, Ron McOmer, this Company, OHA, that, that vision was put in place and established in agreement, a legal agreement, 20 years ago, in 1987. These guys – Martha, Ron, Ferge, Ola – have our deepest respect. It has taken 20 years and may turns to get to this point. The Hawaiian culture has been looking, although it's all around us, has been looking for a place to establish itself, and that beach, as Martha explained, is the place that it should be. And if it weren't for Ferge and Ola starting that Canoe Club, which is bringing children into this program, and establishing a symbol on that beach, of an ancient Hawaiian culture of which we have very few visible symbols – aware

to most people – silent. Ron and Martha set up through an archaeological meeting with Lana`ian's for Sensible Growth, the Park Council – I sat on the Park Council for practically 20 years – and these people went through some agony. There was some serious clashes about the establishment of this Hale at one point – Halau, as you call it.

Now, what you have is a classic example of this community coming together in spite of errors of controversy, the Company, OHA, the Canoe Club, Lana`ians for Sensible Growth, the Park Council – all these things that were envisioned in the original agreement, now are coming in fusion to actually to create something, a program, that is going to be good for the Hawaiian community, good for our children, and good for these Islands.

There's only one ancient culture here and that's Hawaiian. If you don't do it here, it goes away. And all of us that have been in service, that have traveled throughout the world, know that. That, in a modern world, it is quite easy to run over an ancient culture. And the people of this Island has had a renaissance in the last 20 or 30 years, and I think on Lana`i, this is just one symbol of that renaissance. And the energy of the living culture – you have to support this. And the questions that Thorne asked are the questions that were debated 15 years ago. Who owns the land? Who's going to build it? How much money? Where is coming from? Who's going to run it? Does the public have access? What else can do it on? These questions will be answered. I ask for your support to help and support these people to answer the questions because this has not been an easy project. And I sense it's very close to happening. Thank you very much.

Mr. Gima: Thank you Pat. Ron?

Mr. McOmber: As President of LSG and Park Council – member of Park Council for – since it was formed. And since this Canoe Hale was presented to the Community, we gave them our blessing to do it. And through trial and error, and sometimes through some mismanagement, it never got off the ground. It started. We had to stop it because it was built illegally which upset some people. They thought they could do it without permits. It finally went through. Now, we have a Minor SMA and started to go forward. I ask this Board, or this Commission, and give them their blessings. We at the Park Council have given the blessing to it. We've supported this all the way along. And this is just one of the many things that we do and we've been doing it. So, with your blessing, we can move this forward. The Company has been very, very, easy to work with. They know what is important. They know that Martha has put a lot of hours in. The Archaeological Committee is a formation of the MOA of LSG. So you're going to hear this more, and more, and more. Most of this stuff that's going on is through that agreement with Castle & Cooke. This is a very positive thing. If the County can let this go through – and it's got to be done – it's either that or get it off the beach because it's an eye sore. It's taking up

the precious land. Now, it can be put to good use with the Canoe Club. Unfortunately the Canoe Club got caught in this thing. They should have never ever had this under their office. It should have been the Archaeological Committee from the very beginning, and somebody dropped the ball on that. It wasn't Martha. But somebody dropped the ball, and we've been trying to recover from that ever since. So give them your blessing. Let it go forward, and let's get it done and get this eye sore off the beach and make it something that is worthwhile for the community and the canoe club. Thank you very much.

Mr. Gima: Thank you Ron. Any other public testimony? Okay. Public hearing is closed. Bev?

Ms. Zigmond: I have a question. I'm trying to remember back on the orientation workshop for Commissioners – when you were asking, Thorne, about the cost, if it's under \$125,000, it would – am I correct that it doesn't come before us then?

Mr. McOmber: No, it's a Minor SMA.

Ms. Zigmond: I thought anything under \$125,000 didn't.

Mr. Abbott: There's a very short answer to that, but I'm—. The short answer is if it's under \$125,000 it can be a discretionary approval by the Director, and the Commission would not review it. If it's over \$125,000, then the Commission reviews it and we have a public hearing. If it's in the shoreline setback area and it requires a variance, then the Commission has the discretion to review it, regardless of what it's cost is. Likewise, the Commission also has the discretion to say we don't want to review it and it's up to the Director to approve or not to approve.

Ms. Zigmond: So I did pay attention when you did that?

Reverend Gannon: Good job.

Mr. McOmber: It's better you review it because you need to look at as a community – Commission – as a courtesy.

Ms. Zigmond: Absolutely.

Mr. Gima: Thorne?

Mr. Abbott: If I may ask two more questions of the applicant. Is this a noncommercial facility and will it remain that way?

Mr. Masuda: Yes.

Mr. Abbott: And how long will it take you to built it or complete it?

Mr. Ferguson: I cannot really say. I know we have people in place where once we get started, we have a lot of people ready to move on it. We've already figured out a few things as far as material wise – where we're getting our timber from. We have quite a few people in place. Time wise we haven't gotten to actually figuring that out, but I don't see it dragging on.

Mr. Abbott: I respect that. Let me restate the question – just a parameter – under a year or over a year?

Ms. Evans: Under a year.

Mr. Ferguson: Once we start it, it will go up under a year.

Mr. Abbott: Okay. Mahalo.

Mr. McOmber: Besides that, the Park Council will be watching it and making sure that they meet that because it's really important to the Park Council that we get it done. We'll be poking them a little bit too. They'll be giving us, probably, monthly reports.

Mr. Reilly: If we're going to have a general discussion, then – we just went through a 10-year extension on building houses. I mean, for Pete's sake, give them a break of at least five-years to get the thing done. It's taken them 20 years to get to this point. And that's not a joke. It is a very difficult project because of all things that you raised here – there's money, materials and the way it has to be built. So to give them a one-year time line seems preposterous. Give them a chance.

Mr. Abbott: It was just a question.

Mr. Reilly: I understand. The way the things were being discussed, I just want to make sure. They need a chance.

Reverend Gannon: I still like to move the kiosk idea, but I'm leaving. It's my last meeting. So I'll just keep my opinions to myself.

Mr. Gamulo: So who's going to control it? Who's going to decide what can (phonetics)?

Mr. Ferguson: I guess that going be – trying to figure out with the Hawaiian community, as with the Archaeological Committee, and probably the development of the historical stuff.

Mr. Gamulo: So who are they going to see?

Mr. Ferguson: Right now, probably, the Canoe Club, I guess. We worked with the other Hawaiian organizations. It's for Hawaiian culture. So basically, it's got to come to one of the Hawaiian organizations – we do communicate.

Ms. Evans: But in cooperation with the Park Council because there are specific rules regarding the use of the beach park – in the Park Council.

Mr. Reilly: I also want to say that I support the rangers down there that Castle & Cooke have put, and they'll be very supportive of assisting in that project, and assuring that, you know, it stays what it is suppose to made for. This is one of a few projects in which you have a lot of cooperation and people want to see this happen. So, let's just make it happen.

Mr. Gima: Okay. Any last comments or questions?

Reverend Gannon: Maybe if I can ask the gracious doctor to give our blessing. Can I do that?

Mr. Gima: Gracious doctor?

Reverend Gannon: Yeah, the one sitting next to me. You want to give your blessing on behalf?

Ms. Zigmond: You can do it. It's your last meeting.

Mr. McOmber: Actually, they'll get the right people down there to do that – blessing.

Mr. Gima: Anything else Jon?

Mr. Shimizu: I guess, just maybe hearing what the proper procedure would be as far as – I guess, Thorne, we would be working closely with you on this.

Mr. Abbott: With that, may I ask that we have an Executive Session?

Mr. Gima: I'm sorry?

Mr. Abbott: In order to answer his question, on your behalf, I would prefer to have – I request the Commission has an Executive Session so I can explain – so I can share what your rules are and what your opportunities are.

Mr. Gima: I'm kind of confused.

Mr. Abbott: I know it's out of left field.

Mr. Gima: I'm kind of confused. Is it because you were expecting us to take action tonight?

Mr. Abbott: No, because I wanted to share what – based on your roles – what opportunities you have.

Mr. Gima: Okay.

Reverend Gannon: What we could do.

Mr. Abbott: What you could do.

Mr. Gima: Okay.

Mr. Abbott: But I think you want to.

Mr. Gima: Okay, we'll recess at this point for an Executive Session, and if the public could wait outside.

(The Lana`i Planning Commission recessed at approximately 9:20 p.m., for an Executive Session. They reconvened the regular scheduled meeting at approximately 9:30 p.m.)

Mr. Gima: Okay, the meeting is back in order. Basically, we just clarified roles and responsibilities of the Commission, and no action was taken. So, are there any further comments or questions, either from the public or the Commission?

Mr. Abbott: To answer your question – apply for a Special Management Area Assessment and a Shoreline Setback Approval/Determination.

Reverend Gannon: And we'd like to thank you for all your hard work. Can I say that?

Mr. Gima: No you can't. Thank you Jon, Ferge, Martha.

F. DIRECTOR'S REPORT

- 1. Lana`i Planning Commission inquiry as to whether gas tanks and gas fuel lines are covered under the Department of Land and Natural Resources approved Special Management Area Use Permit for the Manele Small Boat Harbor Ferry System Improvements Project. (T. Abbott)**

Mr. Gima: Okay, now we're on to the Director's Report. Colleen?

Ms. Suyama: At the last Planning Commission meeting, you asked for clarification about the gas tank, the gas fuel lines at Manele, and we brought Thorne Abbott here because he was the planner of the application, to clarify, what the concerns were and what was approved as far as permits.

Mr. Abbott: Hi. Thorne Abbott again. I did review the original permits submission, and the project description was that they wanted to put in the gas lines while they were doing the road, and I believe that would include the foundation for the gas tanks, but not the gas tanks themselves. And they wanted to do for matters of expediency. It's also in my memory that during testimony, the applicants stated that if there was going to be any consideration of selling fuel or transporting fuel or having a fuel station, that they would seek public input on that, and talk to the voters and see if that was something that we really needed here or not, as part of reviewing that. I did not get a hold of the actual meeting minutes, so I can't state exclusively that was stated. Some of you might have a better memory than I. But basically in the original project description, the gas lines were proposed and approved.

Ms. Zigmond: But, not the tank. And is the tank going in?

Mr. Abbott: The foundation for the tank, I believe, was on the site plan. The tank, itself, I would have to go back to the actual minutes to determine whether the tank, itself, was or not. I believe that the discussion, at that time, from the applicant, was they wanted to talk to the voters and see if fuel services were needed prior to making a decision on the tank. And I think there were some other issues as far as getting permitting for the actual tank. I should say, the tank, if it had fuel in it.

Mr. McOmber: The actual ownership of the tank.

Ms. Zigmond: It's my recollection that we did not approve the tank. And my question last month was I had heard that it was being put in, and so my question was, is it being put in

and who is being accountable for that? Assuming that we did not approve that.

Mr. Abbott: Well it would be up to the Department to make sure that they were complying with conditions of their approval. One of which is the representations that they made. Again, I remember them, having the gas line as being approved, in their project description. And the tank on the floor and on their site plans, they had foundations, but not the actual tank. So that would be something that our enforcement section should check on. And if they are out of compliance, then we'll going to bring them to compliance.

Ms. Zigmond: Can we have that happen?

Mr. Abbott: I believe so, yes. And we'll take action on that when we get home.

Mr. Gima: Other questions, comments from the Commissioners? Thorne, if in fact the gas tank was going to be installed at the time it came before this Planning Commission, would there have been other criteria and requirements that we would have had to deliberate because a fuel tank was going to be installed there?

Mr. Abbott: If I recall the testimony at that time, there's a fair amount of restrictions in putting a fuel tank in. Things like Department of Health, there's safety concerns, there's FEMA flood zone concerns – as I recall DNLR's Dober was concerned just item would tie up the project quite a bit because there's a lot of other approvals they have to get for safety purposes. And that's why they did not include an active used tank. But they wanted to put the gas line in, for this project, figuring we're working on the road, we might as well put the line in now, so we don't have to dig up the road later, and put the gas line in again. So, yes, I think the Commission would have to review that again.

Mr. Gima: I don't think the rationale – that was a rationale – the rationale was they put in the line because they were going to bring the fuel truck and pump fuel from up on the parking lot.

Mr. Abbott: Right.

Mr. Gima: As oppose to parking the fuel truck right next to the ferry.

Mr. Abbott: Right.

Mr. Gima: It wasn't put in for future considerations that, they were going to put a fuel tank there.

Mr. Abbott: If I remember testimony, and again, I didn't get the chance to pull the minutes,

but there were both of those considerations, that they could use it for the trucks to park up on the hill or they could actually offer fuel services.

Mr. Gima: So, let's just say, they, the Harbor improvements are completed, three years down the line, they want to put in a fuel tank, will it come before this Commission?

Mr. Abbott: Yes. Yes, it definitely will. And I think, at least my understanding from the applicant, was that's not – because of the numerous restrictions around having live gas and fueling, that's why they were restricting them.

Mr. Gima: And what responsibility will the Planning Department take to ensure that the County make sure that, in fact, the fuel tank is not going in?

Mr. Abbott: I will personally talk to Dober and the applicant, and I will also pull the notes of the meeting, and the site plans, and if there is a tank on the site plan, I'll notify the Commission at the next Commission meeting. If there's not a fuel tank on it, I will have Dober share why they're doing those activities and what their plans are. And finally, we'll make them apply for a permit.

Mr. Gima: If you do find out, please don't wait till the next meeting. Will you correspond with the Planning Commission of your findings?

Mr. Abbott: Okay.

Mr. Gima: Thank you. Okay, any other questions from the Commission? Public? Ron?

Mr. McOmber: As a member of the Harbor Advisory Board, we heard the same thing. We called a special meeting. In the meeting, we brought the engineer out because we had heard that they were going to put that tank in. We said, it wasn't going in because it was not part of the agreement. It wasn't part of the agreement with the Harbor Advisory people. It wasn't an agreement. They were going to put a line under the cement in case they ever needed to do that. But, it has now been withdrawn. The engineer has decided that it's not worth the trouble because we couldn't get assurances from the State that, that line and that fuel tank would be only used by the Expedition – that, and the other condition that was in there. If the Expedition – and this was suppose to help the service of the Expedition – if that was only dedicated, the Expedition would have to buy, and run it, and use it. We were concerned that the State would come back later and say, because there's a tank there, anybody can use it. We said that's not going to happen because it would put such pressure inside that small harbor area, all these folks coming in and fueling up on their way back to Maui. So right now, as it stands now, I think, you'll find this out in the last minutes that the Harbor Advisory had, there is no tank going or even pipe under the

cement. It's not going to happen. Just to reassure you, we will be in "hoo-hoo" about this as you will be if that happens. That was not the agreement. That was not the agreement with the Harbor Advisory. It wasn't the agreement with this Commission. It will not happen because we cannot be guaranteed that it's only operations for Expedition. So that's the way that stands right now. It is no longer on the plans. And if you go down there, that cement disk that you see there, has nothing to do with that. It has to do with sewage and other stuff, but it has nothing to do with the foundation. Because Jim Koons was concerned that they were going to tear all the trees up, just to put the tank in, which is not on his property, which is not his business anyway. But he raised the issue and then we had a meeting about it. But, it's no longer an issue. Thank you.

Mr. Gima: Thank you. Okay, any further comments on the gas tank? Colleen?

2. Open Lana`i Projects Report

Ms. Suyama: You got the most recent list of projects on Lana`i in terms of permits, and it's not the whole sheet. It's from Manele Bay to the Pines of Koele that are actually permit applications that are in. If you have any questions on some of them, Mr. Fasi is here, the identified planner.

Mr. Gima: Well, this is Sally's pet peeve and she's not here tonight. So projects were removed –dead projects were removed from here?

Ms. Suyama: Yeah, because we had asked our planners to start removing things that are void or they are no longer open, or it's withdrawn or completed. And we have also directed the person who's in charge of office for a system that does the recording, to looking at a better of doing the recording for each Commission members in terms of the project. So they're working with our MIS Division on that.

Reverend Gannon: I have one question. So the one reoccurring problem, maybe you should, the former Club Lana`i Planning violation letter/response from shoreline set back, and there's two of them, dated the same day, 9-25-05. So that – I recall that – so what is that? Have they complied with that thing? It's actually the Club Lana`i people who didn't comply right? Which is why Castle & Cooke took it back?

Ms. Suyama: I remember this was a long, long time ago – this alleged violations of Club Lana`i, and I think Counsel had requested information. My understanding is this did get resolved in some way. I'm not sure why these letters still keep coming up. There is a glitch in our KIVA system, which is the permit tracking, that a lot of times when we're deleting, not deleting but, closing out applications, forms or letters –

Mr. Gima: Excuse me. Paul, can you guys take the conversation outside? I have a hard time when there's multiple conversations going on. Thank you. Go ahead Colleen.

Ms. Suyama: There is a glitch in the system that does the permitting for the County, and we've been trying to work it out with MIS. That sometimes there are old applications or old letters that come repeatedly coming out on our reports. And we do this recording, and we try to find out, through MIS, how we can fix that system.

Mr. Abbott: If I may add –

Reverend Gannon: Can I ask one other question then? So if Club Lana`i, the resolution was that they got booted to my knowledge, or their ability to use that property was taken away, then it would fall under Castle & Cooke to fix the violation that Club Lana`i had?

Mr. Masuda: There's no existing violation. All of that has been cleared up. That's why we don't even know why it's going on the list.

Mr. Abbott: And I believe I've closed that about four or five times. It keeps coming back up.

Ms. Suyama: And it's an internal problem that MIS needs to solve for us.

Reverend Gannon: The violation that would never go away. Very good. Glad you fixed it.

Mr. Gima: Last call on open projects. Any other requests?

Mr. Giroux: Real quickly, I would just encourage the Board to do a motion, I guess accepting the acknowledge of the receipt of these – I believe if there's any Minors or any Exemptions on this slip, upon your receipt, anybody who wanted to challenge this would have 10-days to reply. I'm not sure. Are there any exemptions or –?

Ms. Suyama: No, there are no minor permits.

Mr. Giroux: Then there's no need for a motion.

Mr. Gima: All done?

Ms. Suyama: Yes.

3. Commission Chair's request to discuss the following:

The feasibility of changing the zoning of the remaining 65 acres of land donated to the County of Maui by Castle & Cooke for affordable housing. The change would go from its current zoning to the appropriate type of zoning that would make the land ready to be improved.

G. NEXT REGULAR MEETING DATE: April 18, 2007

Mr. Gima: Next meeting is slated for April 18.

Mr. McOmbler: Mr. Chair, before you close the meeting, I'd like to have something put on the agenda for the next meeting. I received a letter from the new Planning Director, in my request for the Jacaranda Square situation. In May of 2004, the Urban Design Review Board reviewed that project and gave them permission to go forward with their project, and basically trumped the Community Plan that says, that there's no two-story buildings in the square of Lana`i commercial square. And they gave them permission on May 4, 2004. I have the minutes on the meeting, and it was held on Maui. It was not held on Lana`i. I want to know what happened with that, and an explanation from the Planning Department how that would happen – if the Urban Design Review Board can give permission to build a two-story building in an area in the community plan that specifically spells out one-story building, in the commercial town district. So I need some clarification on it. It's not on the agenda tonight, but I'd like to have it put on the agenda for next month's meeting.

Mr. Gima: I'm not sure if that will come under the Commission's purview.

Mr. McOmbler: It will be because it's a community plan, and the community plan was approved by this Commission. It was approved first by the CAC, and then it went to you folks – not you folks who are at this table – but it went to the Commission, and then it went to the Council because that's the process.

Mr. Gima: A Community Plan Amendment would come before us.

Mr. McOmbler: But why – how did – but I'm asking how is that the Urban Design Review Board trump the Community Plan?

Mr. Gima: Well, we won't be able to answer that.

Mr. McOmbler: Well, somebody – I want somebody from the Planning Department to come to this meeting and explain why that process is done that.

Mr. Gima: So, my suggestion is if a Community Plan Amendment comes before us, then

we will act on it. But, in terms of explaining that, I think, you have to write a letter to the Planning Department.

Mr. McOmber: I wrote a letter. I've already got a response from them. They said it's – I want to know why does the Urban Design Review Board get to trump – it did not go to the Community Plan Amendment –.

Mr. Gima: No, but, Ron, what I'm saying is, we can't answer that – the Commission can't answer that.

Mr. McOmber: You can't, but you can have somebody from the Planning Department come here and answer this Commission why that – or this Community – why this is happening. How did that happen? There's something wrong with this system that an Urban Design, which is being on Maui, through the Planning Department – how do they make that decision without having that meeting here on Lana`i and let Lana`i people see it?

Mr. Gima: What's our options on this?

Mr. Giroux: You can request that the Department look into it. I don't know – we don't know all of the facts behind it, so –.

Mr. McOmber: No, you don't know the facts, but we need to know what the facts are.

Mr. Gima: Will this be like a Communication item?

Mr. Giroux: Yeah. I mean, maybe if they could send us the letter they sent Ron. I don't know. I don't know how much authority we're going to have over it. If it's a decision done by the Urban Design Review, and I'm not sure why they're reviewing it even –

Mr. Masuda: It's a matter of being in the Country Town Business District, and projects generally are reviewed by the Urban Design Review Board. However, they just look at the Country Town Business District Ordinance which allows two-story. But Ron's contention is the Community Plan says one-story.

Mr. McOmber: That's right.

Mr. Masuda: But the Ordinance says total of two-stories.

Mr. Gima: So that's something that can be placed on the agenda? Is it appropriate to be placed on the agenda?

Ms. Suyama: I don't know if it's appropriate to place on the agenda because it's an authority that was given to the Urban Design Review Board, to review projects within the Country Town Design Guidelines.

Mr. McOmber: Yeah, but it's also is under the Community Plan. And he's quoting, when he got his variance, he quoted the Lana`i Community Plan why he didn't have to have curbs and gutters on his street.

Mr. Gima: Ron, let me stop you because since this wasn't on the agenda, we just have to decide whether it can be on the agenda for next month or not.

Ms. Suyama: We can do a reporting draft on what the circumstances are of the approval.

Mr. Gima: Will that suffice for you?

Mr. McOmber: I want some answers from the County. Why that – how that could possibly happen?

Mr. Gima: Okay, so it will come under Director's Report or Communications?

Ms. Suyama: I guess Director's Report.

Mr. McOmber: Why did you have to do a Community Plan?

H. ADJOURNMENT

Mr. Gima: Okay, with five of us here. Everybody going to be able to make the April 18th meeting? One, two, three, four – only four – Jim and Sally. Okay, we need to find out, I guess so, yeah? I think that's it. Thank you very much. Thank you again Brad and Mike for serving the community. Meeting is adjourned. Thank you very much everybody.

There being no further discussion brought forward to the Commission, the meeting was adjourned at approximately 9:50 p.m.

Respectfully transmitted by,

LEILANI A. RAMORAN
SECRETARY TO BOARDS & COMMISSIONS I

RECORD OF ATTENDANCE:

PRESENT:

Reynold “Butch” Gima, Chair
Lawrence Endrina, Vice-Chair
Bradford Oshiro
Reverend Michael Gannon
Dwight Gamulo
Beverly Zigmond

EXCUSED:

James “Jim” Elliott
Sally Kaye

OTHERS:

Colleen Suyama, Deputy, Planning Department
Thorne Abbott, Staff, Planning Department
Paul Fasi, Staff, Planning Department
James Giroux, Deputy Corporation Counsel