

Meeting Minutes

Thursday, February 27, 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, Aina Kohler

Absent: Vice-Chair Jeri Dean

County of Maui – Planning Department

Pam Eaton, Long Range Planning Division

Kate Blystone, Long Range Planning Division

Tiffany Bostwick, Long Range Planning Division

Mike Napier, Long Range Planning Division

Sean Birney, Long Range Planning Division

Call to order at 5:42 p.m.

Public Testimony (00:00 to 1:29:06 in Meeting Video)

Leland Griscwick voiced his support toward the Plantation Estates Lot Owner Association (PELOA)'s efforts to have Plantation Estates redesignated as Rural Residential.

Brad Paulson provided several reasons as to why he believes that Plantation Estates should be Rural Residential. He noted that Maui has had problems with developers subdividing agricultural land, that future subdivisions should be subject to more rigorous review by the community. Questions from CPAC included how a change in Land Use designation would help PELOA enforce covenants; how a redesignation would clarify the right to farm in the community; clarification on homeowners doing agriculture in gulches; why an Agriculture designation is unclear for Plantation Estates if that is the current designation for State Land Use as well as the proposed designation for the West Maui Community Plan; Brad's opinion on whether agriculture decline is because of "McMansions and fake agricultural subdivisions;" whether PELOA is or plans to go through a Land Use Commission (LUC) boundary amendment; whether PELOA would go through the LUC boundary amendment if CPAC redesignates Plantation Estates as Rural Residential; what is the tax rate for agricultural lots; would PELOA also be seeking a change in zoning if CPAC redesignates to Rural Residential; and whether Brad has had any business dealings with CPAC members. **(3:05 to 22:45)**

Will Spence, former director of the Planning Department, disclosed that Plantation Estates contacted him to talk about the Rural designation. He expressed offense at the subdivision of agriculture land to “grow luxury homes,” and felt that subdivisions such as Plantation Estates are not agricultural and should not be designated as such. He noted that this particular land use pattern has been criticized for as long as he can remember, and that the Maui Island Plan started recognizing these types of subdivisions as Rural Residential instead of pretending they are Agriculture when they’re not. Regarding concern over additional density, he suggested adding language in the Community Plan prohibiting additional residential subdivision. Questions from CPAC included what implications and consequences might result for other gentlemen’s estates, gated communities, etc. based on the precedent that is set for Plantation Estates; clarifying the “we” in Will’s testimony, and whether the Land Use Commission was included in the conversations surrounding recognition of Rural Residential-type areas; and the role of food security in agriculture subdivisions. **(23:21 to 38:41)**

Michele Lincoln advocated for including greenways that utilize the old cane roads in the Community Plan. She also expressed the need for a substantial park in Lahaina town, and setting aside open space in Lahaina.

Tamara Paltin requested CPAC to go through the list of Minatoya properties on the west side and determine which properties should be remain short-term rentals, and which ones should revert to apartment zoning for residents. She also noted that the Community Plan conditions work, but don’t run with the land (i.e. change in zoning conditions); it’s only good for the life of the Community Plan. Questions and comments from CPAC included the fact that properties in the past (1970s) with apartment zoning at one point had motel (short-term rental) use; what the ramifications are for situations in which rules are changed over time; and whether short-term rentals will be on the agenda for the following week’s meetings. **(41:28 to 54:48)**

Jen Mather thanked the CPAC and the Long Range division for their work, and for doing due diligence to make sure it’s the community West Maui wants as its residents.

Pōmaika'i Crozier talked about the amount of rainfall West Maui received last year and the amount received so far this year, and stressed the need to *mālama* (care for) our watersheds so that West Maui has the water it needs. He expressed the need for rural areas like Kā'anapali stay rural, as well as the need for dark corridors and open space to capture water. Questions for CPAC include Pōmaika'i's opinion on the role the County may have played in the lack of water preservation following the end of sugar and pineapple operations in West Maui; why the (State) Department of Land and Natural Resources is not supporting the Honokohau ditch; and where, specifically, should there be parks and open space. **(56:14 to 1:09:51)**

Peter Martin expressed his desire to provide housing on Makila and Olowalu lands. He explained how he acquired the list of people he had emailed for public comment the previous week, and reiterated the support he saw in the responses. He offered to pay for a better survey of public opinion and welcomed any help to understand the boundaries of a community, as well as who should be included in the survey.

Jonathan Kindred provided more elaborate answers on questions that were asked by CPAC to Plantation Estates testifiers earlier in the evening. He stressed that the community and Kapalua especially want the Rural Residential designation, and that PELOA would accept the condition of minimum 2-acre lots. He encouraged the redesignation so that they can proceed to the quasi-judicial Land Use Commission for rezoning and pursue public hearings to address the issue. Questions from CPAC included whether 100 percent of lot owners support a Rural Residential designation; whether a Rural Residential designation would not allow agriculture; if PELOA's CC&Rs (Covenants, Conditions, and Restrictions) cover farming; if there are homeowners who are farming, and if PELOA has spoken to these homeowners; if no homeowners have objected to the Rural Residential redesignation; and how PELOA will be addressing neighboring properties (outside of Plantation Estates) engaging in agriculture. **(1:14:00 to 1:22:24)**

Mark Deakos described the characteristics of a living community and what a development would contain if it was a living community. He noted that this kind of development is being done all over the country at the same cost of general construction, and encouraged building homes holistically and restoring a living future for our *keiki* (children).

Albert Perez thanked CPAC for including so many open stream buffers. He voiced his support for keeping Plantation Estates in the Agriculture designation; reiterated that West Maui is beyond the capacity of its reefs and oceans; and that infrastructure capacity should only be reserved for truly affordable housing.

RECESS/DINNER BREAK

Review: Draft West Maui Community Plan, Growth Framework Section – All Subareas (1:29:06 to END)

Pam provided an overview of the areas to be discussed and considered at the evening's meeting.

Pioneer Mill Site and Surrounding Parcels (1:34:35 to 1:36:48)

Discussion:

- Dylan Payne explained that he works for West Maui Land and will refrain from voting on lands within their holdings, including a portion of this site.
- Questions from CPAC included regarding an area for white goods recycling, and whether it is appropriate to have it right next to the already existing recycling center.

Before continuing discussion, Leilani Pulmano asked to separate the parcels that are not West Maui Land and talk about them first so that Dylan could participate. The group then separated out one parcel owned by Kā'anapali Land Management, the largest.

Kā'anapali Land Management Parcel (TMK45009007) (1:38:22 to 2:04:55)

Discussion:

- **Dylan Payne made a motion to designate the parcel as Industrial; Dawn Hegger-Nordblom seconded the motion.**
 - Members discussed the merits and drawbacks of Industrial in this area, including the history of the site, current uses, and potential alternative areas.
 - Members Hans Michel, Dylan Payne, Donald Gerbig and Dawn Hegger-Nordblom voted in favor of the motion, with Chair Nishiki and members Karen Comcowich, Ravi Bugga, Joseph Pluta, Leilani Pulmano, Angela Lucero, Yvette Celiz and Aina Kohler opposed. **4-8, MOTION FAILED.**
- **Chair Nishiki made a motion to accept the Department Recommended Urban Center/Corridor designation for the same parcel; Angela Lucero seconded the motion.** Chair Nishiki and members Karen Comcowich, Ravi Bugga, Joseph Pluta, Hans Michel, Donald Gerbig, Dawn Hegger-Nordblom, Angela Lucero, Yvette Celiz and Aina Kohler voted in favor of the motion, with Dylan Payne and Leilani Pulmano opposed. **10-2, MOTION PASSED.**

Lahaina Town South Area (2:04:55 to END)

Discussion:

- **Chair Nishiki made a motion to accept the Department Recommended Urban Center/Corridor designation for the area south of Lahainaluna Road; Angela Lucero seconded the motion.** After some discussion, the motion and second were withdrawn.
- **Chair Nishiki made a motion to approve a 40-acre Parks/Open Space designated area from Lahainaluna Road to Launiupoko; Karen Comcowich seconded the motion.**
 - Members discussed issues such as the flood channel, current uses and surrounding uses. Kyle Ginoza spoke on behalf of Hope Builders, who owns the area being discussed. He noted that the owner is against parks and open space in this area because they are in discussion with potential heavy industrial use in the current Industrial area on the site.
 - Chair Nishiki and members Karen Comcowich, Ravi Bugga, Dawn Hegger-Nordblom, Angela Lucero, and Yvette Celiz voted in favor of the motion, with members Joseph Pluta, Hans Michel, Leilani Pulmano, Donald Gerbig and Aina Kohler opposed; Dylan Payne was recused from voting. **6-5, MOTION FAILED.**
- **Dawn Hegger-Nordblom made a motion to approve a Public-Quasi Public designation for the same area; Yvette Celiz seconded the motion.**
 - Members discussed the merits of the motion; potential areas for another park; other potential designations for the area; and public comment on parks.
 - Chair Nishiki and members Yvette Celiz, Karen Comcowich, Angela Lucero and Dawn Hegger-Nordblom voted in favor of the motion, with members Ravi Bugga, Joseph Pluta, Hans Michel, Leilani Pulmano, Donald Gerbig and Aina Kohler opposed; Dylan Payne was recused from voting. **5-6, MOTION FAILED.**
- **Karen Comcowich made a motion to approve the Waine'e proposal as submitted by Hope Builders, with Industrial redesignated to Urban Center/Corridor and no agricultural subdivision; Yvette Celiz seconded the motion.** Members Yvette Celiz, Karen Comcowich, Angela Lucero, Dawn Hegger-Nordblom, Ravi Bugga, Joseph Pluta, Hans Michel, Leilani Pulmano, Donald Gerbig and Aina Kohler voted in favor of the motion, with Chair Nishiki opposed; Dylan Payne was recused from voting. **10-1, MOTION PASSED.**

MEETING RECESSED TO MARCH 4, 2020, 5:30PM AT THE WEST MAUI SENIOR CENTER. MEETING ADJOURNED AT 9:09PM.

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