

KAUA'I PLANNING COMMISSION
SUBDIVISION COMMITTEE MEETING
October 22, 2019

The regular meeting of the Planning Commission Subdivision Committee of the County of Kaua'i was called to order at 8:32 a.m., at the Lihu'e Civic Center, Mo'ikeha Building, in meeting room 2A-2B. The following Commissioners were present:

Roy Ho
Ms. Donna Apisa

Absent:
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 8:32 a.m.

ROLL CALL

Chair Ho: Good morning all. Welcome to to our Subdivision Committee meeting, a very abbreviated schedule this morning. Mr. Bukoski could you start us out with our roll call.

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

Chair Ho: Here.

Mr. Bukoski: Commissioner Apisa.

Ms. Apisa: Here.

Mr. Bukoski: Commissioner Keawe. We have two present and one absent.

APPROVAL OF AGENDA

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

Ms. Apisa: I make a motion to approve the agenda as presented.

Chair Ho: Seconded. All in favor? Aye (Unanimous voice vote) approved. Motion carries 2:0.

MINUTES of the meeting(s) of the Subdivision Committee

Mr. Bukoski: Thank you Chair. Moving on to Item D, Minutes of the Meeting September 10th 2019.

Ms. Apisa: I move to approve.

Chair Ho: Seconded. Motion on the floor is to approve our meeting minutes of September 10th All in favor? Aye. (Unanimous voice vote) approved. Motion carries 2:0.

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: Moving on to Item F, Hearings and Public Comment. Is there individuals in the audience wishing to testify on any items on the Subdivision Agenda? Seeing none.

GENERAL BUSINESS MATTERS

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

UNFINISHED BUSINESS (For Action)

Mr. Bukoski: Item H, Unfinished Business. None.

NEW BUSINESS (For Action)

Tentative Subdivision Map Approval.

Subdivision Application No. S-2020-1; *STEPHEN L. PALAMA & KATHY S. PALAMA*; Proposed 4-lot Subdivision; TMK: (4) 2-3-020: 001, Kalaheo Kaua'i.

Mr. Bukoski: Moving on to Item I., New Business for action. Tentative Subdivision Map Approval, Subdivision Application No. S-2020-1; Stephen L. Palama & Kathy S. Palama; Proposed 4-lot Subdivision; TMK: (4) 2-3-020: 001, Kalaheo Kaua'i.

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

Mr. Bukoski: Commissioners, I would like to note that a Modification Requirement for Condition number 1. H, was requested by the applicant to waive the construction of sidewalks and to allow the construction of swales in lieu of curbs and gutters.

Chair Ho: They are asking for no sidewalks but to have swales and gutters?

Mr. Bukoski: Correct. Swales. Just swales.

Chair Ho: And swales?

Mr. Bukoski: Just swales in lieu of curbs and gutters. The initial application did include this Modification Waiver and has been properly vetted through the agencies such as Public Works and also our Transportation Planner. And they both concur that these are not needed only that the swales should be constructed.

Chair Ho: It fits in with the neighborhood?

Mr. Bukoski: Correct. The existing neighborhood.

Chair Ho: Okay, so I need a motion?

Ms. Apisa: Any one here to present? Do we need that?

Mr. Bukoski: Yes. Just Mr. Kodani.

Chair Ho: I'm sorry. Is there someone here representing for Stephen and Kathy Palama in the audience please? Mr. Kodani Come up.

Mr. Clyde Kodani: For the record Clyde Kodani. Authorized Agent for the applicant. Chairman Ho, did you have a question?

Chair Ho: Yes, so you're asking for curbs, gutters, and sidewalks to be rescinded and in its place swales?

Mr. Kodani: Yes. And part of the reason is because in that area, it's more of a rural setting and there aren't any curbs, gutter, and sidewalks within the immediate area. And so to impose or to place or to construct curbs, gutters, and sidewalks it would be like sticking out by itself. And so we just wanted to have the continuity of the rural and we would provide or construct swales which would be environmentally friendlier anyway.

Chair Ho: Yes, it would. So I need a motion for this?

Ms. Apisa: I make a motion we approve—

Mr. Bukoski: Oh no. Yes, the motion would be the Modification of Requirement Condition No. 1-H., and then we move to Tentative Subdivision Map Approval.

Ms. Apisa: Okay, so first motion to approve the Modification of Condition No. 1-H.

Chair Ho: Seconded. All in favor? Aye. (Unanimous voice vote) approved. Motion carries 2:0.

Chair Ho: Mr. Kodani, since I have you up here one question please?

Mr. Kodani: Sure.

Chair Ho: One of the lots there is a very small lot, pie shaped goes from 1 foot to 30 feet. What would you use that lot for?

Mr. Kodani: Actually, I guess, the question is for staff or attorney. Can we kind of like go into so called presentation or the reason why this Subdivision is happening?

Ms. Apisa: It's a residential?

Mr. Kodani: Okay, let me give you a little historical background. The pie shaped lot is really the result of, it's a strip that's going to be dedicated to the County. See right now the Existing Condition is such that Waha Road, is presently located within the applicant's property. And so the applicants are being proactive and I guess they want to work with the County and just resolve the encroachment. And so the primary reason, one of the primary reasons for this Subdivision is to create this Dedicated, this pie shape lot so that it can be dedicated over to the county.

Chair Ho: And the purpose would be for road widening?

Mr. Kodani: Just so that Waha Road is within its legal right of way.

Chair Ho: Okay.

Ms. Apisa: I know there are number of roads on this island that are into private property.

Mr. Kodani: Yes. And it's just the historical background the way it's been done. Yes.

Ms. Apisa: Just the way, Right.

Chair Ho: Okay are we clear with our—

Ms. Apisa: I make a motion that we approve the Tentative Subdivision Map.

Chair Ho: Seconded. Motion on the floor is for Tentative Map Approval for Stephen and Kathy Palama. All in favor? Aye. (Unanimous voice vote) approved. Motion carries 2:0.

Tentative Subdivision Map Approval.

Subdivision Application No. S-2020-2; KUKUI'ULA DEVELOPMENT COMPANY, LLC; Proposed 13-lot Subdivision; TMK: (4) 2-6-022:020 Por; Koloa, Kaua'i

Mr. Bukoski: Thank you Chair. Moving on to Item I. 1. b., Subdivision Application No. S-2020-2; Kukui'ula Development Company, LLC; Proposed 13-lot Subdivision; TMK: (4) 2-6-022:020 Por; Koloa, Kaua'i and the Subdivision Report pertaining this matter.

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

Mr. Bukoski: Also, Commissioner, to note that this application did receive a Modification Requirement for the, for Condition No. 1. I., was requested by the applicant to waive sidewalks and to allow construction of swales in lieu of curbs and gutters. And again, these were properly vetted through the respective agencies and they concur with that Waiver.

Chair Ho: I'm sorry. Is there someone from Kukui'ula here please, representing?

Mr. Lindsay Crawford: Good morning Commissioners. For the record, Lindsay Crawford, Kukui'ula Company.

Chair Ho: Good morning Lindsay. You're asking for waiver on the curbs, gutters, and sidewalks?

Mr. Crawford: Yes we are.

Chair Ho: And in place you are going to put grass swales?

Mr. Crawford: Yes, we are going to put the swales in lieu of the curbs, raised curbs and gutters.

Chair Ho: Alright. Ms. Apisa I guess I need motion on the floor.

Ms. Apisa: No question. I make a motion that we approve the Modification of Condition No. 1. I., substituting swales for the curbs and gutters.

Chair Ho: Seconded. Motion on the floor before us is to waive Condition No. 1. I., and insert swales. All in favor? Aye. (Unanimous voice vote) approved. Motion carries 2:0.

Chair Ho: Lindsay, do you have other things to be resolved with the Planning Deptment?

Mr. Crawford: Just this to clarify, the request letter was, excuse me, was to, the use of swales for in place of curbs and gutters and also to eliminate the two sidewalks also.

Mr. Bukoski: Yes. Just too also clarify on Mr. Crawford or the motion that just accrued was to waive sidewalks-

Ms. Apisa: Sidewalks?

Mr. Bukoski: Yes. And construct swales in lieu of curbs and gutters.

Ms. Apisa: To waive, okay, right. That was the intent to waive the sidewalk and to approve swales in lieu of curbs and gutters. Correct?

Mr. Bukoski: Correct.

Chair Ho: Was our motion correct then?

Mr. Bukoski: No, we forgot to include the sidewalk.

Ms. Apisa: Sidewalk. To eliminate the sidewalk but I will make a second motion to eliminate the sidewalk also. So that's my motion.

Chair Ho: Are we correct?

Deputy County Attorney Nicholas Courson: I would just re-do it to mirror the language.

Ms. Apisa: Just re-do, okay, just re-do it.

Mr. Courson: I'd re-do the motion to mirror the language that the Planning Commission used.

Ms. Apisa: Cleaner, yes thank you. Okay the motion is to Modify Condition I-1 to eliminate sidewalks and to substitute swales for the curbs and gutters.

Mr. Bukoski: That's sufficient.

Chair Ho: Seconded. Motion on the floor before us is to waive sidewalks, curbs, and gutters which will be substituted with swales. That is the motion before us. All in favor? Aye. (Unanimous voice vote) approved. Motion carries 2:0.

Chair Ho: Is that how it reads for you Lindsay?

Mr. Crawford: Yes. Thank you.

Chair Ho: Okay.

Mr. Bukoski: And then we have the Tentative Subdivision Map Approval.

Ms. Apisa: Right.

Chair Ho: You have other agreements with Mr. Bukoski that's pending?

Mr. Crawford: A for this map are we talking about or for other subdivisions?

Chair Ho: For the final subdivision.

Mr. Crawford: A for today's agenda I don't think we are up on anything for final maps?

Chair Ho: Is there other items?

Mr. Bukoski: No. There's a, I believe Kukui'ula is the only agenda item for Subdivisions and I don't believe they have anything for Commissions later on today.

Chair Ho: Okay.

Ms. Apisa: I make a motion that we approve Tentative Subdivision Map as Modified.

Chair Ho: Seconded. Motion before us is to approve Kukui'ula Development Company, LLC with a Modified Amendment of I. I. All in favor? Aye. (Unanimous voice vote) Approved. Motion carries 2:0.

Mr. Crawford: Thank you Commissioners.

Final Subdivision Map Approval.

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. 2.a. Subdivision Application No. S-2018-16; State of Hawaii; Proposed 2-lot Subdivision; TMK: (4) 2-4-009: Parcel 003; Koloa, Kaua'i

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

Mr. Bukoski: Commissioner, we have received all various government agencies comments and are recommending Final Subdivision Map Approval.

Chair Ho: It is a matter of formality. Is there someone from the State here?

Mr. Bukoski: We do.

Mr. Eric Fugikawa: Good morning Commissioners. Eric Fujikawa, from the Department of Water. The representative for the State is not able to make it but we are working closely with them on this Subdivision for our Water Tank Site.

Ms. Apisa: I have no questions.

Chair Ho: I have no questions either. Mr. Bukoski?

Ms. Apisa: Thank you for making more water tanks.

Mr. Fugikawa: Thank you Commissioners.

Ms. Apisa: I make a motion to approve the Final Subdivision Map for Application No. S-2018-16 proposed 2-lot Subdivision for the County of Kauai.

Chair Ho: Motion on the floor is for Final Map Approval, State of Hawaii Application No. S-2018-16, 2-lot Subdivision. All in favor? Aye. (Unanimous voice vote) Approved. Motion carries 2:0.

Ms. Apisa: You did second that right?

Chair Ho: Oh, okay.

ADJOURNMENT

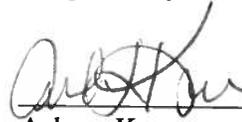
Mr. Bukoski: Moving on to Item J, Adjournment.

Ms. Apisa: Motion to adjourn.

Chair Ho: Motion on the floor is for us to adjourn. All in favor? Aye. (Unanimous voice vote) Motion carries 2:0. Meeting is adjourned.

Subdivision Committee Chair Ho: adjourned the meeting at 8:46 a.m.

Respectfully submitted by:



Arleen Kuwamura
Commission Support Clerk

- () Approved as circulated (add date of meeting approval).
- () Approved as amended. See minutes of _____ meeting