

KAUAI PLANNING COMMISSION  
REGULAR MEETING

Tuesday, February 13, 2018

9:00 a.m. or Soon Thereafter  
Lihu'e Civic Center, Moikeha Building  
Meeting Room 2A-2B  
4444 Rice Street, Lihue, Kauai, Hawai'i

RECEIVED

18 FEB -7 P3:49

AGENDA

OFFICE OF  
THE COUNTY CLERK  
COUNTY OF KAUAI

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. MINUTES of the meeting(s) of the Planning Commission
1. Regular Meeting of January 9, 2018
  2. Contested Case Calendar of January 9, 2018
- E. RECEIPT OF ITEMS FOR THE RECORD
- F. HEARINGS AND PUBLIC COMMENT (Noticed hearings will not commence until 9:00 a.m. or soon thereafter.) Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. Testimony shall also be accepted when the agenda item is taken up by the Commission. However if an individual has already testified during this period, additional testimony at the agenda item testimony may be allowed at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair. Written testimony is also accepted. An original and twelve (12) copies of written testimony can be hand delivered to the Planning Department or submitted to Commission Staff at the meeting site.
1. Continued Agency Hearing
  2. New Agency Hearing
    - a. Special Management Area Use Permit SMA(U)-2018-5 to construct a single-family residence on a parcel situated along the western side of Nalo Road in Poipu, approx. 450 ft. north of its intersection with Hoone Road, further identified as 2281 Nalo Road, Tax Map Key: 2-8-019:056, and containing a total land area of 15,646 sq. ft. = *Lon and Tina French*.
  1. Director's Report pertaining to this matter.
  3. Continued Public Hearing

F. **HEARINGS AND PUBLIC COMMENT (Cont'd)**

4. **New Public Hearing**

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

G. **CONSENT CALENDAR**

1. **Status Reports**

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

H. **EXECUTIVE SESSION**

I. **GENERAL BUSINESS MATTERS**

1. Contested Case CC-2017-12, Special Management Area Use Permit SMA(U)-2018-3 for the construction of a public shared use path extending from Papaloa Road to the Uhelekawawa Canal, and associated improvements involving an existing parking lot and a new comfort station, and Shoreline Setback Variance Permit SSV-2018-1 to deviate from the shoreline setback requirement, involving several properties along the makai side of Kuhio Highway in Waipouli identified as Tax Map Keys: 4-3-002:001, 012-016, 019, 020; 4-3-007:009, 011, 027, 028; 4-3-008:016, and containing a total area of approx. 2-14 acres = ***County of Kauai, Department of Public Works.*** [Director's Report (DR), Sup 1 DR, and S2 DR received 9/12/17; hearing continued 9/12/17 at request of the Office of the County Attorneys for further review of Petition to Intervene by Wailua-Kapaa Neighborhood Association 9/12/17; Petition to Intervene by Wailua-Kapaa Neighborhood Association approved 9/26/17; hearing closed 9/26/17; Contested Case Hearing held 11/14/17, deferred to 2/13/18 for decision making.]

1. County of Kauai, Department of Public Works' Proposed Findings of Fact, Conclusions of Law, and Decision and Order; Certificate of Service (1/30/18) from Teresa F. Tumbaga, Attorney for County of Kauai, Department of Public Works.

2. Proposed Findings of Fact, Conclusions of Law, and Decision and Order; Certificate of Service (1/30/18) from Rayne Regush, Chair, On Behalf of the W-KNA Board of Directors to Kauai County Planning Commission.

3. Planning Department's Exceptions and Alternative Proposed Findings of Fact, Conclusions of Law, and Decision and Order; Certificate of Service (2/6/18) from Adam P. Roversi, Attorney for County of Kauai, Planning Department.

4. County of Kauai, Department of Public Works' Exceptions to Intervenor's Proposed Findings of Fact, Conclusions of Law, and Decision and Order; Certificate of Service (2/6/18) from Teresa F. Tumbaga, Attorney for County of Kauai, Department of Public Works.

**J. COMMUNICATION (For Action)**

**K. COMMITTEE REPORTS**

1. **Subdivision** Subdivision Action matters listed in the Subdivision Committee Agenda (attached).

**L. UNFINISHED BUSINESS (For Action)**

**M. NEW BUSINESS**

1. **For Action – See Agenda F for Project Descriptions**

**N. ANNOUNCEMENTS**

1. Topics for Future Meetings
2. The following regularly scheduled Planning Commission meeting will be held at 9:00 a.m., or shortly thereafter at the Lihue Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Lihue, Kauai, Hawaii 96766 on **Tuesday, March 27, 2018.**

**O. ADJOURNMENT**

**EXECUTIVE SESSION:** The Commission may go into an executive session on an agenda item for one of the permitted purposes listed in Section 92-5(a) Hawaii Revised Statutes (“H.R.S.”), without noticing the executive session on the agenda where the executive session was not anticipated in advance. HRS Section 92-7(a). The executive session may only be held, however, upon an affirmative vote of two-thirds of the members present, which must also be the majority of the members to which the board is entitled. HRS Section 92-4. The reason for holding the executive session shall be publicly announced.

**NOTE:** Special accommodations and sign language interpreters are available upon request five (5) days prior to the meeting date, to the County Planning Department, 4444 Rice Street, Lihue, Hawaii 96766. Telephone: 241-4050.

KAUA'I PLANNING COMMISSION  
SUBDIVISION COMMITTEE MEETING

Līhu'e Civic Center, Mo'ikeha Building  
Meeting Room 2A-2B  
4444 Rice Street, Līhu'e, Hawaii 96766

**Tuesday, February 13, 2018, 8:30 A.M.**

**AGENDA**

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. APPROVAL OF AGENDA**

**D. MINUTES of the meeting(s) of the Subdivision Committee**

1. Meeting of January 23, 2018

**E. RECEIPT OF ITEMS FOR THE RECORD (None)**

**F. HEARINGS AND PUBLIC COMMENT**

Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. Testimony may also be accepted when the agenda item is taken up by the Commission at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair. Written testimony is also accepted. An original and twelve (12) copies of written testimony can be hand delivered to the Planning Department or submitted to Commission Staff at the meeting site.

**G. GENERAL BUSINESS MATTERS (For Action)**

1. Status on Subdivision Application No. S-98-9  
TMK (4) 2-6-014:042  
Koloa, Kaua'i

**H. UNFINISHED BUSINESS (None)**

**I. NEW BUSINESS (For Action)**

1. Tentative Subdivision Map Approval
  - a. Subdivision Application No. S-2018-7  
(Greg & Robin Yost)  
Proposed 2-lot Subdivision  
TMK: (4) 4-6-016:006  
Kapa'a, Kaua'i
    1. Subdivision Report pertaining to this matter.

**J. ADJOURNMENT**

**NOTE: Special accommodations and sign language interpreters are available upon request five (5) days prior to the meeting date, to the County Planning Department, 4444 Rice Street, Suite A473, Līhu‘e, Hawai‘i 96766. Telephone: (808) 241-4050.**

Pursuant to Section 8-27.8 (6) of the Kaua'i County Code (1987), as amended, the following shoreline setback determinations by the Director are disclosed for purposes of public notification.

February 13, 2018

SHORELINE SETBACK DETERMINATIONS

<b>Application No.</b>	<b>Name of Applicant(s)</b>	<b>Property I.D. (Tax Map Key)</b>	<b>Location</b>	<b>Reasons</b>
SSD-2018-32	Simon Lord	5-4-013:030	Princeville	Revised Interior Renovations
SSD-2018-33	Blaine Perrella	4-9-005:015	Aliomanu	New Additional Dwelling Unit, Detached Garage, Agriculture Building, Fence and Gates
SSD-2018-34	Kauai Island Brewing Company	2-1-003:004	Eleele	New Outdoor Deck
SSD-2018-35	Princeville Hotel LP	5-4-011:004, 5-4-004:029 & 035	Princeville	Interior Remodel of Two Guest Rooms
SSD-2018-36	Weir Trust	1-7-006:012	Waimea	Construct Two New Single Family Residences