

## DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR  
REIKO MATSUYAMA, MANAGING DIRECTOR

June 9, 2025

Public testimony received by the Planning Department as of June 9, 2025, 9:00 am for the June 10, 2025, Planning Commission meeting regarding the following item:

- H.2.a. **CLASS IV ZONING PERMIT (Z-IV-2025-12), USE PERMIT (U-2025-8), and SPECIAL PERMIT (SP-2025-5)** to conduct agricultural tours and special events, construct a pavilion, and operate an agricultural retail shop on a parcel situated at the terminus of Kapuna Road in Waipake, situated along the mauka side of Kuhio Highway approximately  $\frac{3}{4}$ -mile of the Kapuna Road/Kuhio Highway intersection, further identified as Tax Map Key: (4) 5-1-002:010, Unit 5, affecting an area approximately 22.982 acres of a larger parcel = **CAROL CASSIDAY ORR (KEALA RANCH TOURS)**.

**Shanlee Jimenez**

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**From:** Planning Department  
**Sent:** Friday, June 6, 2025 7:38 AM  
**To:** Dale Cua  
**Cc:** Shanlee Jimenez; Kaaina Hull  
**Subject:** FW: Permit Request (4)/-5-1-002-001:

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**From:** Sheryl McKee <beachbumsnparadise@hawaii.rr.com>  
**Sent:** Thursday, June 5, 2025 5:42 PM  
**To:** Kaaina Hull <khull@kauai.gov>; Dale Cua <dcua@kauai.gov>; Duke Nakamatsu <DNakamatsu@kauai.gov>; Planning Department <planningdepartment@kauai.gov>  
**Cc:** Terry McKee <tmckee7@hawaii.rr.com>  
**Subject:** Permit Request (4)/-5-1-002-001:

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Re: Concerns application for use Permit (U-2025-8), Class IV Zoning Permit, (Z-IV-2015-1`2) and Special Permit (SP-2025-5)

For the Planning Directors consideration

I own a home and live on Kapuna Road, Kilauea, My name is Sheryl McKee, also residing at our residence at 4576 Kapuna Road is my husband Terry McKee, my daughter Stacey McKee, my daughter's fiance Gilbert Badua, my two grand daughters Chloe and Zoe McKee Badua, both under 10 and my 100 year old mother in law Gertrude McKee, also residing at this residence is our rescue dog Buddy. We are retirees who have enjoyed living here since we moved here in 2005.

I am writing this letter because I have grave concerns about the proposed rezoning and special use permit where Ms. Orr would like to have ATV tours, a restaurant, a retail store and pavilion. I am OPPOSED to this rezoning and special use permit.

This coming school year the old Kula School on Kapuna Road will now become Namahana School and start classes once again. This will add traffic and congestion on Kapuna Road. Kapuna Road is also the pick up and drop off site for the kids attending the Island school. Also there are kids who have soccer practice at the school in the afternoons. There is always something going on at this school location. When driving up Kapuna Road when the sun hits it just right there is a blind spot and hard to see other vehicles not to mention people walking.

Ms. Orr has stated that they will have a shuttle to take the people up to their property for the ATV tours and for the wedding events for 100 people under the pavilion. Where are these people going to park to catch the shuttle? What to the people who just want to shop in their store or go up there for lunch

do? Do they catch a shuttle or are they driving up there themselves? How often does the shuttle run? How do their employees get there? This is all going to be more traffic on Kapuna Road.

If this idea takes off and more and more people want to do the ATV tours or have more than 1 wedding once a quarter or 1 event once a month do you think Ms Orr, who is an event planner is going to turn these people away and lose thousands of dollars? WHO is going to check to see that there is no more events going on up there than what she states?

Our neighbors on Kapuna, both sides, walk this street, they walk their dogs on this street, my two grand daughters, both under 10 ride their bikes on Kapuna Road, another neighbor pushes her baby in the stroller up Kapuna Road and with the school starting again it seems like this additional traffic on Kapuna Road would be a safety issue. I can't even tell you how many times myself, my husband or my daughter has yelled at people speeding up Kapuna Road to slow down. When we first moved into our house there was a 15 MPH school sign but there is NOT one now.

Thank you for your time and consideration in this Zoning permit/Special Permit matter.

Sheryl McKee  
4576 Kapuna Road  
Kilauea, HI 96754

**Shanlee Jimenez**

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**From:** Planning Department  
**Sent:** Friday, June 6, 2025 7:39 AM  
**To:** Dale Cua  
**Cc:** Shanlee Jimenez; Kaaina Hull  
**Subject:** FW: Photos of dangerous path to Carol Cassiday Orr property

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**From:** Terry McKee <tmckee7@hawaii.rr.com>  
**Sent:** Thursday, June 5, 2025 6:54 PM  
**To:** Dale Cua <dcua@kauai.gov>; Kaaina Hull <khull@kauai.gov>; Duke Nakamatsu <DNakamatsu@kauai.gov>; Planning Department <planningdepartment@kauai.gov>  
**Subject:** Photos of dangerous path to Carol Cassiday Orr property

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[Download full resolution images](#)  
[Available until Jul 5, 2025](#)





















Sent from my iPad

## Shanlee Jimenez

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**From:** Planning Department  
**Sent:** Friday, June 6, 2025 7:39 AM  
**To:** Dale Cua  
**Cc:** Shanlee Jimenez; Kaaina Hull  
**Subject:** FW: In the matter the application of Carol Cassiday Orr for Use Permit U-2025-8, Class IV Zoning Permit Z-IV-2025-12 and Special permit SP-2025-5

-----Original Message-----

From: Sheryl McKee <beachbumsnparadise@hawaii.rr.com>  
Sent: Thursday, June 5, 2025 6:43 PM  
To: Dale Cua <dcua@kauai.gov>; Kaaina Hull <khull@kauai.gov>; Duke Nakamatsu <DNakamatsu@kauai.gov>; Planning Department <planningdepartment@kauai.gov>  
Subject: In the matter the application of Carol Cassiday Orr for Use Permit U-2025-8, Class IV Zoning Permit Z-IV-2025-12 and Special permit SP-2025-5

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Aloha To whom it may concern,

My name is Terry McKee and I live at 4576 Kapuna Road, Kilauea, Hi. 96754 I have been a resident since 1/6/2006

I'm strongly opposed to the above mentioned use permit for Carol Cassiday Orr.

Several statements in Ms Orr's application in my opinion are not valid. First the reason for the requested zoning change is due to lack of income from agriculture and minimal events. Ms Orr is going to spend hundreds of thousands dollars in the construction of a 3000 sq. ft. pavillion , a commerical kitchen for a restaurant, bathroom facilities to accommodate large events, a store, ATVs for agriculture tours, a bus or mini van to bring people to the site and payroll for employess...while holding minimal events. Farm tours...2 tours per day...3 per week 2-5 people, weddings 100 people, monthly dinner 40 people and a quarterly event 100 guests.

Looking at Carol Cassiday Orr on the internet under the Orr Group posting. Carol has been extremely successful in event planning. She has planned Black tie Galas, golf tournaments, bike-a -thons and movie premiers. She worked on the 1980 Reagan/Bush Campaign for fund raising such as Opening day at the Statue of Liberty, Fifth avenue parade, orchestrating events featuring celebrities including Frank Sinatra and Wayne Newton. Carol also served as head of her own interior design firm, which lead to some of Orr Groups most notable event successes including RFK Memorial's Ripple of Hope award event , the RFK Memorial event at the Democratic National Convention at the Kennedy Library in Boston and Esquire House fund raiser in Los Angeles. With this extremely successful back ground in event planning, in my opinion Ms. Orr will use her vast successful background to book as many wedding, anniversary, birthday, graduations, retirement , ATV tours and logo products to pay off the enormous cost of this proposed operation. If she is granted this rezoning WHO will check make sure she complies with statements in her application? I don't think the county has the staff to make sure there are not excessive events.

The next statement in the application that concerns me is that the operation of the pavillion , restaurant, ATV tours & store will not substantially increase traffic on Kapuna Road.

Kapuna road has neighbors walking, walking their dogs, children riding their bikes, a mother pushing her baby in a stroller and people from the other side of Kapuna walking. Besides the planned events, the store and farm to table

restaurant will bring many vehicles up Kapuna Road. Most of this traffic will be visitors from the main land...where they have sidewalks on their streets....we have NO sidewalks.

Another safety concern...from the cut-da-sac to the gate...this section of road is very narrow only 10 feet wide....basically one lane. Once you pass the gate it is basically a 4 wheel drive trail thru the weeds...some spots there is no room to pull off the path or turn around if you meet an on-coming vehicle. There are several sections which are paved...which is necessary because of the steep terrain. So on a rainy day the pavement is wet, the visitors have mud on their tires...a touch of the brakes could cause a slide like trying to stop on ice...which could cause an accident with injury or death. If there were an emergency at the site I do not think an EMT or fire engine could navigate the steep incline especially in wet conditions.

I would implore each planning commissioner to drive to the site to get first hand knowledge of how dangerous this entry way is for a resident or a visitor. I understand there are 2 more zoned access to this property that should be considered as opposed to Kapuna Road.

Please reject this re-zoning ! ( Will send photos of the dangerous portions of the path to the site)

Sincerely,

Terry McKee

## Shanlee Jimenez

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**From:** Planning Department  
**Sent:** Friday, June 6, 2025 7:40 AM  
**To:** Dale Cua; Kaaina Hull  
**Cc:** Shanlee Jimenez  
**Subject:** FW: Permit Request(4)/-5-1-002-001: 10 CPR No. 5  
**Attachments:** Permit Request.pdf; Permit Request 2.pdf

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**From:** Frank Ursomarso Sr <fursomarso@unionpark.com>  
**Sent:** Friday, June 6, 2025 1:44 AM  
**To:** Planning Department <planningdepartment@kauai.gov>; Planning Department <planningdepartment@kauai.gov>  
**Subject:** Permit Request(4)/-5-1-002-001: 10 CPR No. 5

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Frank A Ursomarso, Sr.

Chairman

Union Park Automotive Group, Inc.

1704 Pennsylvania Avenue

Wilmington, Delaware 19806

(w) 302 573 5202

(m) 302 598 2894

[Union Park Automotive Group Job Openings](#)



# Union Park

## Driving Expectations.

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BUICK

GMC



**Catherine S. Ursomarso, Trustee of Catherine S. Ursomarso Family Trust**

4640 Kapuna Road  
Kilauea, HI 96754  
csupark@aol.com  
302 530 2007 (h) 808 822 2430

May 28, 2025

**Kaua'i County Planning Department**  
4444 Rice Street, Suite 473  
Līhu'e, HI 96766

**Subject:** Formal Objection to Rezoning Application for Keala Ranch Condominium

Dear Kaua'i County Planning Department,

I am writing to formally oppose the rezoning application submitted by Carol Cassiday Orr for the proposed agritourism and agribusiness expansion on Unit 5 of the Keala Ranch Condominium in Pi'ilā'a, Hanalei, Kaua'i. While I appreciate the need for agricultural sustainability, I believe this project raises significant legal and community concerns that warrant reconsideration.

### **1. Zoning and Land Use Compliance**

The proposed development introduces commercial activities that may conflict with zoning regulations outlined in **Hawai'i Revised Statutes (HRS) Chapter 205**, which governs the Land Use Commission's classification of Agricultural Districts. Allowing retail sales, food processing, and private events on designated agricultural land may set a precedent for non-agricultural uses that undermine the intent of preserving farmland. Moreover, the **Kaua'i General Plan** emphasizes maintaining agricultural integrity, and this proposal may lead to unintended commercialization in protected areas.

### **2. Environmental and Coastal Impact**

Under the **Coastal Zone Management Act (CZMA) and HRS Chapter 205A**, all developments within the coastal zone must prioritize environmental protection and sustainability. The introduction of new impervious surfaces, increased foot traffic, and transportation logistics pose risks to water drainage, soil erosion, and native ecosystems. Additionally, the **Hawai'i Environmental Policy Act (HEPA, HRS Chapter 343)** requires environmental assessments for projects that may significantly impact surrounding resources. This proposal warrants a thorough environmental review to determine potential consequences before approval.

### **3. Traffic and Infrastructure Strain**

The applicant's proposal relies on shuttle transportation, yet no formal traffic impact assessment has been provided. **Kaua'i County Code (Chapter 25, Zoning Regulations)** mandates infrastructure compatibility for new developments, and the influx of visitors—particularly during private events hosting up to 100 guests—may exceed the capacity of existing roads and services. The County should require a transportation impact analysis to ensure local roads can accommodate these changes.

### **4. Community and Cultural Concerns**

Agricultural lands play a crucial role in Kaua'i's rural identity. The **State Planning Act (HRS Chapter 226)** emphasizes preserving rural communities and protecting agricultural zones from urban encroachment. Allowing commercial events, retail sales, and expanded tourism may fundamentally alter the nature of the property and its surroundings, leading to long-term implications for residents. Noise pollution, overcrowding, and land preservation concerns must be addressed before approval is granted.

**Request for Action**

In light of these concerns, I respectfully urge the Planning Department to **deny** this rezoning application. If consideration proceeds, I request:

- **A comprehensive environmental impact assessment** in accordance with HEPA.
- **A traffic study** to evaluate road and infrastructure compatibility.
- **A public hearing notification** to ensure community voices are heard.
- 

Thank you for your time and consideration. I welcome further discussion on this matter and request notification of all upcoming hearings related to this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Catherine S. Ursomarso', written in a cursive style.

Catherine S. Ursomarso, Trustee

## Shanlee Jimenez

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**From:** Planning Department  
**Sent:** Friday, June 6, 2025 7:41 AM  
**To:** Dale Cua; Kaaina Hull  
**Cc:** Shanlee Jimenez  
**Subject:** FW: Permit Request(4)/-5-1-002-001: 10 CPR No. 5  
**Attachments:** Permit Request.pdf; Permit Request 2.pdf

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**From:** Frank Ursomarso Sr <fursomarso@unionpark.com>  
**Sent:** Friday, June 6, 2025 1:49 AM  
**To:** Planning Department <planningdepartment@kauai.gov>; Duke Nakamatsu <DNakamatsu@kauai.gov>  
**Subject:** Permit Request(4)/-5-1-002-001: 10 CPR No. 5

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Frank A Ursomarso, Sr.  
Chairman  
Union Park Automotive Group, Inc.  
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(m) 302 598 2894

[Union Park Automotive Group Job Openings](#)

# Union Park

## Driving Expectations.

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**Catherine S. Ursomarso, Trustee of Catherine S. Ursomarso Family Trust**

4640 Kapuna Road  
Kilauea, HI 96754  
csupark@aol.com  
302 530 2007 (h) 808 822 2430

May 28, 2025

**Kaua'i County Planning Department**  
4444 Rice Street, Suite 473  
Līhu'e, HI 96766

**Subject:** Formal Objection to Rezoning Application for Keala Ranch Condominium

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Thank you for your time and consideration. I welcome further discussion on this matter and request notification of all upcoming hearings related to this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Catherine S. Ursomarso', written in a cursive style.

Catherine S. Ursomarso, Trustee

## Shanlee Jimenez

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**From:** Brent Sokei  
**Sent:** Monday, June 9, 2025 8:10 AM  
**Cc:** Shanlee Jimenez  
**Subject:** FW: Keala Ranch Use and Zoning Permit application Permit Request (4)/-5-1-002-001: 10 CPR No. 5

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**From:** Planning Department  
**Sent:** Monday, June 9, 2025 8:09 AM  
**To:** Dale Cua <[dcua@kauai.gov](mailto:dcua@kauai.gov)>  
**Cc:** Kaaina Hull <[khull@kauai.gov](mailto:khull@kauai.gov)>  
**Subject:** FW: Keala Ranch Use and Zoning Permit application Permit Request (4)/-5-1-002-001: 10 CPR No. 5

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**From:** David Carmichael <[kawika1972@yahoo.com](mailto:kawika1972@yahoo.com)>  
**Sent:** Sunday, June 8, 2025 10:55 AM  
**To:** Kaaina Hull <[khull@kauai.gov](mailto:khull@kauai.gov)>; Dale Cua <[dcua@kauai.gov](mailto:dcua@kauai.gov)>; Duke Nakamatsu <[DNakamatsu@kauai.gov](mailto:DNakamatsu@kauai.gov)>  
**Cc:** Planning Department <[planningdepartment@kauai.gov](mailto:planningdepartment@kauai.gov)>  
**Subject:** Keala Ranch Use and Zoning Permit application Permit Request (4)/-5-1-002-001: 10 CPR No. 5

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**Please forward to Planning Commission Chair DeGracia and Vice Chair Ako**  
**June 8, 2025**

**Subject:** Formal Objection to Zoning/Use Permit Application for Unit 5 of Keala Ranch Condominium

Aloha County of Kaua'i Planning Department,

My wife, Marietta, and I are writing to express our opposition to the application submitted for the rezoning and change of use for the proposed expansion of activity on Unit 5 of the Keala Ranch Condominium. I am a retired police officer and my wife is a Kaua'i nurse with many years of trauma experience. The activities proposed by the applicant at this location create significant safety issues that must be answered and addressed before any approval is considered.

### Safety Impacts

**First Responder Access:** As you know, the property lies at the mauka end of Kapuna Rd. on a private shared "driveway" and past a gate off of the main road in a very rural area of steep hills and valleys. An incredibly steep and long concrete driveway, along with dirt roads are used to access the location, which should require 4-wheel drive, especially during rainy weather. As a retired police officer familiar with the location, I believe that many of our county first responder



vehicles, including EMS (ambulances), Fire, and KPD would be unable to quickly access the site during an emergency due to the sheer difficulty (steepness) of the access point. In fact, the narrow and steep access could actually bottleneck vehicles during ingress/egress. I have experienced first-hand how weddings, parties, and other large gatherings, not to mention ATV tours such as the applicant proposes, often require rapid first responder access. This location does not allow for the degree of rapid and easy access required during an emergency and would greatly hinder our first responders.

### **School Zone:**

Kapuna Rd. is a school zone on a rural street with no sidewalks. While the existing Kula School has not been fully open for a few years, it will soon be the temporary home of Namahana School and will become a bustling hub of activity and children once again. Prudent planning and roadway design aims to reduce traffic in school zones and this proposal would do just the opposite. It would intensify traffic, especially with tourists, on a rural street which is the only access for the school. In fact, around 3 years ago a child was struck and injured by a passing vehicle on the street during a school bus drop off. The idea of bringing additional traffic, especially visitor traffic, into a school zone is poorly reasoned and creates additional risk for children.

The application and proposed uses create other concerns as well including noise, parking, and general intensification of the area. However, safety is paramount and the Planning Department must ensure that first responder access and school zone impacts are given top priority. Please consider an actual visit to the site and imagine driving emergency vehicles in and out of the site on the steep concrete and winding dirt access road during wet/muddy weather. We urge you to take these safety issues seriously and ensure they are addressed as you consider this application.

Sincerely,

**David and Marietta Carmichael**

4610 Kapuna Rd, Kilauea, HI 96754

808-378-8939, [Kawika1972@yahoo.com](mailto:Kawika1972@yahoo.com)



## Shanlee Jimenez

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**From:** Planning Department  
**Sent:** Monday, June 9, 2025 8:17 AM  
**To:** Dale Cua  
**Cc:** Kaaina Hull; Shanlee Jimenez  
**Subject:** FW: Expressing Concerns: Permit Request(4)/-5-1-002-001: 10 CPR No. 5

---

**From:** Ellen Slack <ekslack@gmail.com>  
**Sent:** Sunday, June 8, 2025 5:23 PM  
**To:** Kaaina Hull <khull@kauai.gov>; Dale Cua <dcua@kauai.gov>; Duke Nakamatsu <DNakamatsu@kauai.gov>  
**Cc:** Quinn ♥ Slack <qslack@gmail.com>; Planning Department <planningdepartment@kauai.gov>  
**Subject:** Expressing Concerns: Permit Request(4)/-5-1-002-001: 10 CPR No. 5

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**Dear planning commission:** Please see below for our concerns regarding Carol Cassiday Orr's permit application, which is on the agenda for tomorrow's session (6/9). While we haven't been introduced, our neighbors speak highly of the work you all do. We hope you will consider our feedback.

**Introduction and Community Context:** My name is Ellen Slack and I live at 4705 Kapuna Road with my husband Samuel Quinn and our young children. I am writing as a representative for our family. We love the residential community of our small street and we enjoy jogging and biking from our home, to the highway, and back again. We often have visitors, including young cousins and elderly family members. We have lovely neighbors. I am writing with concerns about the permits associated with Carol Cassiday Orr for agrotourism on the parcel at the end of Kapuna Road.

**Concerns re Zoning:** Reading the proposed plans, it is hard to believe that the intent behind the application is to support agricultural output from the parcel. Running ATV tours and building a pavilion for events suggests the applicants are looking to shift the land use away from agriculture to commercial activities. If this were a highly producing farm, it might be easier to believe the intentions are for agricultural purposes, but this is not a profit producing farm. They clearly want to commercialize the operation.

**Concerns re Easement Access:** While we look to the planning commission to evaluate the legitimacy of the intent behind the permit application, **as homeowners we have strong concerns about increased traffic, shuttling, and commercial vehicle use by way of our easement on Kapuna.** From what we understand, the only way to access Unit 5 of the Keala Ranch Condominium is via our easement at the end of Kapuna. **We have not been approached individually about the use of this easement and we do not approve its use for construction of commercial structures or for commercial activities.** We ask that the planning commission request more details on construction plans and long term commercialization plans before approving any permit.

We appreciate the work you do to support the community.

Sincerely,  
Ellen and (Samuel) Quinn Slack  
4705 Kapuna Road Owners

## **Shanlee Jimenez**

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**From:** Planning Department  
**Sent:** Monday, June 9, 2025 8:18 AM  
**To:** Dale Cua  
**Cc:** Kaaina Hull; Shanlee Jimenez  
**Subject:** FW: Permit Request(4)/-5-1-002-001: 10 CPR No. 5

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**From:** Mariola Hall <mariola2205@gmail.com>  
**Sent:** Sunday, June 8, 2025 9:13 PM  
**To:** Kaaina Hull <khull@kauai.gov>; Duke Nakamatsu <DNakamatsu@kauai.gov>; Planning Department <planningdepartment@kauai.gov>  
**Subject:** Permit Request(4)/-5-1-002-001: 10 CPR No. 5

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PLEASE FORWARD TO PLANNING COMMISSION CHAIR DEGRACIA AND VICE-CHAIR AKO.  
**RE:** Concerns Applications For Use Permit (U-2025-8), Class IV Zoning Permit; (Z-IV-2025-12)- and Special Permit (SP-2025-5)

Jarek and Mariola Hall  
4704 Kapuna Rd.  
Kilauea, HI 96754

**Subject: Formal Objection to Proposed Rezoning of Keala Ranch Farms**

We, Mariola and Jarek Hall, are full-time residents of 4704 Kapuna Rd., Kilauea, HI 96754, and have lived in Waipake for the past 10 years with our three cats and several hens. We grow vegetables, herbs, and fruits, and enjoy sharing our plants and harvest with the local community. We chose this particular land to build our home because of its low congestion, unobstructed mountain views, and the natural beauty of the area.

We are writing to object to the proposed rezoning of Keala Ranch Farms formally. Our primary concern is the increased impact on traffic and infrastructure that would result from this rezoning, as well as the broader implications for the community's quality of life. Notably, there is a school located on Kapuna Rd, and any increase in traffic will directly affect the safety of children and pedestrians.

We, along with Lot 4 McMinn, are the only residents maintaining the easement. While mowing the easement, we have had several near misses with fast-driving vehicles belonging to visitors or workers. In contrast, we and our neighbors drive slowly, out of care for the *keiki*, animals, and the safety of one another.

Keala Farms, along with several other CPRs, has been utilizing our private easement for access—a narrow, one-way road. While we understand the need for thoughtful development, we are deeply concerned that further expansion will continue to encroach upon our property and neighboring properties, contributing to increased traffic congestion and the disruption of our peaceful agricultural and residential area.

We have already observed a noticeable increase in traffic, including commercial deliveries to the farm. For example, on June 1st, a coconut delivery was made to the farm, despite the farm's claim of growing coconuts on-site. This inconsistency raises concerns about the authenticity of the farm's operations and the justification for increased delivery activity.

We are a family with three sons, daughters-in-law, and five grandchildren who visit us regularly. Our primary concern is their safety. The increased traffic, particularly with proposed tours and events of up to 100 people using the easement, poses a serious risk to our loved ones. The safety of children, residents, and pedestrians must be a top priority. We fear that further rezoning will only exacerbate these risks for everyone who uses this road daily.

Additionally, we are concerned about the potential for even more commercial traffic, which would place further strain on an easement that is already heavily used. We read in condo documents that the easement would only be used until all four condominiums are completed, at which point a new access road from Kuhio Highway would be constructed. If that is the plan, we respectfully ask: why is that road not being built now for Keala Farm's use? This would immediately reduce the burden on the easement and would also provide a safer route for emergency vehicles to access the farm, rather than relying on a single-lane road.

We respectfully urge the local planning committee to fully consider the impact this proposed rezoning would have on the surrounding residential properties, particularly in terms of traffic flow, safety, and property access. We ask that you reassess the potential consequences of the rezoning and explore alternative solutions that prioritize the well-being of current residents and the greater community.

Mahalo nui loa, for your time and consideration. We look forward to your response.

Jarek and Mariola Hall

**Shanlee Jimenez**

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**From:** Planning Department  
**Sent:** Monday, June 9, 2025 8:20 AM  
**To:** Dale Cua  
**Cc:** Kaaiana Hull; Shanlee Jimenez  
**Subject:** FW: Use Permit U-2025-8 Special Permit SP-2025-5 Carol Cassiday Orr

**From:** Colette Ferris <ferrisroots@gmail.com>  
**Sent:** Monday, June 9, 2025 6:52 AM  
**To:** Planning Department <planningdepartment@kauai.gov>  
**Subject:** Use Permit U-2025-8 Special Permit SP-2025-5 Carol Cassiday Orr

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

To Whom It May Concern,

We are longtime residents of Kauai (Pre 1980) own a home on the mauka side of Kapuna Rd for the past 12 years and are concerned that the proposed access for development outlined in SP-2025-5 will negatively impact our ability to walk our pets, and go for walks and bike rides with our grandchildren who we help care for at our home.

Our property is part of our certified organic farm and we have no objection to a legitimate farming operation that will not negatively impact our ability to farm organically, but have some concerns that the proposed operation will bring in more traffic for events vs actual farming and make our road unsafe for residential /family activities.

Please consider alternate access if this permit is going to be approved. Also please consider the actual long term intent of the applicant's business ventures.

Mahalo for your time and consideration

Benjamin and Colette Ferris  
4680 Kapuna Rd, Kilauea, HI 96754

**Shanlee Jimenez**

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**From:** Planning Department  
**Sent:** Monday, June 9, 2025 8:20 AM  
**To:** Dale Cua  
**Cc:** Kaaina Hull; Shanlee Jimenez  
**Subject:** FW: Keala Ranch Use and Zoning Permit application Permit Request (4)/-5-1-002-001: 10 CPR No. 5

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**From:** mkr@mykauairealty.com <mkr@mykauairealty.com>  
**Sent:** Monday, June 9, 2025 7:38 AM  
**To:** Dale Cua <dcua@kauai.gov>; Kaaina Hull <khull@kauai.gov>; Duke Nakamatsu <DNakamatsu@kauai.gov>  
**Cc:** Planning Department <planningdepartment@kauai.gov>  
**Subject:** Keala Ranch Use and Zoning Permit application Permit Request (4)/-5-1-002-001: 10 CPR No. 5

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RE: Class IV Zoning Permit; Use Permit and Special Permit  
TMK No. (4)/5-1-002-010: CPR UNIT No. 5

**Subject: Critical Deficiencies in the Application – A Call for Rigorous Review and Denial**

Dear Kauai Planning Commission Members and The Kauai Planning Director,

We write to express deep concern over an application that is not merely incomplete—it is fundamentally deficient and misleading in several critical areas.

The applicant has provided nebulous, unspecific answers to numerous required details, contrary to the specificity required in Kauai Planning Commission Rules and Regulations Chapter 13, Section 4, Paragraph 2. For instance, the parking arrangements are glossed over with a vague statement that “guests will park offsite.” This response is unacceptable. An application of this magnitude requires clear, spot-on answers that detail precisely where guests are to park. This response suggests that guests might park anywhere along Kapuna Road—or, worse yet, on another agricultural lot. This undermines the rigor and intent of the planning process.

In addition, there are serious omissions in the application. The section that requires an analysis of the impact on neighboring property owners' use and enjoyment was casually marked as “not applicable.” This dismissive approach sets the standard far lower than what the Planning Commission should enforce. A complete and thorough accounting of the impacts on neighboring properties and local schools is essential to protecting our community's interests.

Furthermore, Section 6:6 of the application claims that there is an approved individual wastewater system in place. This is a blatant misrepresentation. State Department of Health records indicate that the property is vacant and lacks any such system. In our correspondence with the Health Department, we were informed that the septic system permit issued in 2023 expired without installation or any subsequent inspection. This misstatement casts serious doubt on the applicant's credibility and on the overall integrity of the submission.

The application also contains overly optimistic assumptions regarding emergency response. The claim that emergency vehicles can navigate the entryway of this property should be rigorously scrutinized. We urge the committee and any policymaker to walk that driveway with the driver of an ambulance, firetruck, or police cruiser, imagining the scenario of a large event with 100 guests in attendance. Consider the critical seconds lost if a first responder needs to reach a party—especially when the roadway, consisting of gravel, dirt, and some minimal very steep concrete, has not been demonstrated to support rapid emergency response.

Moreover, the applicant's argument that this property does not meet the 15-acre threshold is a legal sleight of hand designed to circumvent laws that protect public interests. Out of the 22-acre parcel, 14 acres are designated for agricultural use—an agreement made when the applicant dedicated these lands for ten years in 2018. This designation remains in place, and these 14 acres should be incorporated and added to the land areas of common elements used for easements, parking, and corresponding infrastructure. Ignoring this would set a dangerous precedent, effectively allowing large-scale developments on agricultural lands while evading the appropriate State Land Use Commission review.

In summary, we urge the Planning Commission to deny this application outright due to its incompleteness and lack of detail. Furthermore, upon a re-application, the applicant should be encouraged to provide comprehensive, specific responses that include clear parking arrangements, a viable emergency vehicle access plan, concrete evidence regarding wastewater system compliance, and a complete accounting of the impacts on neighboring properties and schools. In addition, the applicant must make best efforts to utilize or obtain an alternate access route that minimizes the impact on the Waipake subdivision, specifically along Kapuna Road. Only with such detailed, verifiable information can the Commission properly evaluate this project and safeguard the long-term interests of our community, our public institutions, and our agricultural heritage. These are just a few of the many issues found in the application.

Thank you for your careful consideration of these pressing issues.

Sincerely,

John Friedman & Kristin Zimmerman  
4690 Kapuna Road, Kīlauea, HI 96754

**Shanlee Jimenez**

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**From:** Planning Department  
**Sent:** Monday, June 9, 2025 8:21 AM  
**To:** Dale Cua  
**Cc:** Kaaina Hull; Shanlee Jimenez  
**Subject:** FW: Permit Request(4)/-5-1-002-001: 10 CPR No. 5

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**From:** lita@eeg.com <lita@eeg.com>  
**Sent:** Friday, June 6, 2025 11:07 AM  
**To:** Kaaina Hull <khull@kauai.gov>; Dale Cua <dcua@kauai.gov>; Duke Nakamatsu <DNakamatsu@kauai.gov>  
**Cc:** Planning Department <planningdepartment@kauai.gov>  
**Subject:** Permit Request(4)/-5-1-002-001: 10 CPR No. 5

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Duke, Please forward this email to the Planning Commission Chair DeGracia and Vice-Chair Ako as I do not have an email for them. Thank you.

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**RE:** Concerns Applications For Use Permit (U-2025-8), Class IV Zoning Permit; (Z-IV-2025-12)- and Special Permit (SP-2025-5)

**Note:** For the Planning Director's Consideration

I am Lita Sam-Vargas and I live at 4660 Kapuna Road with my husband. I strongly disagree with the applicant and the Director's Report that the proposed commercial activities will not have a detrimental effect on the surrounding neighborhood. However, the reason I am writing you today is to point out a basic flaw with the application.

The use and special permits application fails to support the basic premise that it will supplement and bolster the ongoing agricultural activities conducted on the site. As a retired business professional and one who is currently involved in evaluating business proposals as an investor, I cannot fail to notice that there is no evidence in the application that indicates that the proposed supplemental activities will lead to profitability of the farm operations.

The financial records submitted for the years 2023 and 2024 (Exhibit C-9) demonstrate a deeply unsustainable farming operation that is not generating sufficient income to cover even basic expenses. In 2023, the farm reported a gross income of only **\$16,132**, while operating expenses exceeded **\$341,000**, resulting in a net loss of over **\$432,000** after capital expenditures. The situation worsened in 2024, with income only slightly increasing to **\$26,403**, while operating expenses ballooned to **\$472,565**, leading to another substantial loss of **\$447,662**.



A closer examination of the financials suggests that significant resources have been directed toward non-farming expenses. In 2024 alone, nearly **\$89,000** was spent on professional fees. These expenditures—along with high administrative costs—indicate a lack of strategic focus and prudent financial planning. This pattern raises concerns that the original farm venture may not have been thoroughly developed or appropriately scaled from the outset. Rather than doubling down on an unproven and unprofitable operation, the applicant now seeks to layer on seemingly related commercial activities. This approach risks compounding financial losses and altering the character of the surrounding area.

The application does not demonstrate how the proposed commercial activities would reverse this trend; the application lacks a detailed business plan to support its feasibility. No financial projections, market analysis, or operational details have been provided to justify how special events and tourism would offset the massive losses currently incurred by the farm. Without such critical information, the proposal appears speculative at best.

It is reasonable to question whether this expansion is truly intended to support agricultural operations, or whether it is instead designed to increase the market value of the land by securing a broader array of permitted uses. Approval of these permits could effectively serve as an exit strategy for the owner, who is currently facing unsustainable losses, by enhancing the development potential of the property and making it more attractive to future buyers.

In conclusion, approving the permit under these circumstances would not support sustainable agriculture—it would reward a failed farm business model and open the door to commercial activities under the guise of “supplemental farming.” I urge you to reject this application.

Thank you for your consideration.

Lita Sam-Vargas

**Shanlee Jimenez**

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**From:** Planning Department  
**Sent:** Monday, June 9, 2025 8:21 AM  
**To:** Dale Cua  
**Cc:** Kaaina Hull; Shanlee Jimenez  
**Subject:** FW: Permit Request(4)/-5-1-002-001: 10 CPR No. 5

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**From:** alan@eeg.com <alan@eeg.com>  
**Sent:** Friday, June 6, 2025 11:57 AM  
**To:** Kaaina Hull <khull@kauai.gov>; Dale Cua <dcua@kauai.gov>; Duke Nakamatsu <DNakamatsu@kauai.gov>  
**Cc:** Planning Department <planningdepartment@kauai.gov>  
**Subject:** Permit Request(4)/-5-1-002-001: 10 CPR No. 5

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PLEASE FORWARD TO PLANNING COMMISSION CHAIR DEGRACIA AND VICE-CHAIR AKO.

**RE:** Concerns Applications For Use Permit (U-2025-8), Class IV Zoning Permit; (Z-IV-2025-12)- and Special Permit (SP-2025-5)

I am Alan Gevins, a retired neuroscientist. I live at 4660 Kapuna Rd. with my wife Lita. We have lived on Kauai for the past 25 years, the first 20 in the Wailua Homesteads. I feel a close connection to the sacred aina of this island.

Our street is a diverse micro community on a long (~3/4 mile) cul-de-sac. Several families earn their living as organic farmers. One neighbor is a former chief of police and another is a retired Air Force officer. A sweet young professional couple has three keikis. One extended family has a local business. There are two nurses, a teacher, two handymen and several who work in service industries and the trades. Several ohana are multigenerational extended families. There are both homeowners and renters.

Our street is used recreationally by everyone who lives here and by other locals who come to exercise. There are no sidewalks so we all walk on the roadway. We

walk with our keikis, our kupuna and our dogs. Some jog or ride bicycles. Our street is a meeting place where everyone chats with whoever is walking by. There is little traffic, only a few cars an hour except early in the morning and pau hana time. Other than deliveries by Kalaheo the UPS driver, Andy or someone else from the post office, and trash collection, there are no routine commercial activities.

The application for multiple permits to engage in commercial activities on the parcel at the top of the hill past the end of Kapuna Road says that there is no impact of the proposed commercialization on our neighborhood. This could not be further from the truth.

In addition to all the visitor activities connected with the proposed daily ATV tours, restaurant and store and special events like weddings, no mention is made of the many vendors needed to make deliveries or provide services to support these activities and of the detrimental impact it will have on our neighborhood. Further, it is naïve to think that all the customers of this proposed "educational farm" would rely on shuttles as stated in the application. Will there be a continuous shuttle or will customers only be allowed to arrive on the hour? Where will they park their rental cars to board the shuttle? Undoubtedly on the street obstructing our use of it for recreational activities.

In my view, this project would seriously injure a precious, tranquil, diverse Kauai neighborhood. And to what end? To provide a way out for a failed investment by changing the zoning to increase the value of the land to enrich an investor in Washington DC who rarely visits?

I urge you not to be fooled by this Trojan horse. This is not an application to supplement income for real local farmers. E hana pono. Please protect the genuine peaceful aloha of our neighborhood.

Alan Gevins  
4660 Kapuna Road

## Shanlee Jimenez

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**From:** Planning Department  
**Sent:** Monday, June 9, 2025 8:21 AM  
**To:** Dale Cua  
**Cc:** Kaaina Hull; Shanlee Jimenez  
**Subject:** FW: Permit Request(4)/-5-1-002-001: 10 CPR No. 5

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**From:** Frank Ursomarso Sr <fursomarso@unionpark.com>  
**Sent:** Friday, June 6, 2025 11:58 AM  
**To:** lita@eeg.com; Kaaina Hull <khull@kauai.gov>; Dale Cua <dcua@kauai.gov>; Duke Nakamatsu <DNakamatsu@kauai.gov>  
**Cc:** Planning Department <planningdepartment@kauai.gov>  
**Subject:** Re: Permit Request(4)/-5-1-002-001: 10 CPR No. 5

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Wonder what the rules are on alcohol at their events.?

Frank A Ursomarso, Sr.  
Chairman  
Union Park Automotive Group, Inc.  
1704 Pennsylvania Avenue  
Wilmington, Delaware 19806

(w) 302 573 5202  
(m) 302 598 2894

[Union Park Automotive Group Job Openings](#)

## Union Park

### Driving Expectations.

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**From:** [lita@eeg.com](mailto:lita@eeg.com) <[lita@eeg.com](mailto:lita@eeg.com)>  
**Sent:** Friday, June 6, 2025 5:06 PM  
**To:** [Khull@kauai.gov](mailto:Khull@kauai.gov) <[Khull@kauai.gov](mailto:Khull@kauai.gov)>; [Dcua@kauai.gov](mailto:Dcua@kauai.gov) <[Dcua@kauai.gov](mailto:Dcua@kauai.gov)>; [dnakamatsu@kauai.gov](mailto:dnakamatsu@kauai.gov) <[dnakamatsu@kauai.gov](mailto:dnakamatsu@kauai.gov)>  
**Cc:** [planningdepartment@kauai.gov](mailto:planningdepartment@kauai.gov) <[planningdepartment@kauai.gov](mailto:planningdepartment@kauai.gov)>  
**Subject:** Permit Request(4)/-5-1-002-001: 10 CPR No. 5

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Thank you for your consideration.

Lita Sam-Vargas