

KAUA‘I PLANNING COMMISSION
REGULAR MEETING
April 24, 2018

The regular meeting of the Planning Commission of the County of Kaua‘i was called to order by Chair Apisa at 9:15 a.m., at the Līhu‘e Civic Center, Mo‘ikeha Building, in meeting room 2A-2B. The following Commissioners were present:

Chair Donna Apisa
Vice Chair Glenda Nogami Streufert
Mr. Roy Ho
Mr. Kimo Keawe
Mr. Sean Mahoney

Absent and Excused:
Ms. Kanoe Ahuna

The following staff members were present: Planning Department – Deputy Director Ka‘āina Hull, Duke Nakamatsu; Office of the County Attorney – Deputy County Attorney Jodi Higuchi Sayegusa; Office of Boards and Commissions – Commission Support Clerk Darcie Agaran

Discussion of the meeting, in effect, ensued:

CALL TO ORDER

Chair Apisa called the meeting to order at 9:15 a.m.

ROLL CALL

Deputy Planning Director Ka‘āina Hull: Good morning, Madame Chair and members of the Commission. The first order of business is Roll Call. Commissioner Ho.

Mr. Ho: Here.

Mr. Hull: Commissioner Streufert.

Ms. Nogami Streufert: Here.

Mr. Hull: Commissioner Mahoney.

Mr. Mahoney: Here.

Mr. Hull: Commissioner Keawe.

Mr. Keawe: Here.

Mr. Hull: Commissioner Ahuna is absent. And Chair Apisa.

Chair Apisa: Here.

Mr. Hull: You have a quorum, Madame Chair.

MINUTES of the meeting(s) of the Planning Commission

Mr. Hull: There are no minutes to approve for the previous Planning Commission (meeting).

RECEIPT OF ITEMS FOR THE RECORD

Mr. Hull: There are no receipt of items for the record.

HEARINGS AND PUBLIC COMMENT

Continued Agency Hearing

New Agency Hearing

Continued Public Hearing

New Public Hearing

All remaining public testimony pursuant to HRS 92 (Sunshine Law)

Mr. Hull: The next item would be Item G for Hearings and Public Comment; however, there are no members in the audience and no one has signed up to testify on any of the agenda items.

CONSENT CALENDAR

Status Reports

Director's Report(s) for Project(s) Scheduled for Agency Hearing.

Mr. Hull: So moving right along, we also have no items for the Consent Calendar.

EXECUTIVE SESSION

Pursuant to Hawai'i Revised Statutes Sections 92-4 and 92-5(a)(4), the purpose of this executive session is to consult with the County's legal counsel on questions, issues, status and procedural matters. This consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Commission and the County as they relate to CC-2015-20, Class IV Zoning Permit Z-IV-2007-1, Use Permit U-2007-1, Special Permit SP-2007-01, Tax Map Key: (4) 2-8-002: por. 005 = Kaula 'i Springs, Inc.

Mr. Hull: The next item is Item I.1., Executive Session, which I will turn over to the (Deputy) County Attorney to read the language.

Oh, did I skip something?

Chair Apisa: Minutes?

Mr. Ho: I'm sorry. Could you back track to (Item) E, please? The minutes. I'm sorry, (Item) C, the addition of a Subdivision Committee person [sic].

ADDITION OF SUBDIVISION COMMITTEE MEMBER(S)

Mr. Hull: Oh, I apologize. The addition of a Subdivision Committee person?

Mr. Ho: Yes, we are going to get one more member seated.

Mr. Hull: We don't have anything on the agenda.

Deputy County Attorney Jodi Higuchi Sayegusa: It is noted on the agenda – the Addition of Subdivision Committee Member(s) – but I think that might have been just an errata. Correct me if I'm wrong, did we not address that last time? We didn't? Okay. Sorry.

Mr. Ho: Mr. Keawe sits in as an alternate.

Ms. Higuchi Sayegusa: Okay.

Mr. Ho: So we are one member short.

Ms. Higuchi Sayegusa: Okay. I guess at this point, then...right, okay. Let me just return to my rules – one second.

Being that the Subdivision Committee is a standing committee, the Commission may appoint...I'm sorry – one second. Could I have, maybe, a two-minute recess? Sorry about that.

Ms. Nogami Streufert: I move to recess for two minutes.

Mr. Keawe: Second.

Chair Apisa: All in favor? (Unanimous voice vote) (Motion) approved 5:0.

The Commission recessed this portion of the meeting at 9:17 a.m.

The Commission reconvened this portion of the meeting at 9:20 a.m.

Chair Apisa: We are back in session.

Ms. Higuchi Sayegusa: I apologize for the delay and disorganization on that. But under the Commission Rule 1-2-11, the Subdivision Committee is a standing committee and the Commission may appoint necessary committee members to such a role, so I guess it is up to you folks on appointing an additional member of the Subdivision Committee.

Mr. Ho: We do it by just a motion?

Ms. Higuchi Sayegusa: A motion and a second and a vote.

Chair Apisa: Do we have a motion to...

Ms. Nogami Streufert: I move to appoint Kimo Keawe.

Chair Apisa: To the?

Ms. Nogami Streufert: To the Sub Committee.

Mr. Mahoney: Second.

Chair Apisa: All in favor? (Unanimous voice vote) Any opposed? (None) Motion carried 5:0. Congratulations, Kimo.

Mr. Keawe: Thank you.

Chair Apisa: Move up from alternate to permanent member.

Mr. Hull: My apologies, and so that brought us back to Agenda Item C.

Ms. Higuchi Sayegusa: Sorry, just one last thing – I'm sorry – is there currently another alternate just in case?

Mr. Keawe: Is Kanoe on the Subdivision Committee, Roy?

Chair Apisa: I don't think so.

Mr. Ho: She is not.

Mr. Hull: Not at this time.

Chair Apisa: Kanoe or Glenda would be to--

Mr. Keawe: Oh, okay.

Chair Apisa: Do we have a motion to--

Mr. Keawe: So this goes both ways, right?

Ms. Higuchi Sayegusa: Name an alternate.

Mr. Keawe: Right? Okay, I am ready. I move to appoint Commissioner Streufert as an alternate for the Subdivision Committee.

Mr. Mahoney: Second.

Chair Apisa: All in favor? (Unanimous voice vote) Any opposed? (None) Abstentions? (None) Motion carried 5:0.

Mr. Ho: Thank you for your volunteerism.

Mr. Keawe: Thank you for your--

Chair Apisa: Congratulations. Well, that's just an alternate.

Mr. Hull: So that completes Agenda Item C.

APPROVAL OF AGENDA

Mr. Hull: And forgive me, in the rush to move forward, we actually did skip over Agenda Item D, Approval of Agenda. The Department has no recommendations for any adjustments, Madame Chair.

Chair Apisa: All right, thank you. And minutes will be deferred to the next meeting. So continuing on, then, to Item I.

EXECUTIVE SESSION

Pursuant to Hawai'i Revised Statutes Sections 92-4 and 92-5(a)(4), the purpose of this executive session is to consult with the County's legal counsel on questions, issues, status and procedural matters. This consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Commission and the County as they relate to CC-2015-20, Class IV Zoning Permit Z-IV-2007-1, Use Permit U-2007-1, Special Permit SP-2007-01, Tax Map Key: (4) 2-8-002: por. 005 = Kaula 'i Springs, Inc.

Mr. Hull: Continuing on for Item I, Executive Session, I will turn it over to the (Deputy) County Attorney.

Ms. Higuchi Sayegusa: Item I.1. – pursuant to Hawai‘i Revised Statutes Sections 92-4 and 92-5(a)(4), the purpose of this Executive Session is to consult with County’s legal counsel on questions, issues, status, and procedural matters. This consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Commission and the County as they relate to CC-2015-20, Class IV Zoning Permit Z-IV-2007-1, Use Permit U-2007-1, Special Permit SP-2007-01, TMK: (4) 2-8-002 portion of Parcel 005, Kaua‘i Springs.

So I guess we would need a motion and a second to go into Executive Session.

Mr. Mahoney: Do we want to adjourn after the meeting? Is there (inaudible).

Ms. Higuchi Sayegusa: Yes, we have a Subdivision matter after this, and then another Special Meeting.

Mr. Keawe: Another Special, right?

Ms. Higuchi Sayegusa: Yes.

Mr. Mahoney: Okay, just to go into Executive Session. I move that we go into Executive Session.

Ms. Nogami Streufert: Second.

Chair Apisa: All in favor? (Unanimous voice vote) Any opposed? (None) Motion carried 5:0. We are in Executive Session.

The Commission moved into Executive Session at 9:24 a.m.

The Commission returned to Open Session at 10:11 a.m.

Chair Apisa: Call the regular meeting back to order.

GENERAL BUSINESS MATTERS

Mr. Hull: Madame Chair, the next agenda item is Agenda Item J, General Business (Matters), for which we have no items.

COMMUNICATION (For Action)

Mr. Hull: We have no Communications.

COMMITTEE REPORTS

Subdivision

Mr. Hull: So that brings us to the next item, Agenda Item L, Committee Reports. We have one report from the Subdivision Committee.

Mr. Ho: We had the most interesting Subdivision (Committee) meeting this morning. Simple ones – tentative subdivision approval for Kenneth Medieros that was granted. There was one (for) George Tsukamoto; extension request that was approved. A&B Properties had an extension request to April 24th of 2019. And the most interesting one – Nonou Development, confirming the approval of the subdivision map of August–

Mr. Keawe: Fifteen.

Mr. Ho: –15th, 1956, and that was approved. That was our meeting for the Subdivision (Committee).

Ms. Nogami Streufert: I move to accept the Subdivision Report.

Mr. Mahoney: Second.

Chair Apisa: All in favor? (Unanimous voice vote) Motion carried 5:0. Subdivision Committee minutes [sic] are approved.

Mr. Ho: Thank you.

UNFINISHED BUSINESS (For Action)

Mr. Hull: Madame Chair, we have no Unfinished Business.

NEW BUSINESS

Mr. Hull: And we also have no New Business.

ANNOUNCEMENTS

Topics for Future Meetings

Mr. Hull: So the next agenda item is O, Announcements. There are no new topics for future meetings. Were there any questions about any possible items for future meetings from the Commissioners?

Chair Apisa: Hearing none.

Mr. Keawe: Oh, I had...are we going to get an update on Coco Palms at some point?

Mr. Hull: We can work to have that drafted up.

Mr. Keawe: Okay, whenever the next meeting is – we are not quite sure when we are going to have it, but we should probably get an update on what's going on.

Chair Apisa: I think the next meeting is planned (for) the second (meeting) in May, which would be May 22nd will be our next meeting.

Mr. Hull: I can say that we can tentatively plan for an update on that. I will say, as some of you are aware and we may have discussion at the next agenda item, that the Planning Director Michael Dahilig has been deployed to the north shore's isolated community of Wainiha indefinitely, I will say.

Mr. Keawe: Did he have to parachute in?

Mr. Hull: A Black Hawk helicopter took him in there. So he is doing his best out there. We anticipate him coming home eventually; we hope sometime in early May. But if his–

Mr. Keawe: He is actually living out there?

Mr. Hull: He is living out there as–

Mr. Keawe: Wow.

Mr. Hull: –the Mayor's point of contact and liaison with that community while it is going through its isolation from the rest of the island. He is doing a great job and we miss Mike and wish him well, but if it is extended beyond that May time, I can say we wouldn't anticipate putting a Coco Palms update on that May 22nd one, but we will tentatively plan for that.

Mr. Ho: On that Coco Palms update, I believe, as part of their permitting condition, they were supposed to give a yearly update to us. Would this satisfy the condition, then, to be an update?

Mr. Hull: It would.

Mr. Ho: It would?

Mr. Hull: Yes.

Mr. Ho: Okay.

Chair Apisa: So they would be present, then, to give an update? It's not just coming from the Department?

Mr. Hull: There is a yearly update that is required that as of yet, they haven't given it. Whether or not they can make that meeting, we will also have to reach out to them as well.

Ms. Nogami Streufert: When is the annual (inaudible)?

Chair Apisa: Yes, when is the year up? Do we know?

Mr. Hull: I will have to get back to you folks on that.

Chair Apisa: It has been a while.

Mr. Hull: Any other questions concerning possible topics for future meetings?

Chair Apisa: Hearing none.

The following regularly scheduled Planning Commission meeting will be held at 9:00 a.m., or shortly thereafter at the Līhu'e Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Līhu'e, Kaua'i, Hawai'i 96766 on Tuesday, May 22, 2018.

Mr. Hull: Seeing none, the next agenda item is the following regularly scheduled commission meeting will be held at 9:00 a.m., or shortly thereafter, at the Līhu'e Civic Center, Moikeha Building, Meeting Room 2A/2B, 4444 Rice Street, Līhu'e, Kaua'i, Hawai'i 96766 on Tuesday, May 22, 2018.

And we have no other agenda items, Madame Chair.

ADJOURNMENT

Chair Apisa: Do we have a motion to adjourn?

Mr. Mahoney: Move to adjourn, Chair.

Ms. Nogami Streufert: Second.

Chair Apisa: All in favor? (Unanimous voice vote) Any opposed? (None) The motion carries 5:0. Meeting is adjourned.

Chair Apisa adjourned the meeting at 10:15 a.m.

Respectfully submitted by:



Darcie Agaran,
Commission Support Clerk

() Approved as circulated (add date of meeting approval)

() Approved as amended. See minutes of _____ meeting.

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