

KAUA'I PLANNING COMMISSION  
SUBDIVISION COMMITTEE MEETING  
May 11, 2021

The regular meeting of the Planning Commission Subdivision Committee of the County of Kāua'i was called to order at 8:31 a.m., Microsoft Teleconference. The following Commissioners were present:

Mr. Francis DeGracia  
Mr. Chiba

Absent and Excused:

The following staff members were present: Planning Department Director Kaaina Hull – Planning Deputy Director Jodi Higuchi Sayegusa, Dale Cua, Kenneth Estes, and Planning Commission Secretary Shanlee Jimenez; Office of the County Attorney –Deputy County Attorney Laura Barzilai; Office of Boards and Commissions – Commission Support Clerk Arleen Kuwamura.

Discussion of the meeting, in effect, ensued:

**CALL TO ORDER**

Subdivision Committee Chair DeGracia: Called the meeting to order at 8:31 a.m.

**ROLL CALL**

Planning Director Kaaina Hull: Okay, Mr. Chair, it is 8:31 am, Tuesday, May 11. Are you ready to start the meeting?

Chair DeGracia: Yes, I would like to call to order the Subdivision Committee Meeting for Tuesday, May 11, 2021. Clerk, can we please have a roll call?

Mr. Hull: Roll call, Mr. Chair. Commissioner Chiba.

Mr. Chiba: Here

Mr. Hull: Chair DeGracia.

Chair DeGracia: Here

Mr. Hull: You have a quorum. Two Present.

**APPROVAL OF AGENDA**

Mr. Hull: Next agenda item is approval of the agenda. The Department has no recommended

changes.

Mr. Chiba: I move we approve the agenda.

Chair DeGracia: Second. All in favor? Aye (Unanimous voice vote). I believe the agenda is approved. Motion carried 2:0.

Mr. Hull: Motion passes, Chair.

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

Mr. Hull: Next, we have no Meeting Minutes.

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

Mr. Hull: There is no Receipt of Items for the Record.

#### **HEARINGS AND PUBLIC COMMENT**

Mr. Hull: Now I will do Hearings and Public Comment. So at this time, if there's any member of the public that has called in, that is not an applicant, but a member of the public that has called in and would like to testify, please state your name. Hearing none and quite honestly, Mr. Chair, we do not have anybody that called in, except for applicants or their representatives.

#### **GENERAL BUSINESS MATTERS**

#### **UNFINISHED BUSINESS (For Action)**

Mr. Hull: We will move on to Unfinished Business, there is no Unfinished Business.

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

Tentative Subdivision Extension Request.

Subdivision Application No. S-2018-12, *Association of Apartment Owners of Kulana Condominium*, Kulana Water Tank Subdivision Proposed 2-lot Subdivision  
TMK: (4) 4-4-014: 003:089 Waipouli, Kawaihau, Kauai

Mr. Hull: We can move on to New Business. One tentative Subdivision Extension Request, 1.a Subdivision Application No. S-2018-12. Application to the Association of Apartment Owners of The Kulana Condominium, the Kulana Water tank Subdivision and proposed 2-lot subdivision TMK 4-4-003:089, located on Waipouli, Kauai. I will turn it over to Kenny for the Subdivision report pertaining to this matter.

Staff Planner Kenneth Estes: Good morning. I will read the report for the record. The proposed development involves a 2-lot subdivision. This application was granted tentative approval by the Planning Commission on May (inaudible), 2018 and the applicant's request is a third extension for tentative approval.

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

Mr. Estes: The applicant is also working with the State Department of Land and Natural Resources to secure access and utility easements that will traverse over a sink ditch. Based on the prevalent circumstances, the applicant's reasons are justifiable, and no problems are foreseen in granting the extension request. The Department of Public Works and Water (inaudible). It is recommended that an extension until May 22, 2022, be granted to obtain final Subdivision approval.

Chair DeGracia: Thank you, Kenny. Do we have any questions for the Planning Department? Hearing none. I have no questions. Could we please hear from the applicant?

Ms. Laura Loo: Good morning Chair. This is Laura Loo. I am the attorney for the applicant. We have several people available here, to answer your questions. But, probably the person with the most, well with overall knowledge, would be Brad Rockwell, who is the president of the Homeowners' Association.

Chair DeGracia: Thank you.

Mr. Brad Rockwell: Good morning Chair. I am Brad Rockwell, president. I do not have any comments. But we're standing by to answer any questions if you have. Thank you.

Chair DeGracia: I guess, if you could share, I guess, the, the progress from your last extension, just to give us an idea of what is happening on this project.

Mr. Rockwell: Sure. I can just give you a quick overview. So most of 2020 was involved with chlorinating and connecting the water transmission system. That was delayed, approximately six to nine months due to COVID shutdowns and restrictions on inter-island travel. The chlorination company is located on Maui. And there were some issues with, you know, inter-island travel, that I am sure is no surprise to the Commission. All the water tank and water line construction is complete. Final conveyance documents have been transmitted to the Department of Water. The DOW staff has reviewed and accepted. DOW legal is currently reviewing the documents. Upon completion of legal review, the association will execute, and Department of Water will bring to the Water Board for acceptance. We have satisfied Department of Public Works condition that you note, that you see there about the driveway ingress and egress, by securing an easement from the neighboring parcel, the Yamaguchi parcel. DLNR has approved easements over the State ditch. The Association currently, awaits a tax clearance certificate from the county to allow

DLNR issuance of easements. And upon completion of all the above, everything I just mentioned, the association is prepared to submit final title reports and the final subdivision map to the County Planning Commission. Standing by for any questions.

Chair DeGracia: Thank you. Do we have any questions for the applicant? I have no questions - any further questions. I will entertain a motion.

Mr. Chiba: I move to approve the extension request for Subdivision Application number 2018-12 to May 22, 2022, along with the Planning Department's requirements for an updated status report, no later than 60 days prior to the expiration date.

Chair DeGracia: I will second. All in favor? Aye (Unanimous voice vote).

Mr. Chiba: Aye.

Chair DeGracia: Opposed? None. Any discussion? If not, this is approved. Motion carries 2:0. Thank you.

Mr. Rockwell: Thank you Chair. Thank you, Commission.

Mr. Hull: With that, we still need a motion to approve.

Chair DeGracia: Okay.

Mr. Hull: Unless you guys have any other questions for the Department. Sorry, I didn't mean to jump the gun on that.

Chair DeGracia: Motion to approve.

Mr. Chiba: Motion to approve what?

Chair DeGracia: Okay. Excuse me, clerk. I am still, I am a little lost. I am sorry.

Ms. Barzilai: Excuse me Clerk. I think that Chair needs, clarification on what's necessary at this moment.

Mr. Hull: Sorry. I was distracted for a second. Did you guys already vote on a motion for the subdivision?

Chair DeGracia: Yes, we did.

Mr. Hull: Oh, I apologize. I got pulled into another side conversation here. Yeah. Problems with tele-video. Sorry about that. With that and there was a vote taken. I apologize.



Chair DeGracia: Okay.

**ADJOURNMENT**

Mr. Hull: With that, there is no further items on the agenda and at your discretion, it is ready for adjournment, Chair.

Chair DeGracia: I move to adjourn.

Mr. Chiba: I second.

Chair DeGracia: Okay. All in favor, signify that by saying, "Aye."

Mr. Chiba: Aye.

Chair DeGracia: Motion passes. 2:0. Thank you all. We are adjourned. See you in the next meeting.

Mr. Hull: Thank you all.

Mr. Chiba: Thank you everybody. See you later.

Subdivision Committee Chair Ho adjourned the meeting at 8:42 a.m.

Respectfully submitted by:

Arleen L. Kuwamura  
Arleen Kuwamura  
Commission Support Clerk

(X ) Approved as circulated 11/09/2021 Meeting.

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