

## Meeting Minutes

Tuesday, February 18, 2020

Hyperlink to [Meeting Video](#)

### Community Plan Advisory Committee

**Attending:** Chair Kai Nishiki, Hans Michel, Karen J. Comcowich, Ravi Bugga, Donald Robert Gerbig, Joseph D. Pluta, Dylan Payne, Leilani Pulmano, Angela Lucero, Yvette Joyce Celiz, Dawn Hegger-Nordblom

**Absent:** Vice-Chair Jeri Dean, Aina Kohler

### County of Maui – Planning Department

Pam Eaton, Long Range Planning Division

Jennifer Maydan, Long Range Planning Division

Jaime Paa, Long Range Planning Division

Annalise Kehler, Long Range Planning Division

Mike Napier, Long Range Planning Division

Sean Birney, Long Range Planning Division

**Call to order at 5:30 p.m.**

### Public Testimony (00:00 to 44:34 in Meeting Video)

Darren McDaniel alleged that CPAC member Hans Michel is allowing goats on his farmland on kuleana lands in Kahoma in an area where they should not be. He also alleged that he found out through research that CPAC member Jeri Dean’s family has a house on kuleana lands in Kahoma. He expressed his concern about bias on the CPAC.

Michele Lincoln read from her written testimony, offering suggestions regarding language in the plan on designated open space, parks and agriculture; water storage and reuse; reforestation; and, protection of the Kahoma ahupua’a. ([Link to written testimony](#))

Jennifer Mather noted the draft resolution and ordinance with preliminary information from the Office of Councilmember Tamara Paltin regarding the proposal to sunset the “Minatoya list”. She requested feedback from members (as community members) and from the wider community on what properties they’d like to see the sunset clause applied to. ([Link to written testimony](#))

Kyle Ginoza (Hope Builders) reference the handout he provided to members in a previous meeting regarding the Lahaina Town South development (Pu’unoa project and Waine’e residential project), and said that he is available to answer questions about any of Hope Builders’ developments. He noted that their Pu’unoa project was not on the Planning Department’s (Department’s) Community Plan maps, and about half of the Waine’e residential project was not on the map. He requested CPAC to consider including these projects. He noted the change of

industrial to urban center/corridor and asked that those parcels remain as industrial. Questions from CPAC included Hans's question about the flood control project in the Waine'e area.

Kanani Higbee offered numerous suggestions to CPAC, including taking the 6,000 legal short-term rentals that used to belong to the working class and close the loophole, providing better opportunities for kids and turning empty commercial buildings into affordable housing.

Hinano Rodrigues noted his background as a lifetime resident of Olowalu, has lo'i kalo in Ukumehame, and was a member of GPAC.

Albert Perez (Maui Tomorrow) noted that West Maui is beyond infrastructure and visitor capacity. He asked members to prioritize all remaining infrastructure for truly affordable housing, and limited commercial for that affordable housing. He also suggested tightening up the wording in Section 3.3, page 3-3 of the draft plan regarding community plan designations to make it more specific, restrictive and enforceable.

'Uilani Kapu asked what would happen to all the properties on the shoreline. She noted that the community is not ready for huge impacts and expressed her disappointment that the Native Hawaiian people are being pushed out. She suggested taking baby steps, and taking care of what we have before bringing in new things.

Ke'eaumoku Kapu noted that he does not appreciate foreigners coming onto their land and try to determine their fate as kuleana. He noted his concerns of a conflict of interest of certain members on the CPAC and pointed out CPAC member Dylan Payne. He expressed concerns about issues with access to kuleana lands, West Maui Land's Pu'unoa project, the 201H process, Kahoma Village, and land commission awards.

Peter Martin expressed his goal of build houses for local people in Olowalu and at Makila. He questioned why certain projects that are in the Maui Island Plan, but not on the draft Community Plan Map. He noted that his company, Hope Builders, have built several affordable developments, and they need CPAC's permission to build houses in Olowalu and Makila. Questions from CPAC included the percentage of properties that would be affordable, and where the water for the proposed developments are coming from.

Chad Fukunaga (Pioneer Mill and Kaanapali Land Management.) requested that Pioneer Mill land stay (heavy) Industrial, and Lahaina Train Station in Light Industrial. He recognized that the designations have been updated and requested that the Lahaina Train Station be designated as Employment Center. He left a handout with CPAC.

**Review: Draft West Maui Community Plan, Policy Framework Section (44:35 to 46:52)**

Jennifer Maydan referenced the revised Section 2: Policy Framework section in the CPAC members' packets. She noted that members will not be discussing it tonight, but to review the revised section in preparation for the March 3, 2020 CPAC meeting, when it will be discussed. She noted various inclusions and recommendations from CPAC.

**Review: Draft West Maui Community Plan, Growth Framework Section – Kā’anapali and Lahaina Subareas (46:53 to 2:16:27)**

Jennifer Maydan briefly went over the process for the evening’s discussion and introduced the resource people available for the meeting: developer representatives Kyle Ginoza (Hope Builders) and Chad Fukunaga (Kaanapali Land Management), and ‘Uilani Kapu (‘Aha Moku). She went over the planned growth areas and community plan designations in the Department Recommended Alternative’s Lahaina subarea. She then asked members for a list of properties that they wanted to discuss in addition to the items that were a carryover from the February 6, 2020 meeting. The list is as follows:

- Kā’anapali golf course in relation to sea level rise and retreat (carryover)
- Ala Hoku Ag subdivision (carryover)
- PQP area makai of highway, north of Pulelehua (carryover)
- Site for transfer station and recycling (carryover)
- Lahaina Town South (Waine’e area)
- Urban Center/Corridor sites
- Pioneer Inn
- Cultural centers (in each subarea)
- Anchor Square
- Lahaina Grill/Lahaina Inn
- Park near Lahainaluna area

Before proceeding with discussion, Dylan Payne noted that he is a realtor with the West Maui Land Company. He explained that he sought an advisory opinion from the Maui County Board of Ethics and, per their opinion, he has disclosed his employment and will refrain from voting on any areas owned by West Maui Land Company.

**PQP area (Church of Jesus Christ of Latter-day Saints (LDS) property) (59:36 to 1:17:03)**

Discussion:

- Dylan Payne discloses he is a member of the church that owns the property.
- CPAC discusses location as possible site for retreat of homes along shoreline and asks about possible future plans of the church.
- **Leilani Pulmano made a motion to change PQP designation to Residential, with the stipulation of identifying the parcel as an area of change for shoreline managed retreat, affordable/workforce housing or a church. Karen Comcowich seconded the motion.**
  - Discussion included Karen supporting shoreline retreat and Jennifer Maydan clarifying CPAC’s recommendation.
  - Chair Nishiki and members Dawn Hegger-Nordblom, Karen Comcowich, Ravi Bugga, Angela Lucero, Leilani Pulmano and Yvette Celiz voted in favor of the motion, with members Hans Michel, Joseph Pluta, and Donald Gerbig opposed. Dylan Payne refrained from voting due to his affiliation with the LDS, which owns the parcel. **7-3, MOTION PASSED.**
- **CPAC also agreed by consensus to have the community plan note the importance of the burials and they be addressed properly.**

- Ravi Bugga made a motion to stipulate the parcel immediately north of the LDS parcel as an area of change for shoreline managed retreat or affordable/workforce housing. Karen Comcowich seconded the motion.
  - Discussion included Dylan Payne noting challenging site conditions for building at the site and CPAC’s consideration of specifying the County build the infrastructure for this site.
  - Chair Nishiki and members Dawn Hegger-Nordblom, Karen Comcowich, Ravi Bugga, Angela Lucero, and Yvette Celiz voted in favor of the motion, with members Hans Michel, Joseph Pluta, Dylan Payne, Donald Gerbig and Leilani Pulmano opposed. **6-5, MOTION FAILED.**

### Ala Hoku Ag subdivision (1:17:10 to 1:36:56)

Discussion:

- Dylan Payne asked about the Department’s rationale for the Rural Residential designation. Jennifer Maydan explains the Department’s reasons, then recommended designating the parcel Rural Residential.
- Members discussed the distinctions between the Agriculture and Rural Residential designations and which designation is appropriate for the subdivision.
- Karen Comcowich made a motion to designate the Ala Hoku subdivision as Agriculture. Ravi Bugga seconded the motion.
  - Discussion: Leilani Pulmano asked about designating the church an appropriate designation; staff will look into it.
  - Chair Nishiki and members Karen Comcowich, Ravi Bugga, Angela Lucero and Yvette Celiz voted in favor, with Hans Michel, Joseph Pluta, Dawn Hegger-Nordblom, Dylan Payne, Donald Gerbig, and Leilani Pulmano opposed. **5-6, MOTION FAILED.**
- Chair Nishiki made a motion to limit Rural Residential designed lots to not less than 2-acres. Karen Comcowich seconded the motion.
  - Chair Nishiki and members Karen Comcowich, Ravi Bugga, and Angela Lucero voted in favor, with Hans Michel, Joseph Pluta, Dawn Hegger-Nordblom, Dylan Payne, and Leilani Pulmano opposed. Yvette Celiz and Donald Gerbig refrained from voting. **4-5, MOTION FAILED.**

### Kaanapali Golf Course (1:37:15 to 1:54:40)

Discussion:

- Leilani Pulmano asks if the CPAC keeps policy 2.1.1 (in the Section 2 handout) related to managed retreat of the hotel areas and the golf courses, how that would be reflected in the community plan map. Staff and members discuss merits to call out or highlight the golf course on the map as a potential shoreline managed retreat area.
- Leilani Pulmano made a motion to highlight golf courses ma kai of the highway in Kā’anapali as a potential shoreline managed retreat area for the Kā’anapali resorts in the areas of change section. Dawn Hegger-Nordblom seconded the motion.
  - Discussion included Angela Lucero asking for clarification from the Department on what is meant by highlighting the golf courses in the areas of change section. Jennifer Maydan provided a general explanation of how the Department may

address this point. Jennifer also asks about what is meant by “highlight” the area. Based on discussions, Leilani concluded that a written description in the areas of change to highlight the golf course area as a potential shoreline managed retreat area would be the better option.

- All members voted in favor; **MOTION PASSED UNANIMOUSLY.**

#### **Kaanapali Town South Parcel (200 acres)(1:54:42 to 2:11:30)**

- Chair Nishiki made a motion to **designate the ma kai half of the 200 acre parcel Park/Open Space and leave ma uka half as Agriculture. Angela Lucero seconded the motion.**
  - Discussion included Jennifer Maydan cautioning CPAC for use of Park/Open Space designation for large areas and noted use of the designation generally signifies that the County would have to acquire and manage the 100 acres. Dawn Hegger-Nordblom asked if the park could be privately owned, rather than acquired by the County; Jennifer Maydan confirmed. Joseph Pluta noted that the Kaanapali 2020 plan included this area and envisioned a cultural center and park and open space. He asked if a cultural center would be allowed in the Parks/Open Space designation; Jennifer Maydan confirmed. Han Michel suggested designating affordable housing for hotel workers in the ma uka portion of the 200 acre area. Chair Nishiki stated she would support that proposal if he made it. Leilani Pulmano asked about the acreages for the the Kaanapali North and Town areas.
  - Chair Nishiki and members Hans Michel, Joseph Pluta, Dawn Hegger-Nordblom, Donald Gerbig, Karen Comcowich, Ravi Bugga, Angela Lucero, Leilani Pulmano and Yvette Celiz voted in favor of the motion, with Dylan Payne opposed. **10-1, MOTION PASSED.**

#### **Dog Park in Kā’anapali (2:11:45 to 2:16:27)**

- Karen Comcowich made a motion to **change the existing Dog Park between Westin Nanea and Kā’anapali Ocean Resort from Hotel/Resort designation to Parks/Open Space. Dylan Payne seconded the motion.**
  - Discussion included Joseph Pluta noting that the area is already legally restricted to be a park, so there is no need to entertain the motion. Chair Nishiki and Dylan Payne noted that the motion would be consistent on what is required of the land owner.
  - Chair Nishiki, Karen Comcowich, Ravi Bugga, Angela Lucero, Leilani Pulmano, Yvette Celiz, and Dylan Payne voted in favor of the motion, with Hans Michel, Joseph Pluta, Dawn Hegger-Nordblom, and Donald Gerbig opposed. **7-4, MOTION PASSED.**

#### **RECESS/DINNER BREAK**

Review: Draft West Maui Community Plan, Growth Framework Section - Kā'anapali and Lahaina Subareas (Cont.) (2:16:28 to END)

**Lahaina Gateway Center (2:16:28 to 2:25:05)**

Leilani Pulmano disclosed that her company owns the land beneath the parcel, therefore she will not be involved in any discussion or voting. Jennifer Maydan noted the reason for the Department's decision in designated the parcel as Urban Center/Corridor.

Discussion:

- CPAC members raised a concern about wastewater capacity; whether there are any unintended consequences for this designation change; how or when traffic would be addressed; Chair Nishiki asked Leilani Pulmano about her idea of identifying area for boat repairs and maintenance; Leilani noted the Employment Center designated parcels near Mala Wharf.
- **Ravi Bugga made a motion to adopt the Department's Recommended Alternative designation of Urban Center/Corridor. Yvette Celiz seconded the motion.**
  - Chair Nishiki, Joseph Pluta, Dawn Hegger-Nordblom, Donald Gerbig, Ravi Bugga, Angela Lucero, and Yvette Celiz voted in favor of the motion, with Hans Michel and Karen Comcowich opposed; Leilani refrained from voting. **7-2, MOTION PASSED.**

Chair Nishiki noted that the rest of the properties/parcels will be discussed at an additional meeting on Tuesday, February 25, 2020.

**NEXT MEETING IS ON FEBRUARY 20, 2020. MEETING ADJOURNED AT 8:34 P.M.**

