

KAUA‘I PLANNING COMMISSION  
SUBDIVISION COMMITTEE MEETING  
**September 25, 2018**

The regular meeting of the Planning Commission Subdivision Committee of the County of Kaua‘i was called to order at 8:30 a.m., at the Līhu‘e Civic Center, Mo‘ikeha Building, in meeting room 2A-2B. The following Commissioners were present:

Mr. Roy Ho  
Mr. Kimo Keawe  
Mr. Sean Mahoney

The following staff members were present: Planning Department – Chance Bukoski; Office of the County Attorney – Deputy County Attorney Jodi Higuchi Sayegusa; Office of Boards and Commissions – Commission Support Clerk Darcie Agaran

**CALL TO ORDER**

Subdivision Committee Chair Ho called the meeting to order at 8:30 a.m.

**ROLL CALL**

Mr. Ho: Let’s get started with Mr. Bukoski taking our roll here, please.

Mr. Bukoski: Good morning, Commissioners. Chair Ho.

Mr. Ho: Here.

Mr. Bukoski: Commissioner Mahoney.

Mr. Mahoney: Here.

Mr. Bukoski: Commissioner Keawe.

Mr. Keawe: Here.

Mr. Bukoski: Three present.

**APPROVAL OF AGENDA**

Mr. Bukoski: Moving on to Item C, Approval of Agenda.

Mr. Mahoney: Chair, move to approve the agenda.

Mr. Keawe: Second.

Mr. Ho: The motion is to approve our agenda. All in favor? (Unanimous voice vote) Motion carries 3:0.

Mr. Bukoski: Thank you, Chair.

### **MINUTES of the meeting(s) of the Subdivision Committee**

Mr. Bukoski: Moving on to Item D, Minutes of Meeting. Seeing none.

### **RECEIPT OF ITEMS FOR THE RECORD (None)**

Mr. Bukoski: Moving on to Item E, Receipt of Items for the Record. Seeing none.

### **HEARINGS AND PUBLIC COMMENT**

Mr. Bukoski: Item F, Hearings and Public Comment. Is there anyone in the audience that wishes to testify on any items on the agenda? Seeing none.

### **GENERAL BUSINESS MATTERS (None)**

Mr. Bukoski: Moving on to Item G, General Business Matters. Seeing none.

### **UNFINISHED BUSINESS (None)**

Mr. Bukoski: Item H, Unfinished Business. Seeing none.

### **NEW BUSINESS (For Action)**

Final Subdivision Map Approval

Subdivision Application No. S-2016-17; CHERYL COWDEN-SCHENCK/RILEY FAMILY REVOCABLE LIVING TRUST; Proposed 2-lot Boundary Adjustment; TMK: (4) 4-9-012:005, 011; Moloa'a, Kaua'i

Mr. Bukoski: And then moving on to Item I, New Business for Action. Final subdivision map approval – Subdivision Application No. S-2016-17; Cheryl Cowden-Schenck/Riley Family Revocable Living Trust; proposed 2-lot boundary adjustment; TMK: (4) 4-9-012:005 and 011; Moloa‘a, Kaua‘i.

Mr. Bukoski read the Subdivision Report for the record (on file with the Planning Department).

Mr. Bukoski: We have received all various government agencies’ comments and we are recommending final approval.

Mr. Ho: Thank you. Is there someone here from Cheryl Cowden-Schenck/Riley Family Revocable Trust? Please come up. Good morning.

Unidentified Speaker: Good morning.

Mr. Ho: Could you introduce yourselves?

Ms. Alison Mizuo Lee: Good morning. I am Alison Mizuo Lee, attorney for Shawn Riley in the Riley Family Revocable Living Trust.

Mr. Patrick Childs: I am here for Cheryl Cowden – Attorney Patrick Childs. Pardon me for my appearance. My client was supposed to be here and got caught by high water, so I got called in in an emergency.

Mr. Shawn Riley: I am Shawn Riley, the resident in everything here.

Mr. Ho: This is a question for Mr. Bukoski. On your map here, what is the squiggly line?

Mr. Keawe: This one; this AE-19.

Mr. Bukoski: I believe that is part of a floodway, sir.

Mr. Ho: Could I get a clarification from you?

Mr. Keawe: It is right here; it is the US AE (inaudible).

Mr. Ho: Would that be the property...two properties?

Mr. Keawe: This one right here; this squiggly line here. Is that a floodway?

Mr. Riley: (Inaudible)

Mr. Bukoski: It’s not?

Mr. Riley: I don’t know; I don’t know what that is there.

Mr. Keawe: Okay. So where is the boundary adjustment portion of it?

Mr. Riley: That would just (inaudible)...so here's our...yes, you got it; Chance got it.

Mr. Keawe: Oh, it's that little one?

Mr. Riley: Yes. (Inaudible)

Mr. Keawe: Do you want to go on the other side and...

Mr. Riley: (Inaudible)

Mr. Keawe: No, they have one there.

Mr. Riley: They got one?

Mr. Keawe: Yes. Just show where the boundary adjustment (is) because we are actually...that's the issue with the boundary adjustment, so we need to see where it is.

Mr. Ho: Is this the old one?

Mr. Riley: No, no, this...I don't know what the squiggly line is all about. The boundary adjustment is...this is our residence here and this is the boundary adjustment – the dotted line – and this is the new property.

Mr. Keawe: Okay. Sorry. That was highly irregular. Sorry, Jodi.

Mr. Ho: I need clarification with Jodi.

Deputy County Attorney Jodi Higuchi Sayegusa: Did you folks get the clarification you needed? Maybe you can just reiterate what has been clarified.

Mr. Ho: Since this is a lot consolidation, I wanted to know which two lots (were) to be consolidated; he indicated it to us.

Ms. Higuchi Sayegusa: Okay.

Mr. Keawe: Just clarifying the map because there were a lot of squiggly lines on the map. We need to know which one was the actual boundary adjustment.

Ms. Higuchi Sayegusa: Okay. So it's not the–

Mr. Keawe: Is that the...oh thanks, Dale.

Mr. Mahoney: I've got one question. This is a question for the planner. Could you reiterate what you said about the kuleana lands that this borders?

Mr. Bukoski: Specifically, the Riley's property is part of a kuleana lot.

Mr. Mahoney: Okay.

Mr. Bukoski: And what this boundary adjustment is, is part of Schenck's property was given to the Riley's where they absorbed it for more property, in a sense.

Mr. Mahoney: Okay, but the kuleana – the title to that – it has to have...

Mr. Bukoski: Yes, and we received that from the title company.

Mr. Mahoney: Okay.

Mr. Keawe: So just to clarify, you have title insurance–

Mr. Bukoski: Yes.

Mr. Keawe: –on that specific property that addresses the kuleana title.

Mr. Bukoski: Correct.

Mr. Keawe: So if there are any claims in the future, the title insurance company will respond?

Mr. Bukoski: Yes.

Mr. Keawe: Is that your understanding?

Mr. Riley: Yes.

Mr. Ho: Do you understand the conditions for approval and–

Mr. Riley: I do.

Mr. Ho: –are they acceptable to you?

Mr. Riley: Absolutely, yes.

Mr. Ho: Commissioners?

Mr. Keawe: I move for final subdivision map approval for Subdivision Application No. S-2016-17; Cheryl Cowden-Schenck/Riley Family Revocable Living Trust; proposed 2-lot boundary adjustment; TMK: (4) 4-9-012:005 and 011; Moloa'a, Kaua'i.

Mr. Mahoney: Second.

Mr. Ho: Motion on the floor is to approve final subdivision map approval. All in favor? (Unanimous voice vote) Motion carries 3:0. Congratulations. You have it.

Mr. Riley: Thank you very much.

Mr. Bukoski: Thank you, Chair.

**ADJOURNMENT**

Mr. Bukoski: Moving on to Item J, Adjournment.

Mr. Mahoney: Move to adjourn.

Mr. Keawe: Second.

Mr. Ho: Motion on the floor is to adjourn. All in favor? (Unanimous voice vote) Motion carries 3:0. We are adjourned.

Subdivision Committee Chair Ho adjourned the meeting at 8:36 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.