

KAUA'I PLANNING COMMISSION  
SUBDIVISION COMMITTEE MEETING  
**June 25, 2019**

The regular meeting of the Planning Commission Subdivision Committee of the County of Kaua'i was called to order at 8:31 a.m., at the Līhu'e Civic Center, Mo'ikeha Building, in meeting room 2A-2B. The following Commissioners were present:

Mr. Roy Ho  
Ms. Donna Apisa  
Mr. Kimo Keawe

The following staff members were present: Planning Department –Chance Bukoski, Dale Cua, and Planning Commission Secretary Leslie Takasaki; Office of the County Attorney – Deputy County Attorney Nicholas Courson; Office of Boards and Commissions – Administrative Specialist Anela Segreti, Commission Support Clerk Arleen Kuwamura.

**CALL TO ORDER**

Subdivision Committee Chair Ho called the meeting to order at 8:31 a.m.

**ROLL CALL**

Chair Ho: Good Morning all welcome to our Subdivision meeting of June 25<sup>th</sup> 2019. Mr. Bukoski, could you please start us off please?

Staff Planner Chance Bukoski: Good morning Commissioners. Chair Ho.

Chair Ho: Here.

Mr. Bukoski: Commissioner Apisa.

Ms. Apisa: Here.

Mr. Bukoski: Commissioner Keawe.

Mr. Keawe: Here.

Mr. Bukoski: We have three members present.

**APPROVAL OF AGENDA**

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

Ms. Apisa: Motion to approve.

Mr. Bukoski: Seconded.

Chair Ho: The motion on the floor before us is to approve the agenda. All in favor?  
(Unanimous voice vote) Motion carries 3:0.

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

Mr. Bukoski: Thank you Chair. Moving on to Item D, Minutes of the Meeting of the Subdivision Committee of April 23<sup>rd</sup> 2019.

Mr. Keawe: I motion to approve the meeting minutes of April 23<sup>rd</sup> 2019.

Ms. Apisa: Second.

Chair Ho: The motion before us is to approve the Meeting of April 23<sup>rd</sup>. All in favor?  
(Unanimous voice vote) Motion carries 3:0.

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

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

**HEARINGS AND PUBLIC COMMENT**

Mr. Bukoski: Moving on to Item F, Hearings and Public Comment. Is there any Individuals in the audience wishing to testify on any items on the Subdivision Agenda? Okay. Please step forward and testify.

Chair Ho: This is a Subdivision Meeting. The Items in which we have from the agenda today, Grove Farm Company, Kulana Subdivision, County of Kauai, State of Hawaii.

Mr. Bukoski: If there is no one in the audience wishing to testify on the Subdivision agenda.

**GENERAL BUSINESS MATTERS (None)**

Mr. Bukoski: Moving on. Item No. G, General Business Matters. None.

**UNFINISHED BUSINESS (None)**

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

**NEW BUSINESS (For Action)**

Final Subdivision Map Approval.

Subdivision Application No. S-2018-8; GROVE FARM COMPANY, INC; Proposed 6-lot Subdivision; TMK: (4) 3-8-018: 001; Lihue, Kaua'i.

Mr. Bukoski: Item I, New Business for Action. Final subdivision map approval- Subdivision Application No. S-2018-8: Grove Farm Company, Inc.; proposed 6-lot Subdivision: TMK: (4) 3-8-018: parcel 001; Lihue, Kaua'i

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

Mr. Bukoski: Commissioners, we have received all various Government Agencies comments and we are recommending final subdivision map approval.

Chair Ho: Is there someone from Grove Farms? Please come forward.

Ms. Shawn Shimabukuro: Good morning. My name is Shawn Shimabukuro of Grove Farm.

Mr. Keawe: I have a quick question. I just wanted to reiterate the 6- lots are basically an integral part of this project to dedicate to the County as far as the final facilities, water facilities for this particular area. Is that correct?

Ms. Shimabukuro: That's correct.

Chair Ho: These lots are all in the Lihue area?

Ms. Shimabukuro: Correct, yes.

Mr. Keawe: This is on the way up to KIUC right?

Ms. Shimabukuro: Yes. On the way to the water plant.

Mr. Keawe: Right. Pass the mortuary?

Ms. Shimabukuro: Yes, around that area.

Mr. Keawe: Alright, thank you.

Chair Ho: Okay, any other questions Commissioners? Mr. Bukoski, your final recommendation is?

Mr. Bukoski: Final subdivision map approval.

Chair Ho: Motion Please?

Mr. Keawe: I move for final subdivision map approval for Subdivision Application No. S-2018-8; Grove Farm Company, Inc.; Proposed 6-lot subdivision; TMK: (4) 3-8-018:001; Lihue, Kauai.

Ms. Apisa: Second.

Chair Ho: The motion before us is final map approval for Grove Farm Company, Inc. All in favor? (Unanimous voice vote) Motion carries 3:0.

**NEW BUSINESS (Cont)**

Subdivision Extension Request.

Subdivision Application No. S-2018-12; AOAO KULANA CONDOMINIUM; Proposed 2-lot Subdivision; TMK: (4) 4-4-003: 089; Kapaa, Kaua'i

Mr. Bukoski: Thank you Chair. Moving on to Item I.2, New Business I.2, and subdivision extension request. Subdivision Application No. S-2018-12; Kulana Condominium; proposed 2-lot subdivision; TMK: (4) 4-4-003: parcel 89; Kapaa, Kaua'i.

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

Mr. Bukoski: In considering the extension request, it should be noted that the applicant has been working diligently to comply with all the requirements of the tentative approval. Since it is uncertain to all the comments will be met. The applicant is requesting additional time to complete the subdivision; the additional time allows the applicant to meet all the requirements of the Government Agencies. Based on the foregoing circumstances the applicants reasons are justifiable and no problems are foreseen in granting the extension request. The Department of Public Works and Water have no objections to the request. I will hold off on my recommendation.

Chair Ho: Is there anyone from Kulana Condominium? Please come forward.

Mr. Max Graham: Good morning Subdivision Committee members. I am Max Graham and I represent the Kulana Association. This if you recall this subdivision is part of the, actually, it's connected to the Kulana subdivision, this is the tank, the water tank lot for the subdivision. We have an agreement with the Department of Water, a memorandum of understanding which provides that this lot will be divided into 2-lots and the front portion adjacent to Hauiki Road is going to be dedicated to the Department of Water. The Water Tank has all been completed but we need to complete the first phase of water improvements in the Kulana subdivision before the improvements within the subdivision and the water tank. So these are the water tank improvements and the water improvements within the subdivision are dedicated to the Board of Water Supply. And so, the tanks completed and the Kulana Association is working on the first

phase of water infrastructure within the subdivision that should be completed within the year. And then we will be able to offer the entire package to the Department of Water. So, we need one more year extension to complete those.

Mr. Keawe: So that would be adequate Max, to have an additional year to May 22<sup>nd</sup> 2020, at least? And you feel confident that at that point-

Mr. Graham: If anything comes up, I will do as suggested, I will prepare a complete report and if I didn't need to come in again, I don't think I will. If I did, I would prepare a Status Report.

Mr. Keawe: Alright, thank you.

Chair Ho: How many lots will this service, this water tank service?

Mr. Graham: Well, the water tank will service the Kulana Subdivision which is a 100 service connection for units within the subdivision. But it will serve the general system in the Kapaa area in that elevation.

Chair Ho: Mr. Bukoski your recommendation please?

Mr. Bukoski: Yes Chair. It is recommended that an extension until May 22<sup>nd</sup> 2020, will be granted to obtain Final Subdivision Map Approval. However, the applicant is made aware that updated Status Report on the subdivision will be a detailed time chronology on the progress on the tentative approval requirements shall be submitted to the Planning Department for review for further extension request. The Status Report shall be submitted to the Planning Department no later than sixty (60) days prior to the expiration date. And that concludes my recommendation.

Ms. Apisa: I make a motion that we approve the one (1) year extension to May 22<sup>nd</sup> 2020, and that a report be provided should any further extension be needed.

Mr. Keawe: Second.

Chair Ho: The motion before us is extension of time to May 22<sup>nd</sup> 2020 for Kulana Condominium. All in favor? (Unanimous voice vote) Motion carries 3:0.

Final Subdivision Map Approval.

Subdivision Application No. S-2018-13; COUNTY OF KAUAI, LIMA OLA SUBDIVISION; Proposed 56-lot Subdivision; TMK: (4) 2-1-001: 027; Eleele, Kaua'i

Mr. Bukoski: Thank you Chair. Moving on to Item I.2b, Subdivision Application No. S-2018-13; County of Kauai Lima Ola subdivision; proposed 56-lot subdivision; TMK: (4) 2-1-001: parcel 027; Eleele, Kaua'i.

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

Mr. Bukoski: In consider the extension request, it should be noted that the applicant has been working diligently to comply with all the requirements of the tentative approval. Since it is uncertain as to when the All Agencies comments will be met the applicant is requesting additional time to complete the subdivision. The additional time allows the applicant to meet all the requirements of the Government Agencies. Based on the foregoing circumstances, the applicants' reasons are justifiable and no problems are foreseen in granting the extension request. The Department of Public Works and Water have no objections to this request. And I will hold off of my recommendations Commissioners.

Chair Ho: Is there someone here representing the County of Kauai, Lima Ola Subdivision?

Mr. Bukoski: Commissioners, I did contact the County of Kauai's consultants and they are okay with the time allotted recommendation.

Mr. Keawe: It's just more of a Government process right, as far as time is concerned?

Mr. Bukoski: A historically, this subdivision application was vetted through the County Council process, (inaudible) process which ultimately deviates from a lot of the standards within the CZO and subdivisions. This is more of a formal request for the County of Kauai rather than we have jurisdiction over it.

Chair Ho: Your recommendation?

Mr. Bukoski: It is recommended that the extension until May 22<sup>nd</sup> 2020, be granted to obtain Final Subdivision Map Approval. However, the applicant is made aware that an updated Status report on the subdivision with a deed time, time chronology on the progress of the tentative approval requirement shall be submitted to the Planning Department review for further extension request. And that concludes my recommendation.

Mr. Keawe: I move to approve Subdivision Application No. S-2018-13, County of Kauai, Lima Ola Subdivision, proposed 56-lots subdivision, TMK: (4) 2-1-001:027, Eleele, Kauai and with Extension granted to May 22<sup>nd</sup> 2020, with the Status Report due sixty (60) days prior.

Ms. Apisa: Second.

Chair Ho: The motion before us is time extension County of Kauai, Lima Ola subdivision May 22<sup>nd</sup> 2020, proposed 56-lots subdivision. All in favor? (Unanimous voice vote) Any opposed? Motion carries 3:0.

#### Subdivision Extension Request.

Subdivision Application No. S-2018-16; STATE OF HAWAII. Proposed 2-lot Subdivision; TMK: (4) 2-4-009: 003; Koloa, Kaua'i.

Mr. Bukoski: Thank you Chair. Moving on to Item I. 2c, Subdivision involving Subdivision Application No. S-2018-16; State of Hawaii. Proposed 2-lot Subdivision; TMK: (4) 2-4-009: parcel 003; Koloa, Kauai.

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

Mr. Bukoski: In considering the Extension Request, it should be noted that the applicant has been working diligently to comply with all the requirements of tentative approval. Since it is uncertain as to when all the agency comments will be met the applicants requesting additional time to complete the subdivision. The additional time allows the applicant to meet all the requirements of the Government Agencies. Commissioners, I just want to add to include as well is that this subdivision is...we don't really have jurisdiction on it, the County doesn't and the State is subdividing 2-lots to dedicated one of the lots to the County of Kauai, Department of Water.

Mr. Keawe: So that's the purpose of the 2-lot subdivision?

Mr. Bukoski: Correct, Commissioner Keawe.

Mr. Keawe: So it's a dedication to County for water use.

Mr. Bukoski: Correct.

Chair Ho: Commissioners, I need a motion please.

Mr. Keawe: I move to approve Subdivision Application S-2018-16, State of Hawaii, proposed 2-lot subdivision, TMK: (4) 2-4-009: lot 3, Koloa, Kauai and Extension approved to June 26<sup>th</sup> 2020, with a Status Report due sixty (60) days prior.

Ms. Apisa: Second.

Chair Ho: The motion on the floor before us is State of Hawaii, proposed 2-lot subdivision, time extension through June 26<sup>th</sup> 2020. All in favor? (Unanimous voice vote) Motion carries 3:0.

Subdivision Application No. S-2018-18; YAMA-UMI, LLC. Proposed 2-lot Boundary Adjustment; TMK: (4) 4-3-009: 042; Waipoulei, Kaua'i.

Mr. Bukoski: Thank you Chair. Moving on to the last Item on the Agenda I. 2d, Subdivision involving Subdivision Application No. S-2018-18; Yama-Umi, LLC. Proposed 2-lot Boundary Adjustment; TMK: (4) 4-3-009: Parcel 042; Waipouli, Kauai.

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

Mr. Bukoski: In considering the extension request it shall be noted that the applicant has been working diligently to comply with all of the requirements of the tentative approval. Since it is uncertain as to when the all agencies comments will be met, the applicant is requesting additional time to complete the subdivision. The additional time allows the applicant to meet all the requirements of the Government Agencies. And I will hold off on my recommendation Commissioners.

Chair Ho: Is there someone in the audience representing Yama-Umi, LLC? Please come forward.

Ms. Maren Arismendez-Herrera: Good morning. Maren Arismendez-Herrera from Esaki Surveying. Here we have the owners, Yama-Umi, LLC. The main reason for the extension is additional water improvements of water meter which needs to be installed. The request has been made to the Department of Water but as a requirement to install the water meter the owners needed to obtain an easement for the water meter. So just to explain why the easement is necessary, the water meters is going to be installed on the back side of the lot where there is a County Road instead of at the frontage, instead of the highway. So the water line will have to go through an adjoining lot. The owner has acquired approval from the adjoining lot owner for the easement and it is in the process of recording that water easement that they need. Once that is recorded, then we can go ahead with Department of Water and get that water meter installed. And then they'll give their recommendation for approval. So we just need more time to get that whole process done with Department of Water.

Mr. Keawe: Question? So Maren, the purpose obviously is to make the lot comply with code, is that right? The purpose of this-

Ms. Arismendez-Herrera: The Subdivision?

Mr. Keawe: Two-fold yes. But the underlying is that they comply with code?

Ms. Arismendez-Herrera: Right.

Mr. Keawe: Thank you.

Chair Ho: Who is granting the easement?

Ms. Arismendez-Herrera: I don't recall the name but it is a private property on the back side of the lot. So it's an adjoining lot owner.

Chair Ho: You are doing it, you have the permission to do the easement?

Ms. Arismendez-Herrera: Yes. They have acquired the lot owner, adjoining lot owner's approval for the easement. But now it just has to go through Bureau of Conveyances so that it is recorded.



Mr. Keawe: Okay, so that would be part of the closing documents legal description of the easement.

Ms. Arismendez-Herrerra: Yes and that's where we are right. it will eventually made it-

Chair Ho: This is your second request for extension?

Ms. Arismendez-Herrerra: This is the first request for this subdivision.

Chair Ho: First?

Mr. Keawe: Yes, first.

Chair Ho: Mr. Bukoski your recommendation please.

Mr. Bukoski: It is recommended that the extension until June 26<sup>th</sup> 2020, be granted to obtain final subdivision map approval. However, the applicant is made aware that an updated Status Report on the subdivision with a detailed time chronology be on the progress of the tentative approval requirement shall submitted to the Planning Department for review for further extension request. The Status Report shall be submitted to the Planning Department no later than sixty (60) days prior to the expiration date. That concludes my recommendation Commissioners.

Ms. Apisa: I move that we go ahead and approve the extension to June 26<sup>th</sup> 2020, with the provision that a formal report be provided should any further extension be required.

Mr. Keawe: Second.

Chair Ho: The motion before us is for time extension request for Yama-Umi, LLC, to June 26<sup>th</sup> 2020. All in favor? (Unanimous voice vote) Motion carries 3:0.

Ms. Arismendez-Herrerra: Thank you.

## **ADJOURNMENT**

Mr. Bukoski: Thank you Chair. Moving on to Item J, Adjournment.

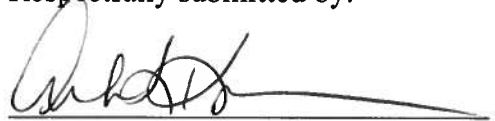
Mr. Keawe: I move to adjourn.

Ms. Apisa: Second.

Chair Ho: Motion on the floor is for adjournment. All in favor? (Unanimous voice vote) Motion carries 3:0. We are adjourned. Thank you.

Subdivision Committee Chair Ho adjourned the meeting at 8:51 a.m.

Respectfully submitted by:



Arleen Kuwamura  
Commission Support Clerk

Approved as circulated August 13, 2019.

Approved as amended. See minutes of \_\_\_\_\_ meeting