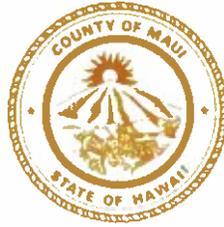


RICHARD T. BISSEN, JR.
Mayor

JACKY TAKAKURA
Acting Director

ANA LILLIS
Deputy Director



DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAI'I 96793

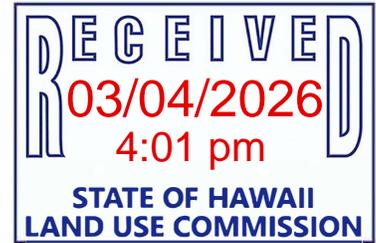


Exhibit 8

**MAUI PLANNING COMMISSION
REGULAR MEETING
SUMMARY MINUTES
NOVEMBER 25, 2025**

[\(AUDIO RECORDING PART 1\)](#)

[\(AUDIO RECORDING PART 2\)](#)

[\(AUDIO RECORDING PART 3\)](#)

[\(AUDIO RECORDING PART 4\)](#)

[\(TEAMS VIDEO HYPERLINK – PART 1\)](#)

[\(TEAMS VIDEO HYPERLINK – PART 2\)](#)

[\(TEAMS VIDEO HYPERLINK – PART 3\)](#)

[\(TEAMS VIDEO HYPERLINK – PART 4\)](#)

CALL TO ORDER AND ROLL CALL

The regular meeting of the Maui Planning Commission was called to order by Chair Kim Thayer at approximately 9:06 a.m., Tuesday, November 25, 2025, in the Planning Department Conference Room, Kalana Pakui Building, 250 South High Street, Wailuku, Maui Hawai'i 96793 and online via TEAMS **Meeting ID: 231 627 526 285 Password: Ev6qh7Ks**

Roll call was taken by Planning Director Kate Blystone. Chair Thayer, Vice-Chair Lindsey and Commissioner Ward, Kealoha, Deakos, Elizares and Circle-Woodburn were in attendance in-person. Commissioner Lind was in attendance via TEAMS.

A. PUBLIC HEARINGS

- 1. MUNEKIYO HIRAGA on behalf of HAWAIIAN CEMENT requesting an amendment to a State Land Use Commission Special Use Permit in order to relocate the existing Pu'unēnē quarry from a portion of Parcel 001 to a different portion on the same parcel, located east of the intersection of Maui Veterans Highway and Kama'āina Road, Pu'unēnē, Maui, Hawai'i, TMK (2) 3-8-004:001 (por.) (SUP1910013) (SP 92-380) (B. Gonsalves)**

[\(Staff Report\)](#)

[\(Exhibits\)](#)

[\(Application\)](#)

[\(Documents Received After Posting\)](#)

[\(Submit Testimony\)](#)

[\(View Testimony Received\)](#)

Per request from the Chair, request to combine Item A.1-2 presentations, public testimonies and questions together, with no objection from the commission.

*(Item A.1. begins at approximately 00:08:32, of Part 1 of the video recording.) (*same time as Item A.1-2)*

*(Public testimony begins at approximately 00:34:41, of Part 1 of the video recording.) (*same time as Item A.1-2)*

*(Public testimony ended at approximately 00:38:11, of Part 1 of the video recording.) (*same time as Item A.1-2)*

(Motion was made at 01:39:13, of Part 1 of the video recording.)

It was moved by Mr. Elizares, seconded by Ms. Lindsey, then

(Vote was taken at 02:00:25, of Part 1 of the video recording.)

VOTED: *Main Motion: To approve the State Special Permit amendment, subject to the fifteen conditions recommended by the Department staff, and to forward the matter to the State Land Use Commission for final approval.*

(Assenting: J. Circle-Woodburn, C. Elizares, C. Lind, M. Deakos, A. Kealoha, B. Ward, A. Lindsey)

(Motion carries.)

(Motion was made at 01:48:41, of Part 1 of the video recording.)

It was moved by Mr. Lindsey, seconded by Mr. Ward, then

(Vote was taken at 01:59:47, of Part 1 of the video recording.)

VOTED: *To approve friendly amendment, to modify Condition #6, the State Special Use Permit conditions as follows; that a restoration plan be submitted showing upon termination of operations depleted and excavated areas shall be graded to blend with the surrounding natural contours and that the appropriate vegetative cover consisting of mulch, trees, shrubs and ground cover shall be established. Seeding with grass is not mandatory unless required by law.*

(Assenting: J. Circle-Woodburn, C. Elizares, C. Lind, M. Deakos, A. Kealoha, B. Ward, A. Lindsey)

(Motion carries.)

2. MUNEKIYO HIRAGA on behalf of HAWAIIAN CEMENT requesting an amendment to a County Special Use Permit in order to relocate the existing

Pu'unēnē quarry from a portion of Parcel 001 to a different portion on the same parcel, located east of the intersection of Maui Veterans Highway and Kama'āina Road, Pu'unēnē, Maui, Hawai'i, TMK (2) 3-8-004:001 (por.) (CUP 2006-0002) (B. Gonsalves)

(Staff Report)

(Exhibits)

(Application)

(Documents Received After Posting)

(Submit Testimony)

(View Testimony Received)

Per request from the Chair, request to combine Item A.1-2 presentations, public testimonies and questions together, with no objection from the commission.

*(Item A.2 begins at approximately 00:09:26, of Part 1 of the video recording.) (*same time as Item A.1-2)*

*(Public testimony begins at approximately 00:34:41, of Part 1 of the video recording.) (*same time as Item A.1-2)*

*(Public testimony ended at approximately 00:38:11, of Part 1 of the video recording.) (*same time as Item A.1-2)*

(Motion was made at 02:01:24, of Chapter 1 of the video recording.)

It was moved by Ms. Lindsey seconded by Mr. Ward, then

(Vote was taken at 02:01:57, of Part 1 of the video recording.)

VOTED: To approve as recommended by the Planning staff on the County's amendment to the County Special Use Permit subject to the seven conditions.

(Assenting: J. Circle-Woodburn, C. Elizares, C. Lind, M. Deakos, A. Kealoha, B. Ward, A. Lindsey)

(Motion carries.)

Meeting recessed at approximately 11:00 AM and reconvened at approximately 11:20 AM.

- PBR Hawai'i on behalf of EAH Inc and the Hawaii Housing Finance and Development Corporation, is requesting s Special Management Area Use Permit for the proposed construction of a 301 rental unit affordable housing project with two additional non-revenue generating manager units, and a parking lot including 298 spaces. and the 72,600 square-foot Kahului Civic Center Mixed-Use Complex with a 190-stall five-story parking**

structure, located at 153 West Ka'ahumanu Avenue, Kahului, Island of Maui, TMK: (2) 3-7-004:003 (SM12024- 00021) (L. Sanger)

(Staff Report / Exhibits)

(Presentation)

(UDRB Memo / Recommendation)

(Documents Received After Posting)

(Submit Testimony)

(View Testimony Received)

(Item A.3. begins at approximately 00:00:15 of Part 2 of the video recording.)

(Public testimony begins at approximately 00:26:33, of Part 2 of the video recording.)

(Public testimony ended at approximately 00:39:29, of Part 2 of the video recording.)

Meeting recessed at approximately 12:03 PM and reconvened at approximately 12:20 PM.

Meeting recessed at approximately 1:58 PM and reconvened at approximately 2:10 PM.

(Motion was made at 00:24:13, of Part 4 of the video recording.)

It was moved by Mr. Elizares, seconded by Mr. Deakos, then

(Vote was taken at 01:15:58, of Part 4 of the video recording.)

VOTED: *Main Motion: To approve based on the 12 conditions listed in the staff report and the additional friendly amendments.*

(Assenting: J. Circle-Woodburn, C. Elizares, C. Lind, M. Deakos, A. Kealoha, B. Ward, A. Lindsey,)

(Motion carries.)

(Motion was made at 00:39:17 of Part 4 of the video recording.)

It was moved by Mr. Elizares, seconded by Mr. Ward, then

(Vote was taken at 00:39:31, of Part 4 of the video recording.)

VOTED: *To approve friendly amendment, the applicant shall consider providing residence space for storage of recreational equipment outside of their apartments.*

(Assenting: J. Circle-Woodburn, C. Elizares, C. Lind, M. Deakos, A. Kealoha, B. Ward, A. Lindsey)

(Motion carries.)

(Motion was made at 01:11:30, of Part 4 of the video recording.)

It was moved by Mr. Ward, seconded by Mr. Deakos, then

(Vote was taken at 01:13:01, of Part 4 of the video recording.)

VOTED: ***To approve friendly amendment, that states that prior to any ground altering activities, the applicant shall work with the United States Coast Guard to resolve the concerns regarding the two navigational aids discussed in their comment letter to the Maui Planning Commission dated November 21st, 2025. Compliance with this condition shall be confirmed by a letter provided by the United States Coast Guard or the State Harbor division.***

(Assenting: J. Circle-Woodburn, C. Elizares, C. Lind, M. Deakos, A. Kealoha, B. Ward, A. Lindsey,)

(Motion carries.)

4. AN ORDINANCE AMENDING CHAPTERS 19.40, 19.64, 19.65, AND 19.510 OF THE MAUI COUNTY CODE TO FURTHER DEFINE AND/OR CLARIFY THE DURATION AND/OR EXTENSION REQUIREMENTS OF CERTAIN PERMITS

Ms. Kate L.K. Blystone, Planning Director, referring to the Lāna‘i, Maui and Moloka‘i Planning Commissions, a proposed ordinance amending Maui County Code Chapters 19.40, 19.64, 19.65, and 19.510. The proposed ordinance would further define the duration period of an approved Special Use Permit. Additionally, the proposed ordinance would define and/or amend the timing of when an application may be submitted to request an extension to an approved Special Use Permit, Conditional Permit, Bed and Breakfast Home Permit or Short-Term Rental Home Permit, from “no later than 60 days prior to the permit expiration” to “no earlier than 180 days and no later than 60 days prior to the permit expiration”. (G. Pfof)

(Memorandum / Staff Report)

(Material / Attachment)

(Documents Received After Posting)

(Submit Testimony)

(View Testimony Received)

5. AN ORDINANCE AMENDING CHAPTERS 19.64, 19.65, 19.510 AND 19.520 OF THE MAUI COUNTY CODE TO REVISE THE NEWSPAPER PUBLISHING REQUIREMENTS FOR PUBLIC HEARING NOTICES

Ms. Kate L.K. Blystone, Planning Director, referring to the Lāna‘i, Maui and Moloka‘i Planning Commissions, a proposed ordinance amending Maui County Code Chapters 19.64, 19.65, 19.510 and 19.520. The proposed ordinance would revise newspaper publishing requirements for public hearing notices from the current requirement that a notice be published in a newspaper “printed and issued at least twice weekly” to a newspaper “of general circulation.” (G. Pfost)

(Memorandum / Staff Report)

(Material / Attachment)

(Documents Received After Posting)

(Submit Testimony)

(View Testimony Received)

(Items A.4-5. begins at approximately 01:16:31, of Part 4 of the video recording.)

(Motion was made at 01:18:33, of Part 4 of the video recording.)

It was moved by Ms. Lindsey seconded by Ms. Ward, then

(Vote was taken at 01:19:01, of Part 1 of the video recording.)

VOTED: ***To defer Public Hearing items A.4. and A.5. on the agenda to the December 9, 2025 meeting here in the Kalana Pakui Building, Planning Department Conference room at 9:00 AM.***

(Assenting: J. Circle-Woodburn, C. Elizares, C. Lind, M. Deakos, A. Kealoha, B. Ward, A. Lindsey,)

(Motion carries.)

B. DIRECTOR’S REPORT

1. SMA Minor Permit Report (10/31/25 to 11/14/25)

This is for notification and review purposes. No action is anticipated.

2. SMA Exemptions Report (10/31/25 to 11/14/25)

This is for notification and review purposes. No action is anticipated.

3. Discussion of Future Maui Planning Commission Agendas

a. December 9, 2025, agenda items

(Documents Received After Posting)

(Submit Testimony)

(View Testimony Received)

(Item B.1-3. begins at approximately 01:19:18, of Part 4 of the video recording.)

(Public testimony begins at approximately 01:19:22, of Part 4 of the video recording.)

(Public testimony ended at approximately 01:19:47 of Part 4 of the video recording.)

NEXT REGULAR MEETING DATE: December 9, 2025

ADJOURNMENT

The meeting adjourned at 3:33 P.M

Respectfully Submitted by,

GENO QUEMADO
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

Present:

Kim Thayer, Chairperson – in person
Ashley Lindsey, Vice-Chairperson – in person
Brian Ward – in-person
Andrea Kealoha – in person
Mark Deakos – in person
Christopher Elizares – in person
Joshua Circle-Woodburn – in person
Crichton Lind – via TEAMS

Others

Kate Blystone, Planning Director, in person
Ana Lillis, Deputy Planning Director, via TEAMS
Danny Dias, Planning Program Administrator, Current Division, in person
Candace Thackerson, Planner VI, Supervisor to Boards and Commission, in person
Kurt Wollenhaupt, Planner VI, via TEAMS
Collette Cardoza, Planner VI, via TEAMS

Maui Planning Commission
Summary Minutes
November 25, 2025
Page 8

Wilton Leunae, Planner V, via TEAMS
Laury Sanger, Planner V, in person
Karen Comcowich, Planner V, via TEAMS
Aliko Binaris, Planner V, in person
Denise Bradley, Planner V, via TEAMS
Robin Lilies, Planner IV, via TEAMS
Lakshmi Crane, Planner III, via TEAMS
Carly Watanabe, Planner III, via TEAMS
Brailey Gonzales, Planner II, in person
Elizabeth Shew, Planner I, via TEAMS
Michael Hopper, Deputy Corporation Counsel, in person
Paul Barany, Deputy Director of Public Works, via TEAMS
Geno Quemado, Secretary to Boards and Commissions II, Current Planning Division, in person
Leilani Ramoran-Quemado, Secretary to Boards and Commissions II, Current Planning Division, in person
Shantel Nomura, Secretary to Boards and Commission II, Current Planning Division, via TEAMS
Jacob Alison, Secretary to Boards and Commission I, Current Planning Division, via TEAMS

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MAUI PLANNING COMMISSION
COUNTY OF MAUI, STATE OF HAWAII

TRANSCRIPT OF PROCEEDINGS
Remote Regular Public Meeting

Held online via Teams video conferencing and at the
Planning Department Conference Room, Kalana Pakui Building,
250 South High Street, Wailuku, Maui, Hawaii 96793, commencing
at 9:00 a.m., on November 25, 2025.

REPORTED BY: SANDRA J. GRAN, RPR/CSR #424

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RECORD OF ATTENDANCE

COMMISSIONERS:

- Kim Thayer, Chair
- Ashley Lindsey, Vice Chair
- Mark Deakos, Commissioner
- Andrea Kealoha, Commissioner
- Brian Ward, Commissioner
- Christopher Elizares, Commissioner
- Crichton Lind, Commissioner
- Joshua Circle-Woodburn, Commissioner

STAFF:

- Michael Hopper, Deputy Corporation Counsel
- Kate Blystone, Director, Department of Planning
- Danny Dias, Planning Program Administrator
- Laury Sanger, Staff Planner

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(November 25, 2025, 9:00 a.m.)

* * *

MR. DIAS: The applicant can be clear on that, too, but I think that's what we have to do for the state special permit. For the County Special Use Permit, I don't think there's necessarily any changes you need to your recommendations.

CHAIR THAYER: Yeah, so, Commissioners, do you -- is everybody on the same page with how this is going to roll out? So we'll get one presentation from the applicant, and then we'll take public testimony on Item A1, the State Special Use Permit, and then we'll go into planning commission deliberation -- or questions, and then deliberation and a vote. And then we'll have to open public testimony for Item 2, but the presentation will already have been done. We can go into questions, if needed, just like regular, and then we'll do Item A2.

CORP COUNSEL HOPPER: Chair, I'm thinking while we do have to allow three minutes for both, I -- is the applicant planning on doing a consolidated presentation for both permits?

Yeah.

CORP COUNSEL HOPPER: So, maybe you could do that, and then maybe we could open for testimony on A1 and 2, have people -- if they want three minutes on each, they can get it;

1 if not, they don't have to. And then you could -- you could
2 consider them both at the same time. That's allowed. But I
3 just -- if you -- I just -- it would be odd because it's the
4 same sort of thing being -- being approved. So I don't know
5 what your thoughts are.

6 CHAIR THAYER: Okay.

7 CORP COUNSEL HOPPER: You could maybe consolidate
8 them.

9 CHAIR THAYER: Yeah, that's fine. I was just making
10 sure we could overlap it in that way. We don't have to take
11 care of one all the way through and then the next one?

12 CORP COUNSEL HOPPER: No, I don't think you can --
13 or I don't think you have to. I think the main thing is
14 they're separate items, which means for testimony purposes, if
15 someone wants three minutes on each, they can get three
16 minutes on each. Other than that, I don't think there's -- I
17 think you've got some discretion on how you can handle the
18 approval of the two items. It's as if they were asking for
19 like a community plan amendment and a change in zoning at the
20 same time; you could take those as separate, or you could take
21 them, as you often do, together if it's for, like, the same
22 project.

23 CHAIR THAYER: Okay. All right. Yes.

24 DIRECTOR BLYSTONE: So I should read both Items 1
25 and 2 at the same time?

1 CORP COUNSEL HOPPER: Again, ultimately up to the
2 chair, but I'm just suggesting you'd do it that way to make it
3 go a little faster. And the applicant's going to present both
4 of them at the same time; that would also make sense.

5 CHAIR THAYER: Okay. So revise what I just said,
6 then.

7 DIRECTOR BLYSTONE: Yes.

8 CHAIR THAYER: Director, you will read A1 and A2
9 into the record. We'll have the presentation on both. We'll
10 accept public testimony on both. Everybody write down your
11 questions, we'll do questions after testimony is closed, and
12 then go on like regular, but we'll have two votes, one for A1,
13 one for A2. Okay.

14 DIRECTOR BLYSTONE: Okay. Mahalo, Chair and
15 everyone, for letting us kind of hammer through this. So
16 Munekiyo Hiraga, on behalf of Hawaiian Cement, requesting an
17 amendment to the State Land Use Commission special use permit
18 in order to relocate the existing Puunene quarry from a
19 portion of Parcel 001 to a different portion of the same
20 parcel located east of the intersection of Maui Veterans
21 Highway and Kamaaina Road, Puunene, Maui, Hawaii, TMK (2)
22 3-8-004:001, a portion of that. This is SUP19 -- 1910013,
23 SP92-380. And Brailey is listed as your planner here, but
24 Danny is going to be presenting on behalf of the department.

25 Thank you, Director.

1 Good morning, Chair Thayer and members of --

2 CHAIR THAYER: Oh, yes. Hold on.

3 DIRECTOR BLYSTONE: Hold on. I have to read the
4 second one as well, which is Munekiyo, on behalf of Hawaiian
5 Cement, requesting an amendment to the County Special Use
6 Permit in order to relocate the existing Puunene quarry from
7 the portion of parcel 001 to a different portion on the same
8 parcel located east of the intersection of Maui Veterans
9 Highway and Kamaaina Road, Puunene, Maui, Hawaii, TMK (2)
10 3-8-004:001 portion. This is CUP 2006-0002.

11 Again, Brailey is the planner that's done a ton of
12 work on this, but Danny is going to be presenting both things
13 right now, and I'll stop talking. Thank you.

14 CHAIR THAYER: Thank you. Okay. Now go ahead.

15 MR. DIAS: Danny Dias. I swear to tell the truth.
16 Good morning, Chair Thayer and Members of the Maui Planning
17 Commission.

18 CHAIR THAYER: Yeah. Everybody will have to swear
19 in, just letting everybody know.

20 MR. DIAS: Okay. Like the director mentioned, the
21 planner that worked on this project is Brailey Gonsalves, but
22 like any good manager, the reason why I'm here is to take
23 credit for all her hard work.

24 (Laughter.)

25 MR. DIAS: Actually, the reason I'm here is because

1 of the importance of this project. A few months ago, the
2 mayor's team reached out to us and asked us to prioritize this
3 project. You know, thankfully, they hardly ever interject
4 when it comes to applications that come before you, but they
5 did in this case. As previously mentioned, the request before
6 you is to amend a State Land Use Commission Special Permit and
7 also a County Special Use Permit. And I think the keyword
8 here is "to amend." So, Hawaiian Cement, they have the
9 permits to do this project already, everything was good to go.
10 They have come before you many times in the past. But what
11 happened is the property that they're currently operating
12 their quarry was sold, and they were given, I guess, a year
13 and a half, two years to leave. Basically, they have to
14 vacate by January of 2027.

15 Now, the entire parcel that it's located on, parcel
16 -- in your report, is over 3,000 acres in size. Essentially,
17 all they're doing is taking their operation and then just
18 switching it just over a little from where they currently are.
19 So as I mentioned, they have a little over a year to
20 completely move their operations. It's kind of crunch time
21 for them because not only do they need the permits, etc., but
22 moving a quarry isn't exactly the simplest thing in the world,
23 right? So to move all of that equipment to start the new
24 quarry and then also to not have a significant break in
25 operation is going to be a big challenge for them.

1 So this project is extremely important, and I know
2 it -- we restated this over and over in the -- in our staff
3 report, but essentially, what you're getting out of this
4 quarry is you're getting aggregate, which you need for
5 concrete and asphalt. Right now, there are quite a few
6 infrastructure projects. You folks have seen a few that have
7 come before you; there's going to be more with the Lahaina
8 rebuild. Also, we're starting to see some permits come in for
9 replacement of bridges on the road to Hana, you know. All
10 those projects need concrete; they need asphalt. Right now,
11 from what I understand, if you need asphalt on Maui, the only
12 company that you can get it from is Maui Paving, that operates
13 adjacent to Hawaiian Cement, and they get their rock from this
14 quarry. And asphalt is like 95 percent rock, from what I
15 understand. So that's the importance of this.

16 I know generally the commission will ask for
17 projects, like, How does this benefit the public? And there's
18 a huge benefit for the public both indirectly and directly.
19 This quarry, as I mentioned, provides concrete and asphalt.
20 If you're building a house, if you need roads, if you need
21 infrastructure, all of that, you need the items that are
22 coming from this quarry. And without their operation,
23 essentially, you're going to have a huge impact on supply and
24 also costs. And we all know that, you know, construction on
25 Maui is already expensive as it is.

1 So that concludes the department's comments. Just
2 to reiterate what Mr. Hopper said, for the State Special
3 Permit, you're essentially approving the project. If you
4 approve it, it goes to the Land Use Commission. If you were
5 to deny it, then we're done, and this project doesn't move
6 forward. So I just want to reiterate that. And with that,
7 I'll turn it over to the applicant's representative, Karlynn
8 Fukuda. Thank you, Chair.

9 MS. FUKUDA: Good morning, Chair and Members of the
10 Maui Planning Commission. My name is Karlynn Fukuda of
11 Munekiyo Hiraga, and I swear to tell the truth.

12 At this time, I would like to have Finn Gibson of
13 our office provide the presentation, which will be a joint
14 presentation on both requests for the State Special Permit
15 amendment as well as the County Special Use Permit amendment.

16 MR. GIBSON: Thanks, Karlynn. This is Finn Gibson,
17 Munekiyo Hiraga. I promise to tell the truth as well.

18 Good morning, Commissioners. Thanks for your time
19 today discussing this project.

20 Next slide, please, Karlynn.

21 So, some members of the project team are here with
22 us today to help answer any technical questions that might
23 come up, so Dave Gomes and Keoni DeRego from Hawaiian Cement
24 are here. Civil engineering was done by R.T. Tanaka. Our
25 archeology and cultural work was done by Cultural Surveys

1 Hawaii. And we had some agricultural consultancy work done by
2 CDL. And members of those teams are here either online or in
3 person to answer questions.

4 So, today, as has been mentioned already, we are
5 respectfully requesting consideration and approval of the
6 amendments to the County Special Use Permit and the State
7 Special Use Permit for this project. And both applications
8 are requesting removal of the current quarrying lands and
9 addition of that new supplemental quarry site.

10 Next slide, please.

11 So I wanted to spend a bit of time going through a
12 little bit of history and background because this project has
13 been around for a while, and there's some nuance and
14 complexity to that. So, Hawaiian Cement has been operating
15 this quarry since the early '90s, but other similar uses have
16 been going on on the site since the late '70s. The quarry is
17 a portion of this larger parcel, which was initially owned by
18 A&B, now owned by MP Central A and AB Maui Quarries. Hawaiian
19 Cement also holds a lease to a separate adjacent parcel, which
20 is owned by the state, and that's where the processing
21 facility for concrete batching is located, and also where
22 vehicle access arrives at the quarry site. Vehicle access is
23 provided via Kamaaina Road, which has an intersection with
24 Maui Veterans Highway.

25 Next slide, please.

1 So, we just have a couple of maps to show that. So
2 the blue outline there is that Parcel 3-8-004:001 originally
3 owned by A&B, and you can see the proposed new quarry site
4 outlined in yellow there.

5 Next slide, please.

6 On this map, it's a bit closer in. So, again, the
7 blue outline is that larger parcel. The light green outline
8 is the area of Hawaiian Cement's current lease, the yellow
9 area is the proposed new quarry site, and in orange, you can
10 see that's the state parcel that Hawaiian Cement also leases,
11 where the processing facilities are located.

12 This is just another view of the site. So, you can
13 see the previous mining and the active mining kind of to the
14 south and the east, the proposed site to the north, and then
15 the facilities to the west.

16 So, getting into the permitting timeline. So,
17 Hawaii Cement first received the State Special Permit approval
18 in 1992, and that was for the state parcel, Parcel 31. So
19 that's where the initial quarry was located, and then it later
20 transitioned to being a processing facility when quarrying was
21 complete. The county permit was not required at that time.
22 Not until the zoning code changed in 1996 was the county
23 permit required.

24 So then in 1996, 2006, and 2014, Hawaiian Cement
25 went back for amendments to that state permit in order to add

1 on additional lands for further quarrying. So each time the
2 quarrying land was used up, they went back for an amendment to
3 add on lands for those.

4 In 2006, for the first time, the county permit was
5 required as of 1998. So in 2006, an initial approval for that
6 county permit was granted by the Planning Commission, and then
7 that was amended for the first time in 2014, along with the
8 third amendment to the state permit. And we'll show a little
9 summary table of all of this information once I get through
10 it, so hopefully that will help show it all.

11 In 2021, Hawaiian Cement went back for a fourth
12 amendment to the state permit and a second amendment to the
13 county permit, and then that was, again, just to add
14 incremental further land area for quarrying. Those amendments
15 were approved in 2022 by the Planning Commission, and the
16 state permit amendment went to the SLUC, but the SLUC never
17 acted on that fourth State Special Permit amendment, so that
18 currently is still pending. And that was for a couple of
19 reasons. There was a new requirement that landowners had to
20 agree to permit conditions, and OPSD also requested some
21 further archeological work, which was ultimately done.

22 Next slide, please.

23 So, as Danny mentioned, in 2024, the amendment areas
24 were purchased by AB Maui Quarries, yeah, and the new
25 landowner informed Hawaiian Cement that their lease to the

1 area would be terminated. So, before the Planning Commission
2 could review that fourth amendment to the state permit, again,
3 the lands were sold, so the situation for Hawaiian Cement
4 changed pretty significantly. Since then, Hawaiian Cement has
5 identified the new potential quarry site of 125 acres on a
6 different portion of that same parcel, so that is the site
7 that we're asking to be added to the use permits today.
8 Hawaiian Cement has purchased 55 acres of those 125, and
9 intends to purchase the remaining 70 should these permit
10 amendments be approved.

11 So here's a little map that shows kind of how the
12 amendments to these permits have occurred over the years. So
13 the dotted black line shows the state parcel, and that's where
14 the initial quarry was located and where the processing
15 facility is currently located. So that was approved in 1992.
16 And then, in light green is outlined Hawaiian Cement's lease
17 area on that big agricultural parcel, and then the smaller
18 colored areas are the areas that were added incrementally with
19 the different amendments. So the green area was added first,
20 followed by the blue and yellow areas, and then finally by the
21 pink and orange.

22 So here's just a summary of the information I just
23 presented. So, going across the top, the state permit was
24 initially approved in 1992, amended to add additional time and
25 additional land for quarrying in 1996, 2006, and 2014. In

1 2022, Hawaiian Cement came back for the fourth amendment,
2 which received Planning Commission approval, but not SLUC
3 approval. And then, currently today, we're coming back with
4 this new request, which technically is a revisiting of that
5 fourth amendment, which was never fully processed. On the
6 other hand, the county permit did not come into play until
7 2006 when it was initially approved, and then it was amended
8 twice in 2014 and 2022, and now we're coming back with a third
9 amendment request for the county permit.

10 Next slide, please.

11 Okay. So, for a little bit more detail on the
12 requests we're making today, both the county permit and the
13 state permit requests are exactly the same, which is why we're
14 doing this presentation jointly for both of them, and the
15 request is two-fold. So firstly, Hawaiian Cement is
16 requesting to remove all the current permitted quarry lands on
17 that agricultural parcel, effective January 25th, 2027, so
18 that's the date that that lease will be terminated.

19 Importantly, they would like to keep access to the state
20 parcel where the processing facility is located. So, on the
21 map we just looked at, they basically want to remove
22 everything in that light green outline area and keep the
23 processing facility. Then the second part is adding in this
24 new proposed 125-acre quarry site.

25 As I sort of mentioned on the last slide, a sort of

1 procedural technicality is that the county amendment is for a
2 new third amendment to that county permit since the MPC
3 approved the second one in 2022; whereas, on the other hand,
4 the state amendment is sort of remaining with that fourth
5 amendment which was never fully processed the last time
6 Hawaiian Cement came back.

7 Next slide, please.

8 Okay. So now -- that was the history and
9 background. I'll get into a little bit about the actual
10 quarrying activity and some of the potential impacts that we
11 analyzed in our application. So the present requests are not
12 proposing any changes to the existing quarrying activity; it's
13 only moving the location. And just to summarize what that
14 activity looks like, the stone is going to be mined
15 incrementally with 30-acre sections used for active mining at
16 any given time, and then the mined rock material will be
17 transported to the processing facility and produced into
18 aggregate and concrete.

19 We also did want to note that drainage basins will
20 be installed, appropriately sized to contain all the
21 additional runoff caused by the quarrying use.

22 Finally, no change is proposed to the operations
23 that happen at the processing facility.

24 So, Danny covered a lot of this already very
25 eloquently, but we did just want to reiterate that the demand

1 for the materials Hawaiian Cement produces is anticipated to
2 grow in the near future, especially considering the context of
3 rebuilding in West Maui, and having more on-island sources of
4 aggregate has economic benefits, particularly reduced costs.
5 We also wanted to add that Hawaiian Cement employs a
6 significant number of people, 61 people on Maui. And there's
7 also this element of time crunch since Hawaiian Cement will be
8 losing their lease to the current site in 2027.

9 Next slide, please.

10 Okay. So, getting into some of the impacts which we
11 analyzed in our application, Cultural Surveys Hawaii prepared
12 an AIS for this project. The AIS has been submitted to SHPD.
13 We haven't yet received the final determination from SHPD, but
14 the draft finding of the AIS was that no significant
15 archeological features will be affected and that the draft AIS
16 recommends that no further archeological work is needed. We
17 also wanted to note that several other SHPD-reviewed studies
18 have been completed in the vicinity of this site, which also
19 did not document any significant features.

20 CSH also did the CIA for this project: Agricultural
21 practices, plant resources, coastal and marine resources, and
22 moolelo and wahi pana were identified as cultural resources
23 that are present in the vicinity -- generally, in Central Maui
24 -- of the site, but the CIA did not identify any adverse
25 impacts to those resources. If cultural artifacts are

1 inadvertently discovered during ground disturbance, work will
2 cease, and SHPD will be contacted for help.

3 We did receive some suggestions from OHA regarding
4 outreach for this project, so in response to those, we did
5 issue an advertisement in Ka Wai Ola in November, but we did
6 not receive any further responses from that. A ka paakai
7 analysis was also added to the CIA after we submitted the
8 original amendment request. Finally, consultation letters
9 were sent to Aha Moku o Maui and Na Kupuna o Lahaina to get
10 their insight on this project, and we did receive some initial
11 comments from Aha Moku and have prepared a response letter.

12 With regard to flora and fauna, we got a flora and
13 fauna survey report from AECOS, and the report did not find
14 any endangered or endemic plant species on the site, did find
15 some common native species, and also it included some
16 recommendations for protecting the Blackburn's sphinx moth,
17 nene, seabirds that might fly over the site, and (inaudible).

18 Next slide, please.

19 We wanted to spend a bit of time discussing
20 agricultural impacts because this project is located within
21 the over 25,000 acres of important agricultural lands on Maui.
22 The site has also been utilized actively for a citrus orchard
23 by Mahi Pono. So to mitigate the impact to agricultural land,
24 soil removed from each mining area is going to be replaced to
25 a depth of at least 24 inches, and the agricultural impact

1 memo that was prepared for this project included that this
2 strategy is a sound one, so productive agricultural work will
3 be able to continue on the site after mining is complete. And
4 Mahi Pono has expressed interest in returning to the site
5 after mining is complete to continue agricultural use.
6 However, we did want to note that access to irrigation water
7 is another factor because lack of water can make cultivation
8 of certain crops, including the citrus orchard, difficult, and
9 the applicant -- the applicant themselves does not have access
10 to irrigation water for the site.

11 So we wanted to discuss a little bit about the
12 reclamation plan details for bringing the site back to
13 agricultural use. First of all, to reiterate, the
14 agricultural impact memo indicates that it is -- the site can
15 potentially be reclaimed successfully to productive
16 agricultural land. As far as how the plan would actually
17 work, after each approximately 30-acre section is mined, the
18 land -- the quarry floor will be broken up to allow for
19 drainage, and the soil from the next site that will be mined
20 next, the next 30-acre portion, will be moved directly onto
21 the one that was previously mined and that sort of
22 contemporaneous reclamation allows for minimal handling and
23 stockpiling of soil, sort of ensuring that that quality is
24 retained. The new soil that's put down will be plowed,
25 seeded, and mulched upon its placement. The reclaimed land

1 will be sort of set into the ground due to removal of the rock
2 from underneath, and this will actually create a microclimate
3 characterized by protection from some of the wind, which will
4 lessen the evaporation and promote greater water retention in
5 the soil. Finally, the memo also analyzed the soils in the
6 existing quarry areas which have already been reclaimed, and
7 found that the soil quality there was comparable to the soil
8 on the proposed site, so that indicates that -- sort of
9 another indication that this reclamation plan is feasible for
10 maintaining high soil quality.

11 Next slide, please.

12 So this is just a map of the IAL in the area. So as
13 you can see, the area that Hawaiian Cement is currently mining
14 is in IAL, as well as the proposed new quarry site.

15 Finally, just to touch on air and water quality, the
16 applicant has existing permits with DOH, an air-quality
17 permit, and an NPDES permit, and they'll comply with any
18 provisions of those approvals, and those permits are updated
19 for this new site. And also, just wanted to mention that
20 there's no streams or wetlands adjacent or located on the
21 proposed site.

22 Next slide, please.

23 We did in our application analyze this project with
24 regard to the special permit criteria in HAR and the CUP
25 criteria in the Maui County Code, as well as the objectives

1 and policies of the Countywide Policy Plan, the Maui Island
2 Plan, and the Kihei-Makena Community Plan.

3 So, just to reiterate, we respectfully request
4 approval of the amendments to this County Permit and the State
5 Special Permit for this project. Mahalo for your attention,
6 and the project team is available to answer any questions when
7 the time comes.

8 CHAIR THAYER: Okay. Thank you very much. Any
9 final comments, or is that -- we're ready to go?

10 Okay. Is there any public testimony or anybody
11 signed up to testify?

12 UNIDENTIFIED SPEAKER: There's no one signed up
13 either in-person or online.

14 CHAIR THAYER: Okay.

15 UNIDENTIFIED SPEAKER: Thank you.

16 CHAIR THAYER: Well, this will be, then, a final
17 call for public testimony on Items A1, the State Special Use
18 Permit, and A2.

19 Yep, sure. Just let us know which one of the two or
20 both, because it'll --

21 MR. WORTHEN: It's for the quarry for Hawaiian
22 Cement.

23 CHAIR THAYER: Okay.

24 MR. WORTHEN: So I'm -- oh, do I do it now or later?

25 CHAIR THAYER: No, you can do it now. So you'll

1 have to swear to tell the truth.

2 MR. WORTHEN: Yeah. I'm Holden Worthen with PB
3 Sullivan Construction. I swear to tell the truth.

4 Luckily, I'm not saying anything new that wasn't on
5 the presentations. We've worked with Hawaiian Cement for 30
6 years, myself personally for six. The materials they produce
7 are critical in rebuilding Maui and especially Lahaina.
8 Having them central to Maui also helps with the pricing
9 because they're in a competitive location. We're somewhat of
10 a competitor with them, and we still support their quarry in
11 the middle of the island. And the last thing is we've seen
12 some -- their tremendous efforts to remediate the land when
13 they're done. I liked the slide that they talked about with
14 the ag because, yeah, when they're complete, it could be
15 repurposed again, and the impact is very low on the land. And
16 yeah, that -- thank you, that's my testimony.

17 CHAIR THAYER: Okay. One second.

18 Any questions from the commission?

19 UNIDENTIFIED SPEAKER: Can you state his name one
20 more time?

21 MR. WORTHEN: Holden Worthen with PB Sullivan
22 Construction.

23 UNIDENTIFIED SPEAKER: Thank you.

24 CHAIR THAYER: And then, does the applicant have any
25 questions for the testifier?

1 MS. FUKUDA: No questions.

2 CHAIR THAYER: Oh.

3 MS. FUKUDA: Hi, Karlynn Fukuda, Munekiyo Hiraga.
4 No questions.

5 CHAIR THAYER: Okay, thank you.

6 Okay, you're good. Thank you for your testimony.

7 Are you going to testify? Yep, come on over. Just
8 state your name and swear to tell the truth.

9 MR. SILIADO: Hi, good morning, everybody. Thank
10 you. I'm Ron Siliado for the ILWU union, International
11 Longshore & Warehouse Union. I support this. These guys have
12 been big, good supporters in the construction to this industry
13 and all that. And they've been around for a long time. All
14 of the workers there are union members. With this disaster
15 with the fire in Lahaina, we need them. It's a simple ask. I
16 strongly ask all of you guys to consider this, you know,
17 passing this permit. And thank you, guys, all for today.
18 Appreciate you guys.

19 CHAIR THAYER: Thank you. Any questions for the
20 testifier?

21 (No response.)

22 CHAIR THAYER: Okay. Seeing none, questions from
23 the applicant?

24 MS. FUKUDA: No questions from the applicant. Thank
25 you.

1 CHAIR THAYER: Thank you.

2 Thank you for your testimony.

3 MR. SILIADO: Thank you.

4 CHAIR THAYER: Anybody else wishing to testify on
5 Item A1 or A2? Nobody online still?

6 (No response.)

7 CHAIR THAYER: Okay. This will be the last call for
8 public testimony now. If you're online, you can unmute
9 yourself, write to staff in the chat, or raise your hand;
10 otherwise, public testimony will close in three, two, one for
11 Items A1 and A2.

12 All right. Commissioners, what questions do you
13 have for the applicant or the department? Commissioner Ward.

14 COMMISSIONER WARD: Thank you, Chair. I just -- in
15 moving the quarry, does this increase the capacity of future
16 volume? Obviously, it's new, but does it -- is the
17 opportunity to have that much more exponentially, or is it
18 kind of status quo of growth?

19 MS. FUKUDA: Karlynn Fukuda, Munekiyo Hiraga.
20 Commissioner Ward, if I understand your question correctly,
21 it's really about the supply, and so as of January 2027, as
22 was mentioned in the presentation, Hawaiian Cement will no
23 longer have access to the supply that they currently have, and
24 so this is really just providing a new source of rock material
25 for them to be able to continue. So I don't know that it

1 necessarily increases their capacity; it just continues to be
2 able to have a source of material for them to continue
3 operations.

4 COMMISSIONER WARD: Thank you.

5 CHAIR THAYER: Further questions, Commissioners?
6 Commissioner Deakos.

7 COMMISSIONER DEAKOS: Yeah, thank you, Chair.

8 I'm curious, Hawaiian Cement, why didn't they
9 purchase the property?

10 MS. FUKUDA: I'm sorry. For the existing quarry
11 site is the question?

12 COMMISSIONER DEAKOS: Yeah, yeah.

13 MS. FUKUDA: So I don't know that they knew that it
14 was available. And I'll start, and, you know, I can call on
15 Mr. Gomes from Hawaiian Cement. But they had a long-term
16 lease with A&B Properties, and their lease, I believe, was for
17 a little over three -- maybe about 320 acres, and they had
18 permitted not all of it yet. And so their current permits
19 were available till 2032, if I'm not mistaken, so I don't know
20 that at that point there was an idea from Hawaiian Cement to
21 purchase the property. But it was sold, you know, separately
22 by A&B, so --

23 COMMISSIONER DEAKOS: Okay.

24 MS. FUKUDA: I don't know if you have anything else
25 to add.

1 COMMISSIONER WARD: I'm just curious why A&B would
2 sell it to another quarry company if they already have
3 Hawaiian Cement operating.

4 MS. FUKUDA: Yeah.

5 COMMISSIONER WARD: I'm confused.

6 MS. FUKUDA: Okay. I will defer to Dave Gomes from
7 Hawaiian Cement.

8 CHAIR THAYER: Please state your name for the record
9 and promise to tell the truth.

10 MR. GOMES: My name is Dave Gomes, I'm the president
11 of Hawaiian Cement, and I promise to tell the truth.

12 Thank you for that question, Commissioner. It's a
13 very good question. The opportunity was never given to
14 Hawaiian Cement to purchase. The purchase actually was part
15 of a larger organization, it was called Grace Pacific, who is
16 also a paving contractor, which included properties on Oahu,
17 Maui, and Molokai. And although -- despite our effort to try
18 to purchase our portion, A&B did not want to -- it wanted a
19 package deal on that, so we were not given that opportunity.

20 COMMISSIONER WARD: Thank you.

21 Thank you, Chair.

22 MR. GOMES: You're welcome.

23 CHAIR THAYER: Okay. Commissioners, further
24 questions? Commissioner Kealoha.

25 COMMISSIONER KEALOHA: I guess, following -- yeah,

1 sorry, following Commissioner Deakos's question, the purchases
2 for -- or the permit would be for 20 years to mine. Is that
3 correct?

4 MS. FUKUDA: That is what I understand the Planning
5 Department has recommended, yes.

6 COMMISSIONER KEALOHA: Okay. And so if Hawaiian
7 Cement purchases -- I guess I'm curious, like what is the --
8 why not lease the land -- why purchase versus lease? And
9 then, what will Hawaiian Cement do with the property after 20
10 years? Like, sell it back to Mahi Pono or lease it to Mahi
11 Pono? Like, how does that all work?

12 MS. FUKUDA: So I'll start, and I'll let Mr. Gomes
13 reply. But I assume that the purchase of the property was
14 done to provide some stability for them, given what had
15 happened on their existing facility. I can't speak for what
16 their future plans might be after the 20 years.

17 So I don't know if you have any -- if Hawaiian
18 Cement has any thoughts on that, but I will defer to Mr.
19 Gomes.

20 MR. GOMES: Thank you, Karlynn. Do I need to swear
21 back in? No? Okay.

22 CORP COUNSEL HOPPER: You've already done it.

23 MR. GOMES: Yeah. Okay, great.

24 We're not farmers, that -- we'll make that clear.
25 We are committed to making sure that that property is feasible

1 for agricultural use again. Our long-term intent is to work
2 with companies like Mahi Pono to release that property back to
3 them and allow them to farm. And there's other -- we've talk
4 to -- in previous opportunities that we've had, we've looked
5 at other opportunities. Because like Mahi Pono will sublease
6 certain areas to other farmers, so we'll be open to any of
7 those uses that's intended within the IAL designation.

8 COMMISSIONER KEALOHA: Okay, thank you.

9 MR. GOMES: You're welcome.

10 CHAIR THAYER: Commissioner Ward.

11 COMMISSIONER WARD: Thank you, Chair.

12 Just to clarify, what I think I just heard is that
13 the existing property is being sold to a different quarry, so
14 they're going to be mining, and that's going to be taken off
15 island, shipped to other --

16 MS. FUKUDA: I can't speak for what the existing
17 quarry -- the new owner of the existing quarry site will be
18 doing, but essential, Hawaiian Cement will not be able to mine
19 that area as of January 2027. So I assume that the new quarry
20 -- what we're asking for as part of this amendment request is
21 to remove Hawaiian Cement's State Special Permit and County
22 Special Use Permit from that existing quarry area. So if
23 anyone wants to mine where Hawaiian Cement is right now, they
24 will have to come in for their own permits to be able to do
25 that.

1 COMMISSIONER WARD: Just to confirm that Hawaii
2 Cement, are they Maui-based and the product stays here, or
3 does it go off island?

4 MS. FUKUDA: So the -- I assume that the majority of
5 the product stays here, if not all of it, that's mined from
6 this facility, but I'll defer to Dave Gomes.

7 MR. GOMES: Sure. Thank you.

8 We have not exported off island for many, many, many
9 years. In fact, prior to 2010 or something like that.
10 Certainly, our intent is to keep that aggregate in Maui County
11 because we need it. We need everything that we have.

12 COMMISSIONER WARD: Thank you.

13 CHAIR THAYER: Commissioner Circle-Woodburn.

14 COMMISSIONER CIRCLE-WOODBURN: Hi. Thank you,
15 Chair.

16 I just have a question, maybe to understand the
17 timing or timeline, so there's 125, potentially, new acres
18 proposed to be mined in 30-acre increments. How many years
19 does that sort of span out, I guess? 'Cause there was
20 something in here about 20 years, and then I saw that the --
21 the processing plant has a lease through '38, so I'm just
22 wondering alignment and timeline. I'm assuming the state
23 would extent that. Just how long is the whole project?

24 MS. FUKUDA: So I think, as far as for the quarrying
25 purposes, the estimate is 20 years that that 125 acres would

1 take to get through that process. It is an estimate because
2 it really just depends on demand, you know. They're -- during
3 the pandemic, construction continued, so demand continued to
4 be high, but there have been periods where construction has
5 not been as active, and so the demand has not been as great.
6 So it's a best guesstimate, you know, that they can provide
7 for the 20 years for the quarry life, so --

8 COMMISSIONER CIRCLE-WOODBURN: Okay. And then,
9 sorry, just to follow up to that, so for the site where the
10 processing facility is, is there -- there's not a permit
11 extension or anything needed because that's not 20 years, you
12 know, to '38, right from now, so --

13 MS. FUKUDA: Right. So that would need a future
14 extension as well, separately. And, you know, I assume the
15 thought would be when we get to that point, there might be an
16 extension for a new quarry area as well, or, you know, a
17 permit for a new quarry area, so --

18 COMMISSIONER CIRCLE-WOODBURN: Okay. Thank you.

19 MS. FUKUDA: Mm-hmm.

20 CHAIR THAYER: Okay. Vice Chair Lindsey.

21 VICE CHAIR LINDSEY: Given that rock is a finite
22 resource, is the existing site, is it mostly exhausted? I'm
23 just wondering because now -- I mean, it's going to be filled,
24 whether it's through you guys or another. If the plan is to
25 completely exhaust the resource in the existing site, and it

1 is not already exhausted, I don't understand why you would
2 need to fill it to exhaust it again.

3 MS. FUKUDA: So I want to make sure I understand
4 your question correctly.

5 VICE CHAIR LINDSEY: How much rock is left in the
6 existing site?

7 MS. FUKUDA: I think -- and I will defer to Dave
8 Gomes, but I believe that there is still rock that is
9 available. As I mentioned, I think it was over 320 acres that
10 they had received a lease, a long-term lease from A&B for. I
11 don't know that -- maybe it was about half of the land had
12 been permitted. The last request that had been in that the
13 County Special Use Permit had been approved for, I believe it
14 was forty -- was it 42 acres, maybe? But that has not been
15 touched because we only got the County Special Use Permit
16 approval, and we needed the State Special Permit. So you need
17 both, right, in order to actually operate, so -- and there
18 were additional lands that were in the lease area that we
19 hadn't even requested permits for. So I think there is
20 additional source left in that existing quarry area, which
21 Hawaiian Cement will not be able to quarry. So I don't -- I
22 don't know if that answers your question or --

23 VICE CHAIR LINDSEY: I'm just thinking about the
24 need on Maui and we -- and if you're going to fill it in,
25 they're going to need to dig out to fill it in. Even if the

1 end goal is to have it in agriculture, to me, it wouldn't make
2 sense to fill it in if they're going to dig it out to dig out
3 the rest of the rock to put in agriculture.

4 MS. FUKUDA: So I -- yeah. I think when they hit
5 the -- well, at least for Hawaiian Cement, when they have
6 finished quarrying, let's say -- let's just say, for example,
7 the 30 acres -- and Dave, please feel free to jump in. But
8 when they open the first 30 acres, they will mine to a certain
9 point, and whatever that point is, there's no more rock in
10 that area, and that's when the reclamation plan that was
11 talked about would kick in, and the soil would be replaced.
12 So -- and then they'd move on to the next area. So it's not
13 where we fill -- you know, we do the reclamation, and then
14 later somebody would come back and dig that area. I think
15 once they've mined that area, that it's done, and it's a new
16 area that they have to go to, so (pause) --

17 VICE CHAIR LINDSEY: Okay. I'm just worried about
18 the waste of resources filling in a hole that you're already
19 -- that could potentially be exhausted. I don't know the
20 impact on exhausting the entire resource in the same hole, but
21 I mean, it's hard -- it's -- returning it when you're still --
22 when you're just going around just digging holes everywhere
23 doesn't make sense in my -- you know, in my limited
24 understanding of this resource and where it is, and knowing
25 that it is finite and knowing that there is a need and

1 construction is limited. I believe the applicant in the past
2 who had a similar job, they kind of were -- they kind of
3 quoted like, okay, this one is like 20 percent used. Most of
4 these were in the '90s because that's when we were building
5 the hotels, and then they kind of went through the -- like
6 five holes they were digging and why they were kind of
7 exhausting that resource. In this case, we're closing --
8 we're moving your permit to another place, whereas if the
9 resource is still there, I don't know why we would just expand
10 the permit to include both so that both could be quarried at
11 the same time.

12 MS. FUKUDA: So I guess the thing is -- and do you
13 want to -- okay. I would just say that it's being -- we're
14 requesting the change because Hawaiian Cement doesn't have the
15 license -- or the lease to quarry further in the existing
16 area, but I'll let -- maybe Dave can provide more clarity.

17 MR. GOMES: I'll do my best. I think I understand
18 your question. In the current area, because we don't have
19 legal access to that area, we can no longer mine that area.
20 And that permit that we currently have today belongs to
21 Hawaiian Cement, and we want to make sure that that permit
22 stays within our legal rights to mine the property. What the
23 landowner does with the existing quarry, I cannot speak on
24 behalf of that. They may be coming and dealing with that.
25 There's approximately -- off the top of my head, and I don't

1 know what exactly it is, but it's at least 140 to 160 acres
2 left in that, so you're looking north of 30 years of reserves
3 that's in that existing area, where our 125 is closer to 20
4 acres, per se. There is a systematic approach, so when we
5 mine, we mine left to right, up to down, go back, so that
6 we're not creating these pockets all over the place. In that
7 particular area, historically, it's been on average about 27
8 feet in height, and then you hit red dirt again. So it's not
9 like some of these quarries where you see that it's 300 feet
10 high or whatever. There are rock sources below that area, but
11 it's just not economically feasible to get down to that next
12 layer of rock that's out there. So I hope I kind of answered
13 that question.

14 VICE CHAIR LINDSEY: Yeah, for the most part, that
15 makes sense. My, I guess, follow-up question would be
16 returning it to ag, is that the best use for the space? I
17 know in the past they've, like, turned it into rubbish sites,
18 which is also a need for Maui. So, has that option been
19 explored?

20 MR. GOMES: It has not been explored by us yet
21 because it's an IAL designation. We are working with Mahi
22 Pono to see if we can get that swap, but unless there's a land
23 use designation out of agricultural into something that's more
24 feasible, like what the landfill is doing, our intent is to
25 put it back into agricultural potential use.

1 VICE CHAIR LINDSEY: Okay. I appreciate you
2 returning it back to where it is. I'm just wondering for
3 Maui, what is better? Because as much as I don't want us to
4 throw away rubbish, all of this rubbish, we continue to create
5 it, and that is an opportunity to not have a dirt resource
6 that we could potentially be growing plants somewhere else to
7 potentially fill this hole.

8 MR. GOMES: Understood.

9 VICE CHAIR LINDSEY: Thank you.

10 MR. GOMES: Thank you.

11 CHAIR THAYER: Commissioners, further questions?
12 Commissioner Elizares.

13 COMMISSIONER ELIZARES: Following that line of the
14 reclamation, I, in the presentation, saw that it would be,
15 right, filled with dirt and then mulched, and I saw that it
16 would be seeded with the adjacent flora or trees. It would be
17 seeded with the trees from the adjacent property. And it was
18 mentioned in this -- in the presentation that there were no --
19 well, there's no endemic plants, but there were some native.
20 And what I -- from the pictures I'm seeing, it's mostly kiawe.
21 Are there -- so we're seeding the space with kiawe, and then
22 there was a mention of evapotranspiration, which means, from
23 my understanding, that we're trying to get the plants to grow.
24 So are -- eventually, we're thinking that the kiawe is going
25 to grow?

1 MS. FUKUDA: So to clarify, I think it wasn't meant
2 to be seeded with the trees; I think it would be mulched, if
3 I'm not mistaken. And we do have Hannah Delmer, who was one
4 of the ag consultants, who can -- she's available online, and
5 she can maybe --

6 Hannah, you can plan to elaborate further if I'm not
7 explaining this correctly.

8 But I think the -- because there will be a
9 depression, there will be a hole, right, after the rock is
10 mined out, but the soil is put back in, there is a
11 microclimate that kind of gets developed where the area would
12 be shielded from wind. And I think the thought was that it
13 would provide better trans-evaporation. I don't know if I'm
14 saying that right.

15 And so, Hannah, if you're available, I would defer
16 to you, but that would make that area with the microclimate --
17 the evaporation would be less because it's kind of in a -- in
18 a hole, in a depression, right, so -- but I probably mixed up
19 a bunch of stuff, so, Hannah, are you available?

20 VICE CHAIR LINDSEY: Can I jump in here and follow
21 up?

22 CHAIR THAYER: Okay.

23 VICE CHAIR LINDSEY: I was curious about this also,
24 'cause the presentation said that the soil will be laid,
25 seeded, and mulched, and so I think the question is: What's

1 it getting seeded with?

2 COMMISSIONER ELIZARES: Yeah.

3 VICE CHAIR LINDSEY: Yes.

4 MS. FUKUDA: Okay. So let me defer to Hannah or
5 Chris Bridgestone. I believe you can unmute yourself. Oh,
6 thank you, Hannah.

7 MS. DEMLER: Can everyone hear me okay?

8 CHAIR THAYER: Yeah, go ahead. Oh, state your name
9 and swear to tell the truth, please.

10 MS. DEMLER: Okay, yes. I am Hannah Demler. I work
11 with CDL, and I swear to tell the truth.

12 Yeah, so I can provide some clarification on our
13 reclamation plan and, you know, the ability to bring the mined
14 land back to productive agricultural land. Right now, that
15 is, you know, the -- what we have to do with the land and --
16 because of the IAL designation. So, essentially, you know,
17 farmland is a great use of post-mined -- post-mined land, and
18 if you handle the soil properly, really, you know, you should
19 be able to bring it back to, you know, equal to or better
20 quality of farmland than it was before. So essentially, you
21 know, this -- we're talking about mining in stages or parcels
22 that are, you know, smaller, about 30 acres, and then once
23 you're done mining that, you move on to the next parcel, which
24 the first step is, you know, removing the soil, and then you
25 can replace that removed soil directly onto the section that

1 was just mined. And so in doing that, you know, you don't
2 have to stockpile the soil, so you retain a lot of nutrients.
3 You're blending it up so you don't have to worry as much about
4 impermeable layers or compaction. And then, you know, it can
5 be mulched with existing plant material that is, you know,
6 removed from the surface, so you can mulch that and put it
7 down, and then seeded.

8 We are intending -- you know, the reclamation plan
9 is to seed with a grass. And you know, seeding the soil right
10 after you put it back down, that helps prevent erosion, you
11 know, helps start to build back some organic matter, helps
12 with water infiltration, and really just getting roots pushing
13 through the ground. Grass, because, you know, irrigation
14 won't be immediately available, and they'll want something
15 that can, you know, still grow out there and still have a
16 potential agricultural use, you know, you could grow grass
17 that can be used for hay or cattle forage.

18 CHAIR THAYER: Commissioner Elizares.

19 COMMISSIONER ELIZARES: Yeah.

20 COMMISSIONER CIRCLE-WOODBURN: I have --

21 CHAIR THAYER: Oh. Commissioner Circle-Woodburn and
22 then Commissioner Deakos.

23 COMMISSIONER CIRCLE-WOODBURN: It's just a little
24 bit of a follow-up on that because I think during the
25 presentation, there was a statement made that Hawaiian Cement

1 doesn't have access to the irrigation water, so I -- I'm just
2 kind of clarifying. I think that you'll be -- they'll be
3 making this land available for potential ag, but it's not
4 necessarily feasible if there's no irrigation. And I guess
5 what I'm just trying to understand is, but it is currently --
6 some of it is in ag with limes from Mahi Pono, so it -- Mahi
7 Pono must irrigate. So is the water still potentially
8 available to come from Mahi Pono for this ag use?

9 MS. FUKUDA: So I'll start, and, you know, Dave,
10 feel free to add. But my understanding is the purchase of the
11 property that Hawaiian Cement did, did not include access to
12 water. And I am of the understanding that Mahi Pono is not
13 able to sell water to anyone, that it's for their purposes,
14 so --

15 COMMISSIONER CIRCLE-WOODBURN: So if they
16 potentially were to -- if they expressed interest in reusing
17 or leasing this, they could, for themselves, bring the water?

18 MS. FUKUDA: Correct. That's my understanding.

19 COMMISSIONER CIRCLE-WOODBURN: Okay.

20 CHAIR THAYER: Commissioner Deakos.

21 COMMISSIONER DEAKOS: Yeah, just so I understand, so
22 the old site, there was a requirement to recondition that once
23 you left, and then the same applies to the new site. So
24 before you guys leave, you have to recondition the old site?

25 MS. FUKUDA: That's correct. There's a reclamation

1 plan for the existing quarry site, so that's part of the
2 timing issue for Hawaiian Cement is they want to be able to
3 have the permits for the new site for transition to the new
4 site, but also they need time to reclaim the site, the
5 existing quarry site, so --

6 COMMISSIONER DEAKOS: Thank you.

7 CHAIR THAYER: Commissioner Ward.

8 COMMISSIONER WARD: Thank you, Chair.

9 Understanding that you certainly can't speak for the
10 new owners, but kind of following up on Commissioner Lindsey,
11 that without our understanding their purpose, it seems that
12 Hawaiian Cement could, I guess, fill it in, then the new owner
13 could take it all out and go quarry again, potentially. Is
14 there an opportunity to have some type of synergy with the new
15 owner so there isn't wasted resources, that's efforts and
16 money and labor devoted to what's going to actually benefit
17 our community, versus putting something in place and
18 essentially removing it if that's what would happen. I
19 understand you can't speak to that, but would there be
20 openness to try to have coordination so that it's not undoing
21 -- putting something in and undoing something?

22 MS. FUKUDA: So I will start by saying that I think
23 because the lease agreement requires Hawaiian Cement to
24 reclaim the land, that they would want to be -- follow their
25 requirements for -- so they're not in breach, maybe, of their

1 lease agreement. But I don't know if there's anything further
2 to add. Okay.

3 MR. GOMES: I would -- I would say that our existing
4 permit also requires us to reclaim that property, so we want
5 to be in compliance with that. Synergies: Unfortunately,
6 there are no synergies. It's very clear, it's here's your
7 eviction notice. We need you out by January 25th, 2027. So I
8 -- I wish there was.

9 CHAIR THAYER: Commissioner Circle-Woodburn.

10 COMMISSIONER CIRCLE-WOODBURN: Just curious, with --
11 what am I trying to say? I guess with this new landowner,
12 there's no obligation that Hawaiian Cement would have to
13 process any of the quarried future potential material at their
14 facility, and so -- I guess is what I'm getting, I assume, and
15 if so, does that mean whoever were to take it over, if they
16 wanted to mine, there would be a need for another processing
17 facility adjacent to the current one that Hawaiian Cement
18 operates?

19 MS. FUKUDA: That would be the assumption that they
20 would have to somehow have a processing facility, whether it's
21 adjacent or in another location, so --

22 COMMISSIONER CIRCLE-WOODBURN: Thank you.

23 DIRECTOR BLYSTONE: Either way, that would have to
24 come in for its own permit, so yep.

25 CHAIR THAYER: Additional questions, Commissioners?

1 I see some wheels churning still yet, so I'll give you a
2 couple of minutes.

3 Commissioner Ward.

4 COMMISSIONER WARD: Thank you, Chair. I guess this
5 question is maybe to corp counsel. It may not be something
6 you can answer, but it -- my head's kind of stuck that -- and
7 I completely understand that Hawaiian Cement needs to follow
8 -- they want to be compliant, and I fully appreciate that and
9 wouldn't want to put them at risk of anything. But it just
10 seems that there's a possibility that we're just repeating
11 ourselves of just doing the same stuff all over again. Is
12 there -- for a condition, is there a way that we could somehow
13 request that the -- and I'm saying this -- it probably makes
14 no sense, but I'm saying it -- that the new owner somehow
15 coordinates -- I'm just -- my head's getting stuck on that if
16 their intent potentially is to quarry, which they may not, it
17 seems like it's a waste of money and -- to fill this in.
18 Those funds and efforts could go to our community in a
19 completely different way that --

20 CORP COUNSEL HOPPER: Well, I think part of the
21 issue that the applicant may be dealing with is the State Land
22 Use Commission looks at the -- these types of uses for special
23 permits and sometimes looks at them in consideration of should
24 this really would be a district boundary amendment? Should
25 this land be permanently urbanized? And I think one of the

1 factors they look at is, after the use is completed or as the
2 use is completed, is it sort of a permanent change of the use
3 of the property, or is it something that can be put back into
4 agricultural production? Therefore, meaning you can do it by
5 a State Special Permit versus a district boundary amendment.
6 And so I think that may be at play here is that -- the fact
7 that the land is not going to be, you know, permanently kept
8 into this use is a factor the Land Use Commission and with the
9 -- actually, the Planning Commission is potentially looking at
10 as far as whether this meets the criteria for a special permit
11 versus a district boundary amendment to urban.

12 Now, if there's other ways to go about, you know,
13 allowing the land to still be used for agricultural purposes,
14 or not necessarily a permanent type of use, I suppose that
15 could be considered. But in my experience with the State Land
16 Use Commission, those are a lot of the questions that they and
17 the staff ask, you know, what's the long-term prospect for
18 this, and should you be getting a district boundary amendment?
19 And part of what they look and I think have historically
20 looked at for quarry uses, is that it can be reused for
21 agricultural purposes.

22 And I'm also not sure -- I mean, the lessor may have
23 that as a concern, too, like they could do that, you know,
24 long term. So as far as -- I mean, if there's something in
25 the remediation plan or the plans that you see that you have

1 issues with, you can question them and, I guess, appropriately
2 condition them, but my only caution is that some of that I
3 think may be in place because -- if you don't see that as
4 much, the Land Use Commission, as they did for the county's
5 Central Maui Landfill, for example, may press to say you've
6 got to get a district boundary amendment to urban. And that
7 might be something that, you know, is a whole separate permit
8 process. And so that's -- that's some of the background.

9 Applicant can speak to that, perhaps, but that's, in
10 my experience with the commission, as far as why you may be
11 seeing some of those things. But if you've got -- if you've
12 got issues with the remediation plan or the methods that are
13 being used, then I think you can ask questions on that and
14 potentially condition -- you know, look to condition that or
15 have that revised and -- defer and have that revised and
16 changed to your satisfaction.

17 CHAIR THAYER: I think the director has something to
18 add.

19 DIRECTOR BLYSTONE: Yeah, Chair. I think the
20 question was more, if I'm not mistaken, about the existing --
21 like the existing approval and having to do that remediation,
22 and then just to have it uncovered again. And I think we're
23 treading in a weird spot, right, and I think it would be -- I
24 think we've got to focus on the application that's in front of
25 us and move forward with that one.

1 I hear what you're saying. It is incredibly
2 frustrating, but we can't predict what the new owner is going
3 to do.

4 CORP COUNSEL HOPPER: Yeah. If you're talking about
5 the original conditions in the older approval, I don't think
6 that's necessarily, yeah, part of this application. I think
7 it would be to amend it, to transfer it, but if we're looking
8 at -- I mean, it's -- that may be a different issue from what
9 you're looking at today.

10 CHAIR THAYER: Commissioner Circle-Woodburn, and
11 then Vice Chair Lindsey.

12 COMMISSIONER CIRCLE-WOODBURN: Well, now it may not
13 matter based on that, but I think what maybe would help us
14 just internally to answer some of those questions is if the
15 applicant could clarify is -- 'cause while the site, the
16 current site, is three hundred something acres and they had a
17 permit to mine a portion of that, I'm assuming it was still
18 also mined in sort of 30-acre increments. And so maybe the
19 question is the current active mining area, how many years
20 were remaining there? Maybe the -- I guess what I'm getting
21 at is maybe by them having to vacate and fill that back in,
22 maybe there's only a -- not that many years there left, and so
23 potentially whoever new comes in wouldn't go back there, they
24 would move on to a new portion of that site to not waste
25 resources. That's a good point. I don't know if you could

1 clarify that.

2 MS. FUKUDA: Commissioner, if I understood your
3 question correctly, so there are areas within the existing
4 Puunene quarry that have been reclaimed. So basically,
5 they're -- you know, the soil has been put back in place
6 already because the -- I think Mr. Gomes had shared earlier,
7 you know, they get to a certain level and they hit dirt. And
8 while there might be rock resources further beyond that, it's
9 not economically feasible at this point for them to go
10 further. And so there are areas that have been currently
11 reclaimed. There are areas that will need to -- in fact, I
12 believe they might have started this month already doing that
13 reclamation process within the existing quarry site. So I
14 think, as far as what is the remaining lifespan, if I heard
15 Mr. Gomes correctly, I think he was saying for the existing
16 site, what has not been mined yet might be about 30 years.

17 Is that correct?

18 MR. GOMES: Correct.

19 MS. FUKUDA: Yeah, about 30-plus years.

20 COMMISSIONER CIRCLE-WOODBURN: Yeah, I think I just
21 meant where you're -- they're actively currently mining, that
22 little section, is it near --

23 MS. FUKUDA: Oh, I see.

24 COMMISSIONER CIRCLE-WOODBURN: -- exhausting the
25 resources? End of life, yeah.

1 MR. GOMES: Great questions. I want to go back and
2 maybe just provide some clarity. Where we reclaim, most
3 likely, no one will ever go back. There's not rock there
4 anymore. So we kind of go more of a horizontal versus
5 vertical type of deal. So, you know, if you can picture that
6 we're not going to -- somebody else isn't going to come behind
7 us and redig up the reclamation efforts that we put in. It's
8 a two-foot layer of topsoil, preparing it for agricultural use
9 in the future.

10 In the 42-acre parcel that we're in right now, I
11 think we're going to probably mine maybe half of that by the
12 time we're done. It's about five to six acres per year. So
13 in that particular area, when we're done mining the rock that
14 we have, we'll reclaim. There will still be some rock, I
15 would say, anywhere from five to six, seven, or eight years
16 left in that area, but it would not be affected by the
17 reclamation efforts that we have put back in. Hopefully,
18 that's got some clarity.

19 COMMISSIONER CIRCLE-WOODBURN: Yeah, thank you.
20 That helps.

21 MR. GOMES: Thank you.

22 CHAIR THAYER: Commissioner Kealoha. Oh, sorry,
23 it's supposed to be Commissioner -- Vice Chair Lindsey.

24 VICE CHAIR LINDSEY: It was just to follow up on
25 Hopper's question like three questions ago, so --

1 (Laughter.)

2 CHAIR THAYER: Sorry.

3 Commissioner Kealoha.

4 COMMISSIONER KEALOHA: I just have a -- I'm just
5 trying to picture how this works. So I think you said you dig
6 26 feet and then you add 24 inches to the soil, so there's
7 like a 24-foot hole. How would people get down there to farm?
8 How does that work?

9 MR. GOMES: Yeah, so certainly roadways, ramps, or,
10 depending on the route that they take, if you're coming in
11 from the existing state property, that's all level ground.
12 That's not actually a hole because we come in, and it's
13 actually elevated, and we're bringing that portion back down.

14 COMMISSIONER KEALOHA: Okay. Okay.

15 MR. GOMES: Yeah. I know it's -- sometimes that
16 visual picture that was up there earlier that -- it's not --
17 at the end of the day, we're not surrounding ourselves with
18 high walls where you've got this big hole like an
19 amphitheater.

20 COMMISSIONER KEALOHA: It's gradual.

21 MR. GOMES: It's a gradual plane --

22 COMMISSIONER KEALOHA: Yeah, okay.

23 MR. GOMES: -- as we go up the mountain.

24 COMMISSIONER KEALOHA: Are any of the reclaimed
25 sites currently being used for agriculture?

1 MR. GOMES: No, because they're still within that
2 330 acres that we currently have the lease. So it's ready,
3 and I'm not sure what the future landowner, the new landowner,
4 is going to do with it.

5 COMMISSIONER KEALOHA: Thank you.

6 MR. GOMES: You're welcome.

7 CHAIR THAYER: Vice Chair.

8 VICE CHAIR LINDSEY: I guess, can we put in a
9 comment to State Land Use about this reclamation thing?

10 CORP COUNSEL HOPPER: You're actually approving the
11 permit, so you could -- I mean, you're an approval authority.
12 But again, if it's dealing with the existing permit, I'm not
13 sure -- you're amending the permit to change the location,
14 that's the request, and conditions for the new location. But
15 amending the old permit, which is going to end, is not --
16 that's sort of a different process. So if --

17 And I will also say, if the amendments are granted,
18 to my understanding, before any more quarry use could be made
19 of that area, someone would need to get a new permit to do
20 that. They would need to get a new -- either a State Special
21 Permit with the -- they have to get similar permits, or I
22 guess a district boundary amendment or something like that, so
23 you would have to see that. You know, I think that's, you
24 know, important to note.

25 But as far as -- I mean, if you want to -- you'll be

1 sending a record, and so if you want to say something to the
2 Land Use Commission, it will be on record. But I would just
3 point versus council, where a lot of times, you make comments
4 to them and advice to them, you're actually approving this.
5 So, like if there's something that you need to do for this
6 site, then you could have that as a condition. I would just
7 offer that.

8 VICE CHAIR LINDSEY: My thoughts are around not
9 removing the old permit and extending it over to the new site
10 so that opportunity could stay with the landowner also.

11 DIRECTOR BLYSTONE: The permit is owned by Hawaiian
12 Cement, so there's not a transfer.

13 CORP COUNSEL HOPPER: Yeah, I think we would need to
14 probably re-notice that as a hearing matter because that would
15 be a larger area of the special permit. So I think we'd have
16 to take that portion -- because you'd be -- because under
17 this, you're reducing an area and changing the area for the
18 permitted use. That would be if you're going to keep it
19 beyond the life of -- or keep that beyond what's proposed
20 here, I think you'd probably need to re-notice that as a
21 public hearing item because we've got -- you'd be extending a
22 use in one area and extending the use in another area, which
23 is different than what was proposed.

24 VICE CHAIR LINDSEY: And it would be a different
25 permit owner.

1 CORP COUNSEL HOPPER: I mean, they wouldn't own it
2 anymore, so it would be -- to the extent the special permit
3 would be held by an owner, you'd almost have to like require
4 someone who -- to get it who you don't know about yet, so that
5 could be a potential issue, too.

6 I don't know if the applicant has thoughts on this,
7 too, but it -- that's from a -- from a straight up -- all
8 you're doing is permitting the use on one area or not. And so
9 they're saying we're going to stop the use here at some point
10 and have the use at a different place. If you're saying keep
11 the permit there beyond what they're proposing, there's a
12 variety of issues with that, I think. For us, it's notice
13 issues and things, but yes, practically speaking, I think the
14 chair noted that if they don't have the right -- permission
15 from the landowner to do that anymore, that could also be an
16 issue as well. I don't know if Mr. Ueoka has something to --

17 CHAIR THAYER: Mr. Circle-Woodburn, any follow-up
18 questions?

19 COMMISSIONER CIRCLE-WOODBURN: Well, I was just
20 going to sort of reiterate and say that I kind of don't
21 support that, only because I think then we're extending a
22 courtesy to a different landowner, that it doesn't sound like
23 they extended much courtesy to these guys. We're doing them a
24 favor, and I just -- they're not here before us, and I just --
25 I don't --

1 VICE CHAIR LINDSEY: I mean, I don't think we're
2 doing them a favor; I think we're doing Maui a favor by
3 allowing us to have a dump there. So it's not --

4 COMMISSIONER CIRCLE-WOODBURN: Oh, I see.

5 VICE CHAIR LINDSEY: Yeah, it's not -- or continue
6 extracting the resource, and then putting something there
7 instead of filling it with a resource from somewhere else that
8 is going to go in there.

9 COMMISSIONER CIRCLE-WOODBURN: Right, right.

10 VICE CHAIR LINDSEY: That is -- that is my goal.

11 COMMISSIONER CIRCLE-WOODBURN: I see.

12 VICE CHAIR LINDSEY: Not to help the bad guy.

13 COMMISSIONER CIRCLE-WOODBURN: Got it.

14 CORP COUNSEL HOPPER: Yeah, I mean and other
15 complications are like if a new owner comes in and you've
16 imposed conditions, then like -- I mean, it's a little
17 different, I think, than a -- the special permits are usually
18 handled, to my understanding, differently than like district
19 boundary amendments or changes in zoning where you record the
20 conditions on the property and a future owner can come in and
21 do them. I think, in general, these types of permits are
22 nontransferable without the permission of the entity, so
23 that's another sort of distinct -- distinguishing factor. But
24 if you want to do this, we would have to re-notice this, and
25 so we could talk about that.

1 VICE CHAIR LINDSEY: I would love to hear Mr.
2 Ueoka's (inaudible) on this because he deals with State Land
3 Use.

4 CHAIR THAYER: Yeah, so then afterwards,
5 Commissioner Kealoha, and then Commissioner Ward.

6 MR. UEOKA: Thank you, Chair. Jeff Ueoka, I'm an
7 attorney for Hawaiian Cement. I swear to tell the truth.
8 Thank you.

9 I completely understand what you're saying,
10 Commissioner Lindsey, and I'm usually a huge proponent of
11 efficiency. My only concern in this case is it is Hawaiian
12 Cement's permit, so if land that is no longer under their
13 control is included in their permit, they might get into some
14 trouble if that guy isn't behaving or following the rules. So
15 other than that, I love efficiency, I love making things go
16 faster, but this one kind of makes me a little nervous because
17 we no longer have land control. But great ideas, and if we
18 come back in for more, we'll make sure to implement those
19 things. Thank you.

20 CHAIR THAYER: Go ahead.

21 VICE CHAIR LINDSEY: So, coming -- because we don't
22 interface with State Land Use, especially in these kinds of
23 cases, would any comments from them be received? I know
24 there's only the one commissioner from Maui, so that's only
25 one person who understands our issues intimately. So I just

1 want to make sure that our -- Maui's voice is heard on that,
2 that kind of level. Like, when we get something from Hana
3 Advisory, even though it's on the record, I don't sit here for
4 two hours listening to what they said, I take what they wrote
5 down as, you know, what it is. You know what I mean?

6 MR. UEOKA: Oh, Jeff Ueoka from HR. Understood.
7 Our voice on the State Land Use Commission is a pretty strong,
8 loud voice right now, so I feel comfortable. But all kidding
9 aside, yeah, if you guys, like Mr. Hopper suggested earlier,
10 just made a recommendation or a notation of that, I think it
11 would go a long way, and it'll be in the record. And State
12 Land Use Commission, I -- they tend to read everything, so
13 yeah, you should be safe there. That's just my opinion.
14 Thank you.

15 CHAIR THAYER: Thank you.

16 Commissioner Kealoha, and then Commissioner Ward.

17 COMMISSIONER KEALOHA: I think he said what I was
18 going to say, but I guess my -- I think that the -- I was
19 going to ask Hawaiian Cement, do you guys produce enough -- is
20 the -- do you intend to produce enough cement for Maui?
21 Because I think all of this concern is like, Oh, well, if --
22 you know, why would we fill this area if we can get more
23 cement there, because we need more cement? But if you guys
24 are producing enough cement for the island, then maybe it's
25 not that much of a concern.

1 MR. GOMES: Ready-mix concrete is what you're
2 referring to that's there.

3 COMMISSIONER KEALOHA: Okay.

4 MR. GOMES: One company would struggle to provide
5 enough concrete for the entire island. There's currently two
6 companies. We would prefer that we at least have two
7 companies out there providing that resource. I think there's
8 still a little bit of clarity that I can do maybe better to
9 understand that when we mine out the existing rock and what
10 we're putting back is just a two layer of topsoil, we're not
11 filling the hole up. We're not -- there's no more rock to go
12 get. If there was rock, we could go deeper, things of that
13 nature. The community really needs at least two companies to
14 provide a level of service. When the Lahaina fires took
15 place, unfortunately, on August 8th, 2023, our company itself
16 lost a bunch of drivers to go out and chase this money that
17 was out there, right? And that really went from 18 drivers
18 down to nine in about a two-month period, and what that --
19 what that did is delayed delivery of concrete to the rebuild
20 efforts and all of the other stuff that went out there. And
21 we ended up actually bringing in people from our -- from out
22 of state to help temporarily for three to four months. Now
23 we're kind of rebuilt, and we're healthy again. And so I just
24 want to let you know that I don't think it's in our best
25 interests to just have Hawaiian Cement supply concrete to the

1 island; we need two companies.

2 CHAIR THAYER: Commissioner Ward.

3 COMMISSIONER WARD: Thank you, Chair. So I think my
4 question was answered, but -- so if I could just reiterate
5 that I understood it correctly that if we make recommendations
6 to Land Use for the conditions of the new owner, whatever they
7 may be, that can be on record, but how does that transfer from
8 the applicant, because it's two different things? Or did I
9 hear that wrong?

10 CHAIR THAYER: I think we can -- I'll let the
11 director go, but I think what happens is we can -- hopefully,
12 the owner of that site hears all of this and hears what the
13 goals are of the commission and thinking about the best for
14 Maui in terms of limited land resources and opportunity with
15 what we've got, but I don't know that we've got control,
16 necessarily, over what could happen at that site. We just
17 appeal to their community-mindedness as much as we can.

18 COMMISSIONER WARD: If I could.

19 CHAIR THAYER: Go ahead.

20 COMMISSIONER WARD: So how are those -- by putting
21 conditions, because, obviously, conditions would be on this
22 applicant, which would not be appropriate, but is there a way
23 to at least put comments -- I don't know how it would get
24 transferred over that's the (pause) --

25 DIRECTOR BLYSTONE: Chair.

1 CHAIR THAYER: Director.

2 DIRECTOR BLYSTONE: Yeah, I -- so I'm looking at
3 Danny just to make sure, but I believe like the things we do,
4 your -- this entire conversation is going to go with the
5 recommend -- well, with the approval that you have to the Land
6 Use Commission.

7 Correct, Danny?

8 MR. DIAS: That's correct.

9 DIRECTOR BLYSTONE: Yeah. So they'll hear it if
10 they read the testimony -- or not the testimony, the
11 transcript of the meeting. That's probably the best way. I
12 don't -- I can't think of another --

13 MR. DIAS: Yeah. We would just have to rely on the
14 new landowner to be paying attention. I would think they
15 would because if they are going to quarry, they're going to
16 have to come back --

17 DIRECTOR BLYSTONE: Right.

18 MR. DIAS: -- and so I would think they would pay
19 attention to the comments. But yeah, to try to impose
20 something on them via Hawaiian, I just -- that just wouldn't
21 work. It's two completely different applicants.

22 CORP COUNSEL HOPPER: And the commission looks at
23 what the county does as a final decision, and they look at
24 that, and they may add things to it, but they generally cannot
25 be less restrictive than the county approves, is their

1 feeling. So, again, you have authority to do the things that
2 you can do within your scope. But I mean, a new owner there
3 could decide they don't want to do quarrying at all and apply
4 for something else, so like that's -- a permit to do something
5 is not a requirement that you do that thing in that area, so
6 that's not a mandatory thing. I just wanted to point that
7 out.

8 CHAIR THAYER: Vice Chair.

9 VICE CHAIR LINDSEY: But given that 11 of them,
10 that's a big commission. I don't know; there's a lot of them.
11 But they would at least -- the commissioners would at least
12 hear that that is a need for Maui, so every Maui project that
13 would come up could potentially be like, Oh, hey, that maybe
14 is a good dump site or -- you know what I mean? Like, instead
15 of -- I know we'd be sending it here, but instead of them
16 listening to our two-hour record on top of whatever reading
17 they have to do, if we bullet pointed it just for them to hear
18 one time from our mouths, I think is enough of a goal for me
19 to do that. And I -- yeah. And I think we do have a good
20 advocate on that commission for Maui, but like an extra like
21 little, hey, because if you don't know it's not there, you
22 don't know it's there.

23 CHAIR THAYER: One second, Commissioner Deakos. Can
24 this be in like our findings of fact, conclusions of law,
25 decision and order? Because we can't make it a condition.

1 CORP COUNSEL HOPPER: I mean, we've had our
2 discussion. With these, we generally don't do anything other
3 than the staff report, and then the conditions, and then an
4 approval letter generally goes with the conditions. I'm not
5 sure what you're noting for them. If I were them, I think I'd
6 say, Okay, what should we do, because the county has approval
7 authority over this. We'll look at it also, but I don't know
8 exactly what the Land Use Commission would do about this.

9 If they've got to do this again for that site,
10 they've got to come to you and get your approval. And if you
11 say no, they can't do it, and you can condition that approval
12 as well. So if you want to say and like vote and say, All
13 right, we're going to approve with these conditions. We want
14 in our approval letter to the Land Use Commission, it noted
15 the following, and then have a sentence to them or something.
16 But again, you're approving it. So if you're asking them to
17 do something or look at something, I'm not sure what they
18 would be looking at.

19 If you want to, like, highlight, Okay -- I mean,
20 they're going to look at the transcript and should be looking
21 at the points that were important to you, and so you can say
22 we really want to highlight this was a very important point
23 and put that in the approval letter that it's going to -- if
24 it's an approval letter, in the letter that goes to the
25 commission as part of the record that shows it was approved

1 with these conditions, the commission also noted that... I
2 suppose you could do that for something if you wanted, but
3 normally you don't do a formal findings of fact, conclusions
4 of law, and decision and order, which is an area you'd be
5 potentially noting that and other things. But if you wanted
6 to do that, I suppose that you could. I just -- you know, I
7 would advise sort of thinking about what the message is and
8 what you want them to do. Because again, if someone wants to
9 use that site for quarrying, they've got to come to you, and
10 the -- and if it's more than 15 acres, to the commission
11 again. So that's -- yes, I think there's a way to do it, but
12 if I was a Land Use commissioner or staff, I think I'd say,
13 Okay, but you guys have the same authority we do here, so
14 what's the action to be taken?

15 CHAIR THAYER: Thank you.

16 Commissioner Deakos.

17 COMMISSIONER DEAKOS: Thank you, Chair.

18 Two things: One, I agree it's very strange that
19 we're -- we don't know what this new owner is going to do with
20 this property, it's ag land, so making suggestions just seems
21 odd to me in this context. And two, to say that the best use
22 would be a landfill, I'm not sure I agree with that. I would
23 want to know why -- I would want to see a presentation of why
24 quarries are best use as landfills once they're done, so I'm
25 not sure that would be a voice of the council, it would be a

1 voice of -- So, those two things.

2 VICE CHAIR LINDSEY: Best use was never used.

3 CHAIR THAYER: Thank you, Commissioner Deakos.

4 I guess, any further questions? Commissioner
5 Elizares.

6 COMMISSIONER ELIZARES: I was just checking where we
7 are. And I like efficiency, too.

8 CHAIR THAYER: Oh, yep.

9 COMMISSIONER ELIZARES: So I'm not -- I think we're
10 in discussion or --

11 CHAIR THAYER: We are -- well, we were still in
12 questions, there were still questions being asked. Yep. And
13 so I think we're coming to the end of questions.

14 COMMISSIONER ELIZARES: Great questions, yeah.

15 CHAIR THAYER: Keep going, yeah. No, we're still in
16 questions.

17 COMMISSIONER ELIZARES: So I was thinking in the
18 motion for the department -- not in the motion. For the
19 department, if there was approval, then all of these would be
20 said in notes and -- in the notes or whatever I want to go to
21 the LUC. That's what you said just now, yeah?

22 MR. DIAS: The minutes of the meeting, yeah, would
23 go.

24 COMMISSIONER ELIZARES: And then, if it was denial,
25 then they wouldn't share anything, they wouldn't see anything.

1 MR. DIAS: Yeah.

2 COMMISSIONER ELIZARES: Okay.

3 CHAIR THAYER: Yeah? Okay.

4 You raised your hand?

5 VICE CHAIR LINDSEY: No.

6 CHAIR THAYER: Okay. Commissioner Lind, checking in
7 with you if you have anything.

8 COMMISSIONER LIND: I'm good. I'm listening. I
9 think that's interesting that the cement, you know, is needed
10 in the community, and it's -- you know, keeps the mining
11 operations steady. I mean, we have portions of Hana Highway
12 that's unpaved, our bridges need repair, so -- I'm just
13 observation and listening in.

14 CHAIR THAYER: Okay, thank you.

15 I guess on the question of remediation of the site
16 that we're looking at, I am nervous about seeding with grass
17 that would need -- I feel like if we're seeding anything,
18 grass is like the least useful and beneficial thing to put out
19 there, especially if it's got to get watered and there's no
20 irrigation. It seems kind of poho to put out a bunch of stuff
21 that has no value. So like, could there be another option for
22 seeding with something other than grass? Like my personal
23 preference would be native stuff from the area, but -- there's
24 not a lot left, but I know there is something. And I wish
25 those would get named, even if there's only three and even if

1 they are common, I would hope they would get named in the
2 reports more often. That's just a side note. The more
3 awareness, the better over time. It's a question, yes. Is
4 there other options other than just grass? Could you look
5 into --

6 MS. FUKUDA: So, Chair, I will defer to Hannah if
7 she's still online, I believe.

8 MS. DEMLER: Yep, I am. Yeah, I mean, the idea with
9 grass is that, you know, it can grow quickly, so you can get
10 ground cover quickly, you know, to prevent soil erosion,
11 things like that. And also, you know, you'd have to choose a
12 species at first that could grow without added water, without
13 irrigation. So, you know, options are kind of limited in
14 terms of like agricultural, you know, species, and if, you
15 know, someone is going to come in and farm, you know, native
16 species would be removed when the land is cultivated. So that
17 was kind of, you know -- the idea was to keep it in, you know,
18 agricultural use, grow grass that could be used for cattle
19 forage, hay, just, you know, because it's important ag land,
20 you know, ready to be farmed by -- you know, the farmer that
21 comes in can grow, you know, whatever they choose, whether it
22 be citrus or row crops or any of that if that answers the
23 question.

24 CHAIR THAYER: I guess to some extent, yes.

25 Commissioner Elizares.

1 COMMISSIONER ELIZARES: So, sorry, Ms. Plant Lady on
2 the screen, so is -- is it better to not seed with anything?
3 Can we just ask you guys, to -- ask the applicant to cover
4 with mulch? Wouldn't that keep the -- there's -- I don't know
5 any plant that grows without water, any grass that grows
6 without water, and there's no irrigation there, low rainfall,
7 that's a savanna area. I mean, I see the depression, a light
8 depression, but I don't -- I can't see that growing there. Is
9 there just a commitment to just maybe put that two feet of
10 soil, active soil, right, covering it with active mulch, and
11 leaving it for the -- I think that's a good way to clean up,
12 to set it up for the next guys. And then when -- to your
13 point -- well, I guess that was the question. Okay, I'm done.
14 Okay, that's the end of my question. Can you -- can the
15 applicant commit to that rather than seed?

16 MS. DEMLER: I mean, if they don't seed -- so I
17 believe that the previously reclaimed areas were not seeded.
18 If you go out there now, it is all grass, so grass will be
19 growing on the site whether you eventually seed it or not.
20 The benefits of seeding are, again, kind of immediate soil
21 stabilization and, you know, helping keep the soil healthy.
22 That's the main benefit of seeding right away. But if it is
23 just left and mulched, you know, that -- that is fine if
24 someone's going to come in and farm, you know. However, there
25 will probably be some weedy species that will -- that will

1 come in and start growing.

2 COMMISSIONER ELIZARES: Somehow the grass got
3 started on the other areas with water trucks, then?

4 MS. DEMLER: No. The grass that's growing on the
5 reclaimed area is just, you know, natural dispersion. It just
6 -- you know, the seeds blew that, and it's growing. I mean,
7 it's dry now, because, you know, it's like the end of the dry
8 season, just the start of the wet season. But yeah, it just
9 started naturally with the amount of rainfall that's out
10 there.

11 (Inaudible comment.)

12 CHAIR THAYER: Any further questions?

13 COMMISSIONER ELIZARES: I've got no questions.

14 CHAIR THAYER: Okay.

15 COMMISSIONER ELIZARES: I'd like to make a motion.
16 Are we ready for motions?

17 CHAIR THAYER: Yeah, we can be.

18 Did you just raise your hand? You didn't raise your
19 hand. Okay.

20 And no questions from Commissioner Lind?

21 COMMISSIONER LIND: (Shaking head.)

22 CHAIR THAYER: Okay. If there's no further
23 questions, I think we can have the recommendation again from
24 Staff.

25 MR. DIAS: Thank you, Chair. So this is for the

1 State Land Use Commission Special Permit. The department
2 recommends that the Maui Planning Commission approve the
3 amendment to SB Permit No. 92-380, subject to the conditions
4 listed in your staff report, and there are 15 conditions.
5 Thank you, Chair.

6 DIRECTOR BLYSTONE: I just wanted to make sure we
7 get the motion correct because it's a little -- a little odd.

8 CHAIR THAYER: Well, we're doing separate motions,
9 right? So there's one for A1 --

10 MR. DIAS: Correct. This was just for the special
11 permit, yeah.

12 CHAIR THAYER: You just read out A1. Okay.

13 CORP COUNSEL HOPPER: Just to be clear, because I
14 was talking with the director, the applicant is requesting two
15 things: One is an amendment to the State Land Use Commission
16 Special Permit, that's one motion where you can grant the
17 amendments requested subject to the conditions requested, and
18 send to the Land Use Commission for their final approval; and
19 then two is to approve the amendment to the County Special Use
20 Permit. So those would be two things just -- you know, let's
21 confirm that with the department and the applicant, but that's
22 my understanding.

23 CHAIR THAYER: Okay, yes. So I think that's what
24 Mr. Dias just said.

25 CORP COUNSEL HOPPER: Is there anything else -- so,

1 okay, I just wanted to make sure that was correct.

2 MS. FUKUDA: Karlynn Fukuda. Correct, that is our
3 understand as well. It's an amendment to the State Special
4 Permit and a separate amendment to the County Special Use
5 Permit.

6 CORP COUNSEL HOPPER: Okay. And then, as part of
7 your motion for the State Special Permit, you can't
8 necessarily just say as recommended by staff, you would say to
9 approve the State Special Permit amendment, subject to the
10 conditions recommended by staff, and to send to the Land Use
11 Commission for final action. I think that would be your
12 motion. And then add conditions as you would like. So if you
13 want to take them separate, I think that would be the first
14 one.

15 CHAIR THAYER: Yes. So just the State Special Use
16 Permit now.

17 CORP COUNSEL HOPPER: Yes, I think you could do that
18 now if you wanted.

19 CHAIR THAYER: Yeah, okay. Everybody understand?

20 COMMISSIONER ELIZARES: Yep.

21 CHAIR THAYER: Okay.

22 COMMISSIONER ELIZARES: I'd like to make a motion to
23 approve the amendment A1 with the 15 conditions and send it to
24 the -- sorry, I never hear the whole --

25 CHAIR THAYER: The State Land Use Commission.

1 COMMISSIONER ELIZARES: The State Land Use
2 Commission.

3 VICE CHAIR LINDSEY: Second.

4 CHAIR THAYER: So that's motioned by Commissioner
5 Elizares. Second by Vice Chair? Okay. Would you like to
6 speak to your motion, Commissioner Elizares?

7 COMMISSIONER ELIZARES: No. I'm sure we're going to
8 have a discussion of this.

9 CHAIR THAYER: So this would be how you introduce
10 your discussion.

11 COMMISSIONER ELIZARES: No.

12 CHAIR THAYER: Okay. Would you like to say anything
13 as a second?

14 VICE CHAIR LINDSEY: (Inaudible.)

15 CHAIR THAYER: Okay. So you're seconding?

16 VICE CHAIR LINDSEY: Seconding, yes.

17 CHAIR THAYER: Okay. Discussion, Commissioners?

18 (Inaudible comment.)

19 CHAIR THAYER: You can do it now.

20 COMMISSIONER KEALOHA: The county ag had proposed a
21 condition in their comments I'm wondering if we might want to
22 consider.

23 MR. DIAS: I think it's No. 7. It's listed.

24 COMMISSIONER KEALOHA: Oh, it is listed?

25 MR. DIAS: Yeah.

1 COMMISSIONER KEALOHA: Oh, I was just looking, and I
2 didn't see it.

3 COMMISSIONER WARD: But I did actually have a
4 question on that. It's not in the state permit, only in the
5 county permit, so I was just wondering, maybe to Commissioner
6 Kealoha's -- should it be in both?

7 CHAIR THAYER: It might be a question for the
8 department or the -- Mr. Hopper.

9 CORP COUNSEL HOPPER: Well, I mean, what -- No. 7,
10 "The applicant shall undertake quarrying of the 125-acre
11 project site in stages, and the existing agricultural activity
12 will be allowed to continue in nonquarrying areas. The
13 reclamation of each completed quarried stage shall include
14 topsoil suited for agricultural cultivation of at least 24
15 inches depth, and the reclaimed land shall be made available
16 for agricultural use."

17 I mean, if you want to add that on the county permit
18 -- if you only want to do it on the county permit, that's one
19 thing. If you want to do it on both, you would send it to the
20 Land Use Commission. Generally, with these things, the
21 narrower would control, because the applicant would have to do
22 both. But if you want this to be enforceable as both a state
23 permit and reviewed by the Land Use Commission for inclusion,
24 you would need to have that included as part of the State
25 Special Permit as well.

1 And if this deals with fundamentally how they're
2 going to do the work, I mean, if the applicant can do that,
3 then, you know, I don't think it makes a huge difference to be
4 on both, but that would be the -- that would be the issue.
5 You could enforce that as both a state permit and a county
6 permit requirement.

7 DIRECTOR BLYSTONE: I would defer to Danny.

8 MR. DIAS: I think it's pretty redundant.

9 DIRECTOR BLYSTONE: Okay.

10 MR. DIAS: You know, because they need both permits,
11 so either way.

12 DIRECTOR BLYSTONE: Okay, thank you.

13 CHAIR THAYER: Okay.

14 (Inaudible comment.)

15 CHAIR THAYER: Yep, mm-hmm.

16 CORP COUNSEL HOPPER: And I do think the commission,
17 though, should probably be knowledgeable if this is going to
18 affect how the work is done, they may want to know that, too.
19 So hopefully that'll be part of the record and part of the
20 presentation of how the work will actually be done, but that's
21 -- that's, yeah, just -- so the commission would want to
22 probably know that's how it's going to be undertaken, so they
23 don't look at that as a -- as an issue. Because that might
24 mitigate some of their concerns is what I'm saying, so just
25 putting that out there.

1 CHAIR THAYER: Okay, thank you.

2 Do you want to do anything about the grass?

3 COMMISSIONER ELIZARES: Well, we can get the
4 (inaudible) first since there's no -- there was no discussion
5 -- or not a big discussion. I guess I'll speak to it in that
6 the reason why I made the motion to approve is, one, for
7 efficiency, but -- yeah, because of all of the things that
8 they talked for -- that they talked about that -- how they
9 serve Maui, Hawaiian Cement, as the permit holder. And then
10 now if we would get through this approval, the new permit
11 holder or the permit -- holding the new permit. I think
12 they've done great for their community. I think they continue
13 to keep Maui moving, growing, and taking care of our different
14 infrastructures. And I do not want to be part of impacting
15 how we can care for our community here. And I'll be part of
16 that for the next -- as we talked about in our questioning
17 earlier, I hope I'm part of that when the next landowners come
18 for the parcel that they will be -- that they have been forced
19 off of, so -- or what is it? What was it called? Kicked out?
20 Evicted? So hopefully I get to work with those guys some when
21 their time comes and knowing that the land will be ready for
22 an agricultural use before they leave, as they've said.

23 That one point about the grass and it's going to get
24 tilled up anyway, for efficiency, I don't think that they
25 should be held or be required to put down -- lay down grass

1 seed in a depression that's -- from what was presented, I
2 don't see spreading that out mattering, making a difference.

3 And now we can have discussion.

4 CHAIR THAYER: This is discussion. You are
5 discussing.

6 Commissioner Ward.

7 COMMISSIONER WARD: Thank you, Chair.

8 Is there a way that the department could note these
9 comments so that when the new applicant comes before, because
10 some of us may not be here -- some of us may be here -- it
11 doesn't get lost. And I don't know how you do that easily,
12 but (pause) --

13 CHAIR THAYER: Director.

14 DIRECTOR BLYSTONE: So mahalo for the question. I
15 don't think -- I mean, aside from the noting that we're doing
16 with the minutes and the recording, we can't predict when the
17 application will come in. We're going to do the best we can
18 to have the collective memory around this, but it's going to
19 take a village. So, I mean, as far -- I guess we could -- I
20 don't know if we can put notes on the -- I don't know.
21 There's not really a good mechanism for this kind of thing.

22 COMMISSIONER WARD: So I guess where I was going is,
23 could you not, with the TMK --

24 DIRECTOR BLYSTONE: Yeah.

25 COMMISSIONER WARD: -- put a note that refers them

1 to minutes that somebody would see and trigger.

2 DIRECTOR BLYSTONE: I can't think of a mechanism to
3 do that.

4 MR. DIAS: Yeah, I agree. I don't think we have a
5 good mechanism. But to me, like if you're a responsible
6 applicant, I mean, this is sort of like a gift that this
7 already came before the commission, you know, so the -- to not
8 like at least do some research, ask the department like, Hey,
9 what happened at the meeting, you know, with the other quarry,
10 etc.? Yeah, if they came to you folks that unprepared, I
11 mean, that would be a little concerning.

12 CHAIR THAYER: Kind of a follow-up question. So
13 when staff is reviewing, say, a permit for a parcel, when you
14 look through the history of permits on that parcel, do you
15 read through minutes of past permit approvals? Is that like
16 procedure?

17 MR. DIAS: It sort of depends. I wouldn't say it's
18 procedure, like we automatically do that, but a lot of times,
19 you know, we, at the very least, are looking at approvals and
20 at the staff report. And oftentimes, you know, like the
21 actual approval and the staff report kind of doesn't totally
22 match, and in those cases, oftentimes we will read the minutes
23 just to kind of see like what led us to the final product, you
24 know.

25 CHAIR THAYER: But then, I guess, a follow-up

1 question to that: If we just approve with the staff report
2 that we've got and these conditions, that would not be -- they
3 would match, in a sense, because we're not changing anything,
4 so then nobody would be sort of triggered, in a way, so to
5 speak, to go diving into the minutes based on that scenario
6 playing out.

7 MR. DIAS: Correct. But I think normally, like if
8 you have a permit for a certain project and for whatever
9 reason, you're revisiting that permit, like just part of your
10 research would involve, you know, like looking at everything,
11 yeah.

12 CHAIR THAYER: Okay. Does that do anything for
13 anybody?

14 (No response.)

15 CHAIR THAYER: Okay. So, does anybody want to make
16 any amendments to this? Otherwise, we can go forward with our
17 vote.

18 Vice chair.

19 VICE CHAIR LINDSEY: I'm happy to amend with no
20 grass seeding.

21 CHAIR THAYER: And just mulch, soil and mulch.
22 Okay. Would you like to make an amendment to the main motion
23 to, I guess, add in a condition to that effect?

24 VICE CHAIR LINDSEY: Yes.

25 CHAIR THAYER: Okay. Is there a second to this

1 motion? Second by Commissioner Ward? Okay. Do you want to
2 speak to your motion?

3 (No response.)

4 CHAIR THAYER: Do you want to speak to your second?
5 Okay.

6 VICE CHAIR LINDSEY: I'm not sure what (inaudible)
7 clean language. I'm sorry.

8 CHAIR THAYER: Yeah, no problem. It would be --

9 MR. DIAS: Condition No. 6 for the State Special
10 Permit conditions, I think if we take that and then just tweak
11 the end part to whatever you folks prefer.

12 CHAIR THAYER: That brings in something else because
13 what they were talking about is not this.

14 MR. DIAS: Well, I think the first part, if I'm not
15 mistaken -- so I'll just read the first part. "That a
16 restoration plan be submitted showing upon termination of
17 operations, depleted and excavated areas shall be graded to
18 blend in with the surrounding natural contours, and that" --
19 you know, then it says, "appropriate vegetative cover, etc."
20 I mean, at the very least, eliminate that and add something
21 else.

22 CHAIR THAYER: Vice Chair Lindsey, as the maker of
23 the motion, do you have suggested language? You can look at
24 Condition No. 6 for reference.

25 Yes.

1 MR. DIAS: The applicant did make a suggestion that
2 we take Condition No. 7, right, and either replace that with
3 Condition No. 6 in the special permit or just eliminate
4 Condition No. 6.

5 CHAIR THAYER: Or change it to be mulched.

6 COMMISSIONER ELIZARES: I guess we go back to --

7 CHAIR THAYER: Commissioner Elizares.

8 COMMISSIONER ELIZARES: It seems like, as I'm
9 reading this, it seems like that seed and mulch was a
10 commitment made by the applicant, not part of their -- not
11 part of the conditions. There's a difference between a
12 commitment and the conditions. They just commit to -- well, I
13 guess we could condition -- add in a one-foot layer of mulch.
14 Or this is in inches, so 12 inches of mulch over the 24 inches
15 of soil.

16 CHAIR THAYER: Vice Chair.

17 VICE CHAIR LINDSEY: I thought the issue was the --
18 just the seed, seeding, not -- I don't know about growing
19 things, but -- so two feet of soil plus X mulch, because mulch
20 is not cited here.

21 CHAIR THAYER: No. Yeah.

22 COMMISSIONER ELIZARES: Neither is the seeding,
23 though. So they -- it was in the presentation, so how I
24 understand it is there are commitments made by the applicants,
25 and there are conditions. Commitments, they say they're going

1 to do; conditions, they have to do. So I thought it was nice
2 -- is that right?

3 CORP COUNSEL HOPPER: If you, as part of their
4 presentation, don't want them to do something they're
5 proposing, you could have a condition that says, You shall not
6 do any of this seeding, or something like that, because you
7 think something they're proposing has an adverse impact. Now,
8 I think you want to be sure there's no requirement out there
9 in any rule that you have to do some kind of seeding that
10 you're prohibiting, but if there's not, I don't see that you
11 putting that condition in there would be a problem. But yeah,
12 that's how you would -- that's one way you could, you know, do
13 those things. I mean, if they want to represent, we're not
14 going to do any seeding after you've told us, that's fine.
15 But yeah, putting it in as a condition that says no seeding
16 and, you know, appropriate wording, I think, is something you
17 could do.

18 VICE CHAIR LINDSEY: We could add at the end,
19 seeding is not mandatory.

20 CHAIR THAYER: Seeding with grass.

21 VICE CHAIR LINDSEY: Seeding with grass is not
22 mandatory.

23 CHAIR THAYER: Is not mandatory.

24 COMMISSIONER ELIZARES: I make that motion. And
25 then for -- sorry, discussion.

1 CHAIR THAYER: Commissioner Elizares.

2 COMMISSIONER ELIZARES: Yeah. Because there is some
3 language written in other places that -- you know, just
4 standardized that soil stabilization comes from hydroseeding,
5 mulch, and grass, right, and that is not -- if we're taking
6 this by a TMK or place by place, you know, taking it --
7 separating that from just being said, it doesn't work in every
8 situation, right? And I think in this situation, what -- it
9 seems like what you're proposing in your amendment that you
10 agree that it doesn't necessarily apply in this -- in this
11 area. So --

12 CHAIR THAYER: Director.

13 DIRECTOR BLYSTONE: I just want to restate what I
14 think I hear we're headed towards, and we will need to do
15 another motion and second because we didn't capture that, and
16 it wasn't clear what we were motioning. Sorry.

17 So I'm hearing modify Condition 6, so just add a
18 final sentence that says seeding is --

19 CHAIR THAYER: Seven.

20 DIRECTOR BLYSTONE: Seven?

21 CHAIR THAYER: Well, Mr. Dias suggested six, and
22 then there was a suggestion for seven.

23 DIRECTOR BLYSTONE: We have to focus on the state
24 permit at this moment, so that's what we're looking at, so
25 that's Condition 6. If we add to Condition 6, "Seeding with

1 grass is not mandatory," is that what you're looking -- is
2 that what the commission is --

3 VICE CHAIR LINDSEY: Number 6 talks about DLNR and
4 SHPD.

5 DIRECTOR BLYSTONE: You're looking at the wrong
6 approval.

7 CHAIR THAYER: You're looking at the -- it's still
8 there.

9 DIRECTOR BLYSTONE: It's still there. You've just
10 got to scroll up a little higher on page 24.

11 CORP COUNSEL HOPPER: And Chair, the only thing you
12 might want to clarify is, is any of the seeding having to do
13 with drainage requirements or stabilization requirements? I
14 just want to make sure you don't have --

15 DIRECTOR BLYSTONE: It's part of the restoration
16 plan that they talked about.

17 CORP COUNSEL HOPPER: Yeah. I just want to make
18 sure it's nothing in Department Works drainage requirements or
19 anything like that. 'Cause I know for -- sometimes for
20 hillsides, it's a requirement. I just don't want to put them
21 in a position of saying you cannot do this -- saying it's not
22 mandatory might be inaccurate, but if that could just be
23 clarified. I just don't want to put the applicant in a -- if
24 you don't want to, you know, obviously, a position that they
25 can't comply with, so you may want to consult with them on

1 that.

2 DIRECTOR BLYSTONE: Yeah. This was what they
3 represented as part of their agricultural reclamation plan:
4 That after the mining activity is closed out, the stockpiled
5 soil, they said, would be laid, seeded, and mulched.

6 MR. DIAS: It sounds like it's (inaudible).

7 DIRECTOR BLYSTONE: Yeah.

8 MS. FUKUDA: Sorry. So I -- Karlynn Fukuda,
9 Munekiyo Hirata. I just wanted to get clarity. So we're
10 looking at either modifying the State Special Permit Condition
11 6 or taking the County Special Use Permit Condition 7 and
12 replacing the State Special Use Permit Condition 6. Is that
13 correct?

14 DIRECTOR BLYSTONE: I think we moved away from
15 duplicating Condition No. 7 of the County Special Use Permit.

16 MS. FUKUDA: Okay. So we're just looking at
17 Condition 6.

18 DIRECTOR BLYSTONE: That one will stay as it is.
19 Yeah.

20 MS. FUKUDA: Okay, thank you. So, I mean, you know,
21 the other suggestion based on Mr. Hopper's comment may be to
22 say, unless -- you know, or to the extent required by law or
23 whatever, something -- kind of disclaimer language, but I --
24 yeah, hopefully that can address the -- Mr. Hopper's concern.

25 COMMISSIONER CIRCLE-WOODBURN: And maybe we could

1 say --

2 CHAIR THAYER: Commissioner Circle-Woodburn.

3 COMMISSIONER CIRCLE-WOODBURN: Sorry. Thank you,
4 Chair.

5 -- with preference given to mulching or something.
6 Seeding is not required, with preference to mulching or
7 something like that. 'Cause it sounds like that's some of the
8 intent here is mulching is preferred to seeding.

9 CHAIR THAYER: Or could we say -- well, amend
10 Condition No. 6 that appropriate vegetative cover, potentially
11 consisting of mulch, trees, shrubs, and ground cover, but not
12 grass.

13 COMMISSIONER WARD: But seeding is not --

14 CHAIR THAYER: Shall be established.
15 Commissioner Ward.

16 COMMISSIONER WARD: Thank you, Chair.

17 I do think we need the "where applicable by law"
18 cause --

19 CHAIR THAYER: At the end of that.

20 COMMISSIONER WARD: At the end of all of that.

21 CORP COUNSEL HOPPER: Because potentially -- let's
22 ask Public Works about this, potentially, but there are
23 situations where there's seeding required for -- in some cases
24 for -- if you've got -- I know if you've got like slopes that
25 are there, you have to have some type of seeding, so that was

1 the concern. Maybe it's not a concern, but I don't want them
2 to come back later and say, Oh, we can't do what Public Works
3 needs us to do. I'm probably wrong on this -- not wrong, I'm
4 probably -- in this case, it's probably not applicable for
5 some reason, but I'm just trying to think ahead of time for
6 problems. If I'm causing an additional problem, I apologize,
7 but I just don't want that to say -- you know, so to the
8 extent -- unless required by law or something, I think that's
9 an exception that you could have in there so you don't have to
10 come back and amend this condition, which would take a long
11 time. That's the only thing I would want to bring up.

12 DIRECTOR BLYSTONE: Let me clarify something.

13 CHAIR THAYER: Director, and then Commissioner Ward.

14 DIRECTOR BLYSTONE: So I think we're circling around
15 a different -- a slightly different condition. So we're
16 adding mulch to the front end of the list of things, so after
17 -- "consisting of mulch, trees," etc., and then still keeping
18 the sentence at the end that says, "Seeding with grass is not
19 mandatory unless required by law." Is that correct?

20 CHAIR THAYER: That sounds good.

21 Vice Chair, as the movant?

22 (No response.)

23 CHAIR THAYER: Commissioner Ward as the second?

24 (No response.)

25 CHAIR THAYER: Okay. Does everybody -- shall we

1 read this or -- has everybody been following along, or should
2 we read what we've come out with now?

3 Commissioner Ward?

4 One more time for staff?

5 (No response.)

6 CHAIR THAYER: Okay. So this would be amending
7 Condition No. 6 -- oh, sorry -- on the State Special Use
8 Permit Conditions, and so --

9 DIRECTOR BLYSTONE: To read as follows: "That a
10 restoration plan be submitted showing upon termination of
11 operations, depleted and excavated areas shall be graded to
12 blend with the surrounding natural contours, and that the
13 appropriate vegetative cover, consisting of mulch, trees,
14 shrubs, and ground cover, shall be established. Seeding with
15 grass is not mandatory unless required by law."

16 That is your new condition, Chair.

17 CHAIR THAYER: Okay. All right. Let's vote on
18 this. I think we're done discussing this.

19 DIRECTOR BLYSTONE: Call for the --

20 CHAIR THAYER: Yes.

21 DIRECTOR BLYSTONE: Sorry.

22 Commissioner Circle-Woodburn.

23 COMMISSIONER CIRCLE-WOODBURN: Yes.

24 DIRECTOR BLYSTONE: Commissioner Elizares.

25 COMMISSIONER ELIZARES: Yes.

1 CHAIR THAYER: Commissioner Lind.

2 COMMISSIONER LIND: Aye.

3 DIRECTOR BLYSTONE: Commissioner Deakos.

4 COMMISSIONER DEAKOS: Aye.

5 DIRECTOR BLYSTONE: Commissioner Kealoha.

6 COMMISSIONER KEALOHA: Aye.

7 DIRECTOR BLYSTONE: Commissioner Ward.

8 COMMISSIONER WARD: Aye.

9 DIRECTOR BLYSTONE: Vice Chair Lindsey.

10 VICE CHAIR LINDSEY: Aye.

11 DIRECTOR BLYSTONE: Chair, that's seven votes in
12 favor.

13 CHAIR THAYER: Okay, perfect. I don't think anybody
14 had suggested any other conditions, but I just want to check
15 and see if there's any other things to cover.

16 (No response.)

17 CHAIR THAYER: Looks like none. Okay. So, is
18 everybody ready to vote on the main motion?

19 (No response.)

20 CHAIR THAYER: Yes? Okay, let's do it.

21 DIRECTOR BLYSTONE: Mahalo, Chair.

22 Commissioner Circle-Woodburn.

23 COMMISSIONER CIRCLE-WOODBURN: Yes.

24 DIRECTOR BLYSTONE: Commissioner Elizares.

25 COMMISSIONER ELIZARES: Yes.

1 DIRECTOR BLYSTONE: Commissioner Lind.
2 COMMISSIONER LIND: Aye.
3 DIRECTOR BLYSTONE: Commissioner Deakos.
4 COMMISSIONER DEAKOS: Aye.
5 DIRECTOR BLYSTONE: Commissioner Kealoha.
6 COMMISSIONER KEALOHA: Aye.
7 DIRECTOR BLYSTONE: Commissioner Ward.
8 COMMISSIONER WARD: Aye.
9 DIRECTOR BLYSTONE: Vice Chair Lindsay.
10 VICE CHAIR LINDSEY: Aye.
11 DIRECTOR BLYSTONE: Chair, that's seven votes in
12 favorite for the first item.
13 CHAIR THAYER: A1.
14 DIRECTOR BLYSTONE: A1.
15 CHAIR THAYER: So we have closed out A1. Let us
16 move on to A2, which is the County Special Use Permit, which
17 has its own set of suggested conditions by staff. And maybe
18 Mr. Diaz can provide the recommendation one more time.
19 MR. DIAS: Thank you, Chair.
20 The Department of Planning recommends that the Maui
21 Planning Commission approve the County's -- the amendment to
22 the County's Special Use Permit, subject to seven conditions.
23 Thank you.
24 CHAIR THAYER: Okay. Commissioners, we can
25 entertain a motion on this one, which will not involve any

1 transmittal to the State Land Use Commission.

2 Vice Chair.

3 VICE CHAIR LINDSEY: Move to accept with the seven
4 conditions -- existing conditions listed by the county.

5 CHAIR THAYER: So a motion to approve as recommended
6 by staff --

7 VICE CHAIR LINDSEY: Yes.

8 CHAIR THAYER: -- with these --

9 VICE CHAIR LINDSEY: Seven.

10 CHAIR THAYER: -- seven conditions. Okay. So
11 motion by Vice Chair Lindsey. Sorry. Second by Commissioner
12 Ward.

13 Would you like to speak to your motion?

14 (No response.)

15 CHAIR THAYER: Speak to your second?

16 (No response.)

17 CHAIR THAYER: Any discussion?

18 VICE CHAIR LINDSEY: No.

19 CHAIR THAYER: Okay. Seeing none, all right. Let's
20 call for the vote on this one.

21 DIRECTOR BLYSTONE: Commissioner Circle-Woodburn.

22 COMMISSIONER CIRCLE-WOODBURN: Yes.

23 DIRECTOR BLYSTONE: Commissioner Elizares.

24 COMMISSIONER ELIZARES: Aye.

25 DIRECTOR BLYSTONE: Commissioner Lind.

1 COMMISSIONER LIND: Aye.

2 DIRECTOR BLYSTONE: Commissioner Deakos.

3 COMMISSIONER DEAKOS: Aye.

4 DIRECTOR BLYSTONE: Commissioner Kealoha.

5 COMMISSIONER KEALOHA: Aye.

6 DIRECTOR BLYSTONE: Commissioner Ward.

7 COMMISSIONER WARD: Aye.

8 DIRECTOR BLYSTONE: Vice Chair Lindsey.

9 VICE CHAIR LINDSEY: Aye.

10 DIRECTOR BLYSTONE: Chair, that's seven votes in
11 favor.

12 CHAIR THAYER: Brilliant. That's A2 done. We have
13 two done in two hours.

14 MS. FUKUDA: Thank you very much.

15 CHAIR THAYER: Thank you very much.

16 MS. FUKUDA: Happy Thanksgiving.

17 CHAIR THAYER: Happy Thanksgiving. Aloha kakahiaka.

18 All right. Yes, let us take a break, and then when
19 we come back, we will jump into Item A3.

20 (Pause in proceedings.)

21 CHAIR THAYER: Welcome back to our Maui Planning
22 Commission meeting of Tuesday, November 25th, 2025. We are on
23 to our third public hearing item on our agenda, Item A3.

24 Director, please read us into the record.

25 DIRECTOR BLYSTONE: Mahalo, Chair.

1 PBR Hawaii on behalf of EAH, Inc. And the Hawaii
2 Housing Finance and Development Corporation is requesting a
3 Special Use -- a Special Management Area Use Permit for the
4 proposed construction of a 301 rental unit affordable housing
5 project with two additional non-revenue-generating manager
6 units, and a parking lot including 298 spaces, and the 72,600
7 square foot Kahului Civic Center Mixed-Use Complex with a
8 190-stall, five-story parking structure located at 153 West
9 Kaahumanu Avenue, Kahului, island of Maui, TMK (2)
10 3-7-004:003. This is SM12024-0021. And your planner today is
11 the indomitable Laury Sanger.

12 MS. SANGER: Thank you, Director.

13 DIRECTOR BLYSTONE: You're welcome.

14 MS. SANGER: Good morning, Chair, Vice Chair, and
15 Commissioners. I'm staff planner Laury Sanger, and I promise
16 to tell the truth. So this application is under your review
17 today because the proposed scope of work will take place
18 within the Special Management Area in Kahului -- sorry --
19 requiring a review of the project under HRS 205A. The Maui
20 Planning Commission rules call for the commission to review
21 Special Management Area Use Permits, which are projects deemed
22 to be developments valued over 500,000 for parcels that abut
23 the shoreline, and 750,000 for parcels that do not abut the
24 shoreline. The project will be explained in further detail by
25 the consultants, Mr. Tom Schnell from PBR Hawaii and his team,

1 but he just stepped out, so as soon as he comes back, he will
2 present to you guys.

3 MR. SCHNELL: Good morning, Planning Commissioners.
4 Can you hear me?

5 CHAIR THAYER: Yeah, the mic has to be turned on.

6 DIRECTOR BLYSTONE: Is the mic on? You might have
7 to turn it on.

8 MR. SCHNELL: Good morning, Planning Commission
9 Members. Can you still hear me?

10 CHAIR THAYER: Yeah. You've got to love on the mic
11 like a DJ.

12 MR. SCHNELL: All right. Good morning, Planning
13 Commission Members and Planning Director, and staff. I'm Tom
14 Schnell. I'm with PBR Hawaii. PBR Hawaii is a planning and
15 landscape architecture firm. We're based in Honolulu, but we
16 do work on all islands. And I'm going to share my screen and
17 do a presentation on the Kahului Civic Center.

18 CHAIR THAYER: Sorry. Can you promise to tell the
19 truth?

20 MR. SCHNELL: I do promise to tell the truth.

21 CHAIR THAYER: Thank you.

22 And everybody, just for making sure everybody's
23 clear, we're going to do a presentation, then we'll have
24 public testimony, then we'll go into commissioner questions,
25 and then go into a motion and deliberation.

1 MR. SCHNELL: All right. Today, we're here to talk
2 about the Kahului Civic Center Mixed-Use Complex. It's an
3 affordable housing and state civic center project. The
4 project has been -- I'll go through a timeline of the project,
5 but we're here today to seek your approval for an SMA Use
6 Permit Application, SMA1. The team with me today, and these
7 are the -- some of the people that are here with me today that
8 will be presenting. The landowner is Hawaii Housing Finance
9 and Development Corporation, HHFDC, and we have
10 representatives from HHFDC here. For the affordable housing
11 component, the developer is EAH Housing. Representatives from
12 EAH Housing are here. And the architect is Lowney
13 Architecture, and Janice Li from Lowney Architecture will be
14 presenting the plans for the affordable housing component.
15 And for the civic center component, the developer is the State
16 of Hawaii, Department of Accounting and General Services,
17 DAGS. The architect is Architects Hawaii Limited, or AHL, and
18 Si Kim from Architects Hawaii Limited will be presenting the
19 plans for the civic center component. I've already introduced
20 myself, so I'll move on to the next slide.

21 The location: Just to orient you, Queen Kaahumanu
22 Center is right here, Maui Community College is over here,
23 West Kaahumanu Street is here, and Kane Street is this way.
24 The project area is a single TMK, but it's broken into two
25 different components. The yellow area outlined is where the

1 affordable housing component will be; the blue outlined area
2 is where the state civic center building will be, with
3 parking. This area that's not hatched or designated, that's
4 already the Kahului Transit Center, that's already been
5 developed.

6 (Inaudible comment.)

7 MR. SCHNELL: I'm sorry. What was that?

8 CHAIR THAYER: No, that was just somebody online.

9 MR. SCHNELL: Okay. Here's a little bit better view
10 of the TMK. The project area of the civic center component
11 and the affordable housing component is about 4.8 acres.
12 Again, the transit center has already been developed.

13 The project area is within the Urban Growth Boundary
14 of the Maui Island Plan. The Wailuku-Kahului Community Plan
15 designation is Business Commercial, and the Planning
16 Department has determined that the uses proposed are
17 consistent with the Kahului Community Plan land use map
18 designation. The zoning is B2, Community Business. The uses
19 proposed are permitted uses within the B2 Community Business.
20 We are within the SMA, and that's why we're before the
21 commission to seek your approval of an SMA Use Permit. And
22 the flood zone and the flood map is Zone X, an area of minimal
23 flooding.

24 Existing Conditions on the Site: You probably drive
25 by it almost every day. It's a large area that's mostly

1 vacant. There are some buildings there that were -- that are
2 portions of the Maui Community School for Adults. And this is
3 a view on the left of the parking lot area. This is for
4 entering from the Kane Street parking lot area, looking south
5 towards the administration building of the School for Adults.
6 A view from the northern portion of the property looking south
7 on the left.

8 And then I particularly wanted you to notice the
9 view from the northern boundary looking west along Kaahumanu.
10 You'll notice there's a rock wall there that's a WPA-era rock
11 wall built in the '30s. Again, on the left, this is the
12 corner of Kaahumanu and Kane Street. You can see the rock
13 wall curves around that corner. It ends shortly after it
14 comes around on Kane Street. And here's a view from the old
15 cafeteria building of the school.

16 A little bit of a timeline, and I'll try to go
17 through this quickly, but the Governor's Executive Order 4590
18 designated the project site for affordable rental housing, and
19 we've gone through the council process for the affordable
20 rental housing portion. Council has adopted a 201H resolution
21 granting certain exemptions for the affordable rental housing
22 portion. The civic center use is a future state project from
23 DAGS. It was not part of the 201H application, so no
24 exemptions were sought. And I already talked about the
25 transit hub has already been approved and built.

1 There was an EA that was done for the project in May
2 2022 when HHFDC accepted the final EA and finding of no
3 significant impact. And then after that, HHFDC selected a
4 developer for the site, and EAH selected -- I'm sorry. HHFDC
5 selected EAH Housing to lease the affordable housing site,
6 develop, and operate an affordable housing component.

7 In March of 2024, the previously done AIS,
8 Archaeological Inventory Survey, and Historic Resources
9 Evaluation Significance Report were done, and SHPD had
10 accepted those two reports and they recommended, you know, as
11 their conditions that a Historic American Landscape Survey or
12 otherwise known as HALS report be done, that has been done;
13 that a Historic American Building Survey or HABS report be
14 done, that has been completed; and that the stone and mortar
15 boundary wall that I showed you in the photos be recorded as a
16 resource in their HICRIS, and that's been done also. They
17 also recommended that a preservation plan be prepared, and
18 SHPD has accepted the preservation plan that's been prepared,
19 and an archaeological monitoring plan be prepared, and that's
20 been completed and accepted by SHPD, too.

21 So, in December 2024, PBR Hawaii, working with EAH
22 Housing, submitted the SMA application to the Planning
23 Department. PBR Hawaii and EAH Housing also accepted the 201H
24 application to HHFDC for their affordable housing component
25 only. HHFDC approved the residential component as a certified

1 affordable housing project under the Governor's 11th
2 Proclamation relating to affordable housing. And in April and
3 May, there was a -- there was a comment period on the 201H
4 application; comments were received and responded to. In June
5 of 2025, the HHFDC board accepted the 201H application as
6 complete, and they also -- there was a draft 201H resolution
7 that was transmitted to the Maui County Council.

8 Moving along to August 2025, the Planning Department
9 had accepted the SMA application, and we were also in council
10 hearings for the 201H resolution. The Housing and Land Use
11 Committee held three meetings on the 201H resolution.
12 Ultimately, in September 2025, the full Maui County Council
13 adopted the 201H resolution. And again, that's for the
14 residential component only.

15 We went to the Urban Design Review Board in October,
16 last month, and the Urban Design Review Board reviewed the
17 project, and they voted unanimously to recommend approval of
18 the project as presented. They had no changes or comments on
19 the plans.

20 And then finally, later in October, SHPD formally
21 accepted the HALS report, the HABS report, the preservation
22 plan, and the archaeological monitoring plan, which brings us
23 to where we're at now. And if you're not familiar with the
24 project, and you may not be, we'll go through an overview of
25 the plans of each component. First, I'll do a little bit of

1 an overview, then I'm going to bring up the architects for
2 each component to go over the project plans.

3 So, just a general oversight -- overview, the whole
4 project site area, these two components, is about 4.8 acres.
5 It's a portion of a single TMK. It does not include the
6 transit center. For the affordable housing component, it's
7 303 units, one to three bedrooms. It includes two managers'
8 units that are non-revenue-generating units, so there are 301
9 affordable housing units that will be for rent.

10 The AMI range for the affordable housing is 30 to 60
11 percent of the AMI. The total floor area is about 375 square
12 feet for the affordable house. The FAR is 2.2, and this is
13 one of the exemptions that the council granted. The FAR for
14 this site is actually 2, so a slight increase of FAR was
15 granted by the council. The parking stalls are 298. This was
16 another exemption that the council approved. Normally, the
17 county code requires two parking spaces per unit, so we're
18 roughly about one parking space per unit, and that's been
19 approved by the council. The number of buildings is two.
20 There will be two different -- or two side-by-side unified
21 buildings as part of the 201H Affordable Housing Project, six
22 stories high.

23 On the civic center portion, it's a total of about
24 72,000 square feet of floor area, office space -- that
25 includes office space and classroom space. This is a -- HSPLS

1 is the Hawaii State Public Library System Innovation Center.
2 And the number of buildings, one, stories is five stories, and
3 the parking stalls for the civic center component are 190.

4 And to talk about the residential component, Janice
5 Li from -- Janice Li, sorry, from Maui Architecture will talk
6 about that.

7 MS. LI: Good morning. My name is Janice from
8 Lowney Architecture, here to talk about the residential
9 component of the project. So here you --

10 CHAIR THAYER: Sorry. Can you promise to tell the
11 truth?

12 MS. LI: Oh, yes. Sorry. Yes, I promise to tell
13 the truth.

14 CHAIR THAYER: Thank you.

15 MS. LI: Here you see a rendering of the project
16 from Kaahumanu Avenue, from that intersection with Kane. As
17 Tom mentioned, there are two buildings, and we can talk about
18 that more on the next slide, which is a site plan. Here you
19 see a site plan of the project. We have West Kaahumanu Avenue
20 on the north side of the project, Kane Street on the west
21 side, we have some neighbors on the east side, and then we
22 have Vevau on the south side. The residential components are
23 on the north side of the project, and the civic center is on
24 the south side of the project.

25 Next.

1 Here is a landscape plan that we are providing, both
2 the required parking trees and also the street trees. Our
3 landscape architect is here, Pam. She's available to answer
4 questions specific to the landscape design later on, but they
5 did consult with Maui Green and Beautiful in selecting
6 appropriate plant species for the project that are appropriate
7 for this location in Maui.

8 Next.

9 And here's the plant palette that they worked on
10 together with Maui Green and Beautiful.

11 And here's the grand floor plan for the residential
12 component. So we have mostly parking -- surface parking on
13 the ground floor, along with some common amenities for the
14 residents. So, on the -- starting from the left side of the
15 page, we have a multipurpose room. On the top, coming down,
16 we have laundry. We have bike storage, we have offices, we
17 have mailboxes, and the lobby entrance for Building 1.

18 And then moving to the right side of the page, we
19 have a playground area in the middle, and then we also have
20 the lobby and mailboxes, and kind of mechanical/electrical
21 rooms for Building 2 of the project. And then on the very
22 right, we also have a little dog park.

23 And then moving up the building, on the second floor
24 of the building, we started to have the units, which is a
25 mixture of one-, two-, and three-bedroom units. On the top

1 edge of the page, on the U-shaped building, we have a
2 recreation -- outdoor recreation deck, and they're flying by
3 the fitness room, and also an activity room.

4 On the L-shaped building, we also have -- they also
5 have their own recreation deck, and those are flanked by their
6 laundry room and also their activity room and fitness room.

7 Then going up, floors 3 to 6 become the typical
8 floors that they're all residential units, one-, two-, and
9 three-bedroom units.

10 Here is a rendering of the project and more of a
11 bird's-eye view to show how it fits into the neighborhood. We
12 are -- for the building design, we're selecting a palette of
13 earth tone colors so that with the intention of blending into
14 the neighborhood and also into Maui's kind of natural
15 surroundings.

16 Next.

17 Here's another view showing the harbor in the
18 distance and also the Maui -- UH Maui campus in the distance,
19 and the hotel across the street.

20 And here's another view of the projects, and you can
21 see that there's an existing historical wall that we're
22 keeping, we're not touching, we're preserving it, so you can
23 see the wall wrapping around that intersection.

24 Here is the final view of the U-shaped building with
25 the recreation deck in the middle, and the view out to the

1 hotel across the street and the harbor beyond for the
2 residents in this U-shaped building.

3 That's it. And I'll hand it over to Si Kim from
4 Architects Hawaii for the civic center component.

5 MR. KIM: Hello, everyone. Thank you. My name is
6 Si Kim from Architects Hawaii.

7 Next slide.

8 CHAIR THAYER: Do you promise to tell the truth?

9 MR. KIM: Yes, I promise. I promise to tell the
10 truth.

11 CHAIR THAYER: Thank you.

12 MR. KIM: So, for the civic center component, we
13 also have online Dora Choy and some other staff representing
14 DAG. We're representing them for the architectural work.

15 I guess to start the civic center side, I want to
16 start with the site plan. You know, with any development --
17 maybe the next page -- you know, the trick is the housing
18 side's -- again, it's on the upper portion of the site, and
19 then it's divided by a shared drive, and so hence -- and then
20 the right corner, bottom side, we have the metro existing hub.
21 So, due to that, it was a challenge for us with that L-shape
22 and the exposure that we needed to have for the civic center.
23 So, obviously, we thought, okay, the garage has to be on the
24 right side, and the share drive alone is kind of --

25 Oh, another fact is that we couldn't have an access

1 for the project on Kaahumanu; that was a specific guideline
2 that we had to follow. So, hence, because of the shared
3 drive, we needed another access, right, for the project. I
4 mean, this is a huge project. And so what we're doing there
5 is following the EA diagram, where we have the shared road
6 accessible to an entry, a primary entry for Vevau Street. We
7 also met with the Fire Department, Maui Fire Department, and
8 the chief, to confirm the location, and they were -- they
9 confirmed so.

10 Again, so the parking garage is off to the left.
11 Obviously, on the intersection of Kane and Vevau, you have the
12 civic center and again, the uses that Tom mentioned earlier.
13 We have the education sector, we have the innovation center,
14 but primarily, it's for the offices, about 50,000. So total
15 72,000 K of floor area.

16 On our portion of the site, we're about 1.56 acres,
17 so we're -- again, we're at 2 to 1 FAR, so that would be a
18 roughly 3 acre, but for our site, we're only utilizing half of
19 that, which is 72,600. Again, parking, we have about 190,
20 that's a garage, five levels. But for the civic center on the
21 intersection is four levels because the civic center is high
22 and the garage is shorter.

23 Okay. Next slide.

24 So, see on the second level we have primarily the
25 school -- oh, again, as you -- Tom mentioned earlier, the

1 McKinley School of Adults -- Community School of Adults, they
2 will be relocating here once this is built. So they'll
3 probably for now -- we're not sure yet -- they'll be at Maui
4 High, where they have the new conference center that they just
5 built. So they'll be staying there temporarily or somewhere
6 else, and then will be coming back into the civic center once
7 it's built.

8 Okay. And then again, the garage off to the left.
9 We have a corridor that connects into the civic center. A
10 little terrace off to the top. Sorry, I'm trying my best.

11 And then the third level, again, primarily for the
12 DAG offices, state offices, and the garage off to the right.

13 And then level four, the same thing, offices on the
14 top level with the garage parking.

15 Next page.

16 And then a little mezzanine space. Because of the
17 shape that we're using for the architect, it's very iconic,
18 and so -- sorry. As you can see, it's a curvilinear form. We
19 wanted to represent Kahului Bay. We also wanted to represent
20 something that's --

21 Oh, thank you so much.

22 DIRECTOR BLYSTONE: Yeah. That helps.

23 MR. KIM: Okay. So, yeah, so because of the
24 opportunity we have in the form of representing the wave --

25 Yes, please. Thank you. Yes, right there.

1 So that's the view from Kane Street. So in the
2 center, you'll see that shared drive that separates the
3 housing on the left, and far away, you'll see the civil
4 center. But you see the incline there. So we're proposing a
5 mezzanine space up there that might have views to the ocean.
6 And again, the height restriction for the site, for the B2
7 zone, is 90 feet. We're way under that. We're 79 feet on the
8 highest point, and the lowest point on the intersection is at
9 59 feet. Average 65 in the middle, so --

10 Yeah. Again, that was my explanation of the
11 mezzanine. We're taking the opportunity of that. And again,
12 it's a -- it's a very modern urbanistic way of representing
13 the Polynesian -- that's with the curved and the Dickey roofs.

14 Okay. And then another view from the shared drive.
15 This is another view from Kane and the intersection of Vevau.

16 Thank you. Next page.

17 This is the main entrance, right, from Vevau going
18 into the project, and then, you know, you'd take a right into
19 the parking garage. And you see the core has a bridge
20 connection from the garage to the civic center.

21 Next.

22 Again, another kind of entry view of the ground
23 level.

24 Next.

25 MR. SCHNELL: Go back to the --

1 MR. KIM: Okay. That is all. Thank you.

2 MR. SCHNELL: We wanted to keep our -- we wanted to
3 keep our presentation short, so I'm sure you'll have
4 questions, so we're available to answer questions.

5 CHAIR THAYER: Thank you very much.

6 Is there anybody signed up to testify?

7 MS. SANGER: Yes, Chair. In person, we'll start off
8 with Aliko Biniaris.

9 MS. BINIARIS: Hi, everyone. Okay. So, I am a
10 Department of Planning employee, and I have taken time off to
11 testify today. I'm testifying on my own behalf in a personal
12 capacity, not as a department representative, and my testimony
13 reflects my personal views and opinions.

14 CHAIR THAYER: And you promise to tell the truth.

15 MS. BINIARIS: Yes. Well, they're my opinions, so
16 -- okay.

17 So, the first thing, I have a couple of comments on
18 the housing component. I recently moved into an apartment,
19 and living in a small space, there are a couple of things that
20 I found really useful. The first is a lot of people here
21 surf, and I don't know that there's any, like, surfboard or
22 paddleboard storage in the facility. I saw some bike storage,
23 which is great. But those items that are really hard to store
24 in small apartment spaces, and a lot of the local community
25 does participate in those kinds of recreational activities, so

1 having something on-site for, like, paddleboard or board
2 storage, I think would be great.

3 Also, having at least one deep elevator that you
4 could walk a mattress or a couch into, go up to your
5 apartment, then walk it back out, instead of trying to
6 maneuver a very small elevator space, is also very useful for
7 people.

8 The next thing is that multipurpose space on the
9 corner of Kane and Kaahumanu. If this is a social space for
10 the people that live there, I'm wondering why it is not -- why
11 we haven't moved the playground adjacent to that space so that
12 parents can be doing things, meeting people, and still keeping
13 an eye on their kids.

14 Also, I don't really like having the playground in
15 the middle of the parking lot surrounded by fumes, having
16 small children crossing streets where people are reversing and
17 can't see them over their bumpers. And if you'd move to the
18 corner or somewhere else -- I don't know what the design
19 solution would be -- when you go down those elevators, they
20 could walk without crossing the street or the parking lots to
21 get to their playground.

22 Okay. Let's see. The next is I would also like to
23 see a pedestrian path plan for the site so that as this space
24 in Kahului gets more developed, we can connect to different
25 pedestrian plans for different sites and so that we can see

1 where people are walking, where we plan for them to walk from
2 one site to another, so we can shade it and make it a pleasant
3 walk for them.

4 UNIDENTIFIED SPEAKER: Thirty seconds.

5 MS. BINIARIS: Oh, okay.

6 How are they getting from the apartment place down
7 to the transit hub?

8 The other thing I have is three crosswalks: Kane --
9 crossing from the apartment place to Foodland, crossing from
10 the apartment place to the beach, and crossing on Puunene.
11 Those are incredibly dangerous places, especially with the
12 multiple lanes of Kaahumanu. I think those need to be lighted
13 pedestrian paths or a pedestrian bridge or something to make
14 that safer if we're going to develop it as a housing area.

15 UNIDENTIFIED SPEAKER: Time.

16 MS. BINIARIS: Thank you.

17 CHAIR THAYER: Questions for the testifier? Yeah,
18 Commissioners. I just -- I'm curious -- oh, go ahead,
19 Commissioner Kealoha.

20 COMMISSIONER KEALOHA: Oh, I was going to ask you if
21 you wanted to -- if there's anything else that you had.

22 CHAIR THAYER: You have to clarify.

23 COMMISSIONER KEALOHA: Okay. I have to ask an
24 actual question. My question was: Do you have anything else
25 you want to --

1 CHAIR THAYER: A clarifying question.

2 COMMISSIONER KEALOHA: No, I don't have any more
3 clarifying questions.

4 CHAIR THAYER: I guess your position on the project
5 would be approved, but consider these changes?

6 MS. BINIARIS: Yeah. I just think it would improve
7 the project.

8 CHAIR THAYER: Okay. And then the crosswalk over to
9 Puunene Avenue -- sorry, your three crosswalks were to
10 Foodland, to just straight makai, and then over to Puunene,
11 across Puunene Avenue, like going to Maui Mall?

12 MS. BINIARIS: Yeah.

13 CHAIR THAYER: Okay.

14 Questions, Commissioners? Vice Chair.

15 VICE CHAIR LINDSEY: Do you have any other comments?
16 I know you started going into safety. Are there other safety
17 concerns that you didn't have a chance to mention?

18 MS. BINIARIS: Mainly those three crosswalks, just
19 because people are -- you can walk up to the part that's
20 lighted, but if they have to walk up, cross, walk back down,
21 people are just going to jaywalk. They go the most direct
22 route, so that's -- the crosswalks were the main ones for
23 safety, and that playground.

24 VICE CHAIR LINDSEY: Thank you.

25 CHAIR THAYER: Other questions, Commissioners?

1 Commissioner Lind, sorry, if -- you're small on the
2 screen right now, so if you have a question, please make big
3 movements.

4 Okay, all right. I think -- Oh, Director.

5 DIRECTOR BLYSTONE: It would be great if the
6 applicant would stop sharing screen. Thanks.

7 CHAIR THAYER: Oh, there we go.

8 DIRECTOR BLYSTONE: There we go.

9 CHAIR THAYER: We can see you better, Commissioner
10 Lind.

11 Okay. And seeing no more commissioner questions for
12 the testifier, does the applicant have any questions for the
13 testifier?

14 (No response.)

15 CHAIR THAYER: Seeing none, I think, so -- okay,
16 thank you for your testimony.

17 MS. BINIARIS: Thank you.

18 CHAIR THAYER: Other testifiers?

19 MS. SANGER: No one else in person, but I do have
20 two online, so we'll start with Johan Lall, to be followed by
21 Tom Croly.

22 CHAIR THAYER: Okay. Mr. Lall, please state your
23 name and promise to tell the truth.

24 MR. LALL: Johan Lall. I swear to tell the truth,
25 and I'm testifying on my own behalf.

1 So in general, I'm in favor of this kind of project
2 and especially because it's in the Kaahumanu community
3 corridor which is kind of designated as an area where we want
4 to have in-fill development and walkability and all of that
5 kind of stuff, so -- and you know, it's important to have a
6 level of density that facilitates that, so I'm in support of
7 the six stories. I would actually prefer even more.

8 I know some people don't like the design. I like it
9 because I'm from Texas, and it looks exactly like the
10 apartments they're building, you know, in recent years here in
11 Austin, where I am right now, so it kind of recreates what I'm
12 used to.

13 I did notice some things that surprised me. In the
14 staff report on page 160 -- or maybe it's -- no, it's page
15 164. It says the -- it's notes from the Housing and Land Use
16 Committee. It says that the director of Public Works objected
17 to exemptions to constructing sidewalks, curbs, etc., because
18 of the issues with complete streets, and you know, which also
19 relates to the corridor and walkability and all of that. So,
20 I would review that stuff very carefully.

21 The trees, I was surprised that it was reviewed by
22 Maui Green and Beautiful because they're removing mature
23 trees. You know, it -- if I was in charge of designing
24 projects, I would start with what's there and I would try to
25 preserve trees as much as possible because, you know, even

1 though they may not be native trees, they are shade trees, and
2 urban shade trees are few and far between, especially in
3 Central Maui, so, you know, if there's any way to preserve
4 those. And I know the discussion always ends up with native
5 trees, and it's like, okay, we'll put in some native trees,
6 but those won't be shade trees within our lifetimes. So even
7 though a tree is not native, it's still important. And you
8 know, I mean, think if that really tiny play area in the
9 middle of the parking lot was instead surrounded by some grass
10 and was placed right where that big tree is. Think of the
11 generations of kids who could be climbing on that tree,
12 playing in the shade, you know, instead of in the middle of
13 concrete with the heat island effect --

14 UNIDENTIFIED SPEAKER: Thirty seconds.

15 MR. LALL: -- surrounded by car exhaust.

16 Oh, is that my time?

17 CHAIR THAYER: Thirty seconds.

18 MR. LALL: So, you know, please review this project
19 carefully. Please don't get bogged down in like really tiny
20 details. Look at the project as a whole, look at the input
21 from the other departments. You know, this is -- it's going
22 to be generations of people who live here. And I've spent --
23 I've spent most of my life in apartments. It's really
24 important that apartments be nice places to live.

25 UNIDENTIFIED SPEAKER: Time.

1 MR. LALL: Mahalo.

2 CHAIR THAYER: Thank you for your testimony.

3 Commissioners, any questions for the testifier?

4 (No response.)

5 CHAIR THAYER: Okay. Seeing none, Applicant,
6 questions for the testifier?

7 MR. SCHNELL: No questions.

8 CHAIR THAYER: Okay. Thank you for your testimony.

9 MS. SANGER: And the next person is Tom Croly.

10 MR. CROLY: Aloha, Commission. Tom Croly testifying
11 on my own behalf, and I do promise to tell the truth.

12 I am not a traffic analysis specialist, but my
13 concern about this particular project is that it just looks
14 too dense. When I saw this come up at the council, and they
15 granted the affordable housing component both a waiver of
16 parking spaces, there the expectation was the people who live
17 there are going to ride bicycles, and they're going to walk,
18 and they're going to use the bus to get around as opposed to
19 driving cars. Well, great. I'm not sure that they will. I'm
20 not sure that it's a good idea to not even have one parking
21 space per unit, particularly when some of these units are
22 three-bedroom units, but that's -- the council let that go,
23 but they did not discuss the civic center component at that
24 time. And when I see the civic center component and another
25 190 parking spaces there, I wonder just how much of a traffic

1 impact this is going to be, and I also am highly concerned
2 about the idea that the majority of people are going to be
3 walking in or biking in this area. 'Cause I know from driving
4 through this area, as everyone does, that it is a highly
5 congested area right now, and adding the amount of cars and
6 impact to that area, I just don't think it makes sense.

7 It would seem to me that this civic center component
8 would be better located somewhere else rather than here. I
9 looked through the report to see what the specialists who do
10 comment on this have to say, and I did not find enough
11 information from the Department of Transportation and others
12 to make me feel sound that people riding bicycles in and out
13 of this place are going to be safe, that people can safely
14 walk to where they need to walk to, and that the traffic
15 impact on Kaahumanu Avenue is not going to be extreme.

16 I know that when I leave the county complex and I
17 head to Costco, it's a whole lot longer trip than I expect it
18 to be, primarily because of the backup that happens at exactly
19 this corner. So my concerns primarily are that the density is
20 too great in both components, both the housing that has
21 already been approved through the 201H, but particularly with
22 this idea --

23 UNIDENTIFIED SPEAKER: Thirty seconds.

24 MR. CROLY: -- that the civic center may draw, you
25 know, hundreds of people for some type of event. It wasn't

1 clear to me exactly what type of events are going to happen
2 and what the traffic flow would be at any given time. But
3 those are concerns I'd like the commission to look into as
4 they evaluate this project.

5 Thank you, Chair.

6 CHAIR THAYER: Thank you for your testimony.

7 Commissioners, any questions for the testifier?

8 (No response.)

9 CHAIR THAYER: Okay. Seeing none, does the
10 applicant have any questions for the testifier?

11 MR. SCHNELL: No questions.

12 CHAIR THAYER: Okay. Thank you again.

13 Anybody else?

14 MS. SANGER: There's no one else, Chair. Thank you.

15 CHAIR THAYER: Okay. This will be the last call for
16 public testimony. If anybody in the gallery wants to testify,
17 you can come and step up. Anybody online seeking to testify,
18 you can raise your hand, write to staff in the chat, or unmute
19 yourself. Otherwise -- I don't see anybody popping up, so
20 we'll do last call. Testimony closes in three, two, one.

21 Okay. At this juncture, I think we have -- our
22 lunch came in right now. Commissioners, I hope you have your
23 questions written down. Are you okay if we take a break to
24 grab our food, and then we can come back into questions?

25 (No response.)

1 CHAIR THAYER: Yep? Okay. It's 12:02. Can we take
2 a -- how long do you need, 15, 20 minutes? Fifteen?

3 (Response.)

4 CHAIR THAYER: Yeah, okay. It's 12:03 right now.
5 Let us come back at 12:20. Thank you, everybody.

6 (Pause in proceedings: 12:03 p.m.-12:20 p.m.)

7 CHAIR THAYER: Okay. Thank you, everybody, for your
8 patience as we got a little lunch in us. Welcome back to our
9 Maui Planning Commission meeting of Tuesday, November 25th.
10 We are picking up on Item A3, the Kahului Civic Center
11 Mixed-Use Project, seeking a Special Management Area Use
12 Permit for this project. And we are on to commissioner
13 questions for the applicant or the department.

14 Commissioner Kealoha.

15 COMMISSIONER KEALOHA: I have a question for the
16 department. I guess, as I'm thinking about the walkability of
17 this new place -- I can't remember. It was a year ago, maybe
18 longer, that we saw a presentation about Kaahumanu Center.
19 Kaahumanu. And I'm just wondering, like, if that's moving
20 forward or what is the -- if there -- if anybody knows what
21 the long-term plan is for Kaahumanu.

22 DIRECTOR BLYSTONE: There hasn't been any
23 application, so --

24 COMMISSIONER KEALOHA: Okay.

25 DIRECTOR BLYSTONE: They were talking about that

1 they were going to have housing and then do a mixed-use type
2 of thing, but I -- there's nothing moving forward, no.

3 COMMISSIONER KEALOHA: Okay.

4 CHAIR THAYER: Vice Chair.

5 VICE CHAIR LINDSEY: I had questions on the design
6 of the building. Like the U-shape, I could see it being able
7 to allow you for density reasons, but because of the mauka to
8 makai, like, breezeways, I'd imagine air getting kind of stuck
9 in the back U portion of the design. Has breeze and our
10 weather been a thought in this design process, and can you
11 walk us through that?

12 MR. SCHNELL: I think that Janice from Maui
13 Architecture would be the one to talk about that.

14 MS. LI: Yes. We -- it's not a very tall building,
15 and it's also -- we're not surrounded by a lot of other
16 buildings. I mean, it is -- the project itself is high
17 density, but we're not in a very high-density neighborhood, so
18 we don't really foresee that being an issue. And also, the
19 parking level is raised and open, so there's -- it's not a
20 solid building that blocks out breeze.

21 VICE CHAIR LINDSEY: I'm talking about like the
22 interior corridor, just for those people in there, it's not --
23 like we're on Maui, we have up to nine-story buildings, which
24 you can't build anymore, so I understand if you're used to
25 like a larger, more dense location. But for us, this is very

1 dense and very tall, which I -- I think it's fine at six
2 stories, but -- so that's not my issue. But just the breeze,
3 the breezeway, and taking advantage of that. I know in, like,
4 cities and corridors and even when we went to Lahaina, it --
5 after all the buildings were gone, even though they were
6 short, they blocked the breeze. And so now, if you go there,
7 it's like you can feel the air moving through there that you
8 couldn't feel before. Have you considered that in this
9 design?

10 MS. LI: Yeah, so if you're -- if you're referring
11 to the residents living in the building, so the corridors
12 themselves are mechanically ventilated, and then each units
13 are -- at the moment, they're naturally ventilated with
14 ceiling fans, and there's also provision, if the residents
15 feel that they need to install AC, there's provisions for
16 that.

17 VICE CHAIR LINDSEY: So it hasn't -- you didn't
18 answer the question. Has it been considered?

19 MS. LI: Yes.

20 VICE CHAIR LINDSEY: The wind, the breeze.

21 MS. LI: Yeah. Well, we recognize that we are
22 building a building, and so there will be some blockage, but
23 to ensure the residents' comfort, that we have considered all
24 of that. But there's -- right now, there's ceiling fans, and
25 there's also provisions for them to install AC if they want

1 to.

2 CHAIR THAYER: A follow-up question to that, and
3 then Commissioner Ward. Like all of these buildings that are
4 on Kaahumanu Avenue, like the frontages, are those windows
5 able to open up to the breeze?

6 MS. LI: Yes.

7 CHAIR THAYER: For cooling.

8 MS. LI: Yes.

9 CHAIR THAYER: And all -- I guess, all of the units,
10 for that matter, are able to open up for the breeze.

11 MS. LI: Yes.

12 CHAIR THAYER: Okay. Commissioner Ward.

13 COMMISSIONER WARD: Thank you, Chair.

14 I was going -- I think where Commissioner Lindsey
15 was going was the interior space that's the outdoor space.
16 The units themselves might have ventilation with fans, but
17 that interior space in the center of the U is probably not
18 going to have airflow.

19 MS. LI: If there -- the U is very wide apart, so
20 they're not very -- it's not like they're close together. And
21 the spaces that are inside the U besides the units on the
22 ground level, again, they are open. It's an open parking
23 area, so it's not -- and we're not envisioning people will be
24 congregating there for long. It's a parking area.

25 COMMISSIONER WARD: (Inaudible comment.)

1 MS. LI: The hallways?

2 COMMISSIONER WARD: (Inaudible) conditioning in the
3 hallways?

4 MS. LI: The interior corridors are also not for
5 congregating. People will walk to their units.

6 COMMISSIONER WARD: (Inaudible) ventilation?

7 MS. LI: They have ventilation, yeah, for sure.
8 Sorry, I didn't catch that question.

9 CHAIR THAYER: Okay. Do you have a question? Okay,
10 Commissioner Kealoha, and then Commissioner Elizares.

11 COMMISSIONER KEALOHA: I guess to follow up, where's
12 the wind coming from? Is it coming -- is it trades, or is it
13 the ocean and land breeze that's coming back and forth? What
14 direction are the prevailing winds?

15 MS. LI: I think it's depending on the time of the
16 year, but mostly from the harbor side.

17 COMMISSIONER KEALOHA: Okay.

18 CHAIR THAYER: Commissioner Elizares.

19 COMMISSIONER ELIZARES: The same question. If you
20 could -- I mean, this is in the shape of a Kahului and --
21 well, part of your presentation was that the design was to
22 represent Kahului, like an apu or a cup, so in this
23 arrangement of our Kahului at this table, you are the harbor,
24 you would be Kahului Harbor, which extends out past that way,
25 which direction is the wind? Because in the picture, there's

1 a playground in the center and the --

2 CHAIR THAYER: It's off to the side in the more open
3 area. There's no playground inside the U.

4 COMMISSIONER ELIZARES: It's not in the U?

5 CHAIR THAYER: No, not -- there's like a U and an L,
6 and it's in the L.

7 COMMISSIONER WARD: The U, which is in -- that's --

8 CHAIR THAYER: Or maybe like a J.

9 COMMISSIONER WARD: That's in the northern --

10 MS. LI: Should we share the screen?

11 CHAIR THAYER: Do you want the handout?

12 COMMISSIONER ELIZARES: No, I just --

13 MS. SANGER: I think it's over here. Page 26 has a
14 (inaudible) relative to the Kahului Harbor.

15 COMMISSIONER ELIZARES: Yeah. I'm not certain, and
16 I think it goes to your question, Vice Chair, about which --
17 or both of yours about which direction is the wind coming
18 from. Did they do a study that shows that the wind moves --
19 that these are not impeding the moae winds, perhaps?

20 MR. SCHNELL: If I can, so the building faces north
21 generally towards the harbor, and prevailing trade winds
22 usually come from the northeast.

23 COMMISSIONER ELIZARES: Okay.

24 CHAIR THAYER: Commissioner Kealoha.

25 COMMISSIONER KEALOHA: Well, actually, now I'm

1 confused. There's -- I guess is the -- is the wind direction
2 from the northeast, or is it going to be the ocean-land breeze
3 that's generated? 'Cause you said it was coming from Kahului
4 Harbor, and you said it's trade winds, but there's two types
5 of winds. Like, even though there's trade winds, if you're on
6 the beach right by the ocean, you're going to get the
7 ocean-land breeze because of the heating, right, and the
8 cooling?

9 COMMISSIONER ELIZARES: (Inaudible comment.)

10 COMMISSIONER KEALOHA: So which is -- which is the
11 dominant, which is the dominant wind here?

12 MS. LI: Tom is correct, it's more from the --

13 COMMISSIONER KEALOHA: It's the northeasterly
14 trades, okay.

15 CHAIR THAYER: Vice Chair.

16 VICE CHAIR LINDSEY: What about the shading of the
17 neighboring properties? Has that been a consideration?
18 Because this is relatively tall, especially for Maui, and
19 there aren't very many tall buildings next door, you could be
20 potentially shading -- you will be shading your neighbors at
21 some point during the day. What are those uses, and is it
22 okay to shade that?

23 MS. LI: I think the nearest project we have is, I
24 think, a gas station to the east.

25 MR. SCHNELL: On Kaahumanu, there's a gas station or

1 an auto repair business, I think, and then on Vevau Street,
2 there's the -- I think it's called Waterfront Apartments.
3 It's a four-story building. It's an affordable rental
4 apartment project also on this side over here.

5 VICE CHAIR LINDSEY: And do you anticipate much
6 shade?

7 MS. LI: Because we're kind of more to the north and
8 the sun is kind of going around on the south, so no, we don't
9 anticipate --

10 MR. SCHNELL: So there won't be -- you know, the sun
11 is coming up this way, there will not be morning shading of
12 these buildings. You know, as the sun sets over the West Maui
13 Mountains, then these buildings would provide some shade for
14 the next-door apartments.

15 VICE CHAIR LINDSEY: The sun is going to go like
16 over that like almost diagonally.

17 MR. SCHNELL: Right, right, right.

18 VICE CHAIR LINDSEY: Yeah. So most of the shade
19 would actually land on the road in the morning?

20 MR. SCHNELL: Yeah, in the morning, it would, yeah.

21 VICE CHAIR LINDSEY: Yeah. And then the gas
22 station.

23 MR. SCHNELL: The gas station is going to get
24 morning sun.

25 VICE CHAIR LINDSEY: But the gas station is going to

1 get evening -- afternoon shade.

2 MR. SCHNELL: It'll get a little bit of shade, yeah.

3 VICE CHAIR LINDSEY: Okay.

4 COMMISSIONER ELIZARES: I have another question.

5 CHAIR THAYER: Commissioner Elizares.

6 COMMISSIONER ELIZARES: The visuals from -- from the
7 road coming off of Kaneloa Avenue, with your elevation, like
8 for -- for us, we use that road every single day -- most of
9 us. Anyway, what is the impact to the visuals of Haleakala
10 and the movement of the sun at Haleakala? Are you stopped
11 there? Does it impact your neighbors who may be staying at
12 the hotel across the street or the -- the other -- what is it
13 called? Like right --

14 MR. SCHNELL: I know, the new hotel there. I forget
15 what it --

16 MS. LI: Days Inn.

17 MR. SCHNELL: Days Inn, I think it's called.

18 COMMISSIONER ELIZARES: I was thinking more down the
19 road, where it's more residential. It used to smell of limu
20 in the night.

21 CHAIR THAYER: Harbor Lights.

22 MS. LI: Harbor Light.

23 COMMISSIONER ELIZARES: Harbor Lights. Do the
24 elevations of the building impact those? Have you guys
25 checked with your guys' neighbors about that, the views?

1 MR. SCHNELL: Let me share my screen.

2 MS. LI: Tom is trying to share his screen.

3 MR. SCHNELL: So Harbor View is over here -- Harbor
4 Lights, yeah. Haleakala is such a dominant landscape feature,
5 you know, feature, the building is only 78 -- what 76 feet
6 high, 79? The high limit there is 90 feet, so we're below the
7 height limit. It just depends on your perspective. From
8 Harbor Lights, it's probably a minimal impact, I mean, they
9 will see the building, but they'll also see Haleakala in the
10 distance also.

11 COMMISSIONER ELIZARES: Okay. It's not going to
12 block Haleakala?

13 MR. SCHNELL: I don't think it'll completely block
14 it. It'll be, you know, lower down on the plain, but I mean,
15 Haleakala is 10,000 feet high, you know.

16 COMMISSIONER ELIZARES: Thank you.

17 CHAIR THAYER: Commissioner -- or sorry. Vice Chair
18 Lindsey, and then Commissioner Kealoha.

19 VICE CHAIR LINDSEY: On views also. So, before,
20 this was before the Wailuku Redevelopment Agency, and one of
21 the views that the Central Maui people really advocated for
22 was the view into Wailuku Valley, like where it comes
23 together. How -- what kind of impact will it have on that
24 view?

25 MR. SCHNELL: I think it will have very minimal

1 impacts.

2 VICE CHAIR LINDSEY: Like coming up the road.
3 That's kind of like people's memory. They're like, If you
4 drive into Kahului, we're looking up, we're on our way to
5 work; that part.

6 MR. SCHNELL: I just -- I think of it as, you know,
7 if you're coming on Kaahumanu and you're driving past
8 Kaahumanu Shopping Center, you know the view better than I do,
9 what's your view up towards Iao Valley from there?

10 VICE CHAIR LINDSEY: That's right where it kind of
11 starts.

12 MR. SCHNELL: Yeah.

13 VICE CHAIR LINDSEY: Right where the project is,
14 which is why --

15 MR. SCHNELL: Yeah.

16 VICE CHAIR LINDSEY: It'd probably start -- is that
17 view ending -- going to change like a hundred yards a little
18 bit further because this project exists or --

19 MR. SCHNELL: If you're driving, maybe for, you
20 know, a brief amount of time as you're driving by.

21 MS. SANGER: Well, if you look at Google Street
22 View, I think the angle is actually -- it doesn't go (pause)
23 -- but to -- I mean, to see the valley, you would be on the
24 makai side of Kaahumanu, so you're actually further away from
25 the building. It shouldn't -- I can't imagine it would

1 obstruct, but --

2 VICE CHAIR LINDSEY: Because the way Kaahumanu
3 Avenue points at that intersection is actually towards like
4 Maalaea.

5 MS. SANGER: Yeah, and then you make the turn.

6 VICE CHAIR LINDSEY: And then the valley is like
7 akau.

8 CHAIR THAYER: Commissioner Kealoha.

9 COMMISSIONER KEALOHA: Sorry. I wanted to follow up
10 on Commissioner Elizares's, because I felt like he asked if
11 the -- if the view of Haleakala was going to be blocked, and I
12 felt like the answer was like -- it didn't seem like you
13 really knew because nobody really looked into it, which makes
14 me feel very uncomfortable. It sounds like your method might
15 be like you're doing the analysis right now, the view
16 analysis.

17 MS. SANGER: If you look on street view, you can see
18 --

19 CHAIR THAYER: You can see Haleakala, but what if
20 you put, I guess -- well, I guess how does -- a question on
21 this vein is -- the apartments that are there on the east side
22 of this, how do those compare in height to this?

23 MR. SCHNELL: Those are four stories; we're six
24 stories.

25 CHAIR THAYER: Okay. So this will be taller than

1 that. Okay.

2 COMMISSIONER KEALOHA: And how tall is --

3 CHAIR THAYER: Go ahead.

4 COMMISSIONER KEALOHA: How tall is, like, Kaahumanu,
5 and how tall is that other new hotel? Like is -- how do all
6 of these -- how does this apartment complex compare to the
7 surrounding tall buildings?

8 MR. SCHNELL: I think the Days Inn is four stories,
9 perhaps, maybe five stories.

10 MS. LI: But stories and feet are different, right?
11 Like --

12 MR. SCHNELL: I think roughly --

13 MS. LI: Because you develop to the same height. We
14 did that -- sorry, I don't have that information. We did look
15 at all the taller buildings in our neighborhood, including the
16 new hotel, I think it's the Hampton Inn. We're all -- we're
17 within ten feet of each other.

18 COMMISSIONER KEALOHA: So is your building the
19 tallest building or -- like how does --

20 MS. LI: I have to find that. Let me get that
21 information and get back to you.

22 CHAIR THAYER: Along this, was there a view analysis
23 done?

24 MR. SCHNELL: Not toward --

25 MS. LI: Not toward Haleakala.

1 MR. SCHNELL: There was no specific view analysis
2 done.

3 CHAIR THAYER: Okay.

4 MR. SCHNELL: I would say the view analysis would
5 depend on your perspective and where you're at. If you're
6 standing next to the building, of course, you'll see the
7 building. If you're standing, you know, a half mile away,
8 it's probably going to blend into the landscape.

9 CHAIR THAYER: Okay, yeah, just 'cause we've had
10 other projects that are going to have -- that were SMA
11 applications and thinking about scenic view corridors and
12 views to and along the coast and to and along the highway and
13 everything like that. That's usually our reference that we're
14 able to make use of for these kinds of questions.

15 Commissioner Deakos.

16 COMMISSIONER DEAKOS: Yeah, thank you, Chair.

17 So this is a hundred percent affordable?

18 MR. SCHNELL: Yes, a hundred percent affordable.
19 We're 30 to 60 percent of the AMI.

20 COMMISSIONER DEAKOS: Is it subsidized? I mean, is
21 it a subsidized project?

22 MR. SCHNELL: Well, EAH will be applying for certain
23 funds through HHFDC, yes. You want to know the specific
24 funding sources. Questor Lau from EAH could explain that
25 better than I could.

1 COMMISSIONER CIRCLE-WOODBURN: And how does that
2 work? Again, these are -- these just remain affordable in
3 perpetuity?

4 MR. SCHNELL: So the ground lease would be for up to
5 99 years. So EAH would build and operate the building as an
6 affordable rental building for up to 99 years, and then the
7 lease would revert back to HHFDC, or they would extend it.

8 COMMISSIONER DEAKOS: Okay, thank you.

9 CHAIR THAYER: Vice Chair.

10 VICE CHAIR LINDSEY: The playground in the middle of
11 the parking lot. Can you explain what got you there? I don't
12 feel safe with my children playing in the parking lot, for
13 sure, with that kind of density.

14 MS. LI: So we did look at those concerns when we
15 were planning and designing the project, and we landed at the
16 current location with some considerations. That's so both
17 buildings can use it, so it's not kind of skewed to one side
18 of the project. And also, I think earlier some -- a testifier
19 suggested that maybe it wants to be more at the corner with
20 the multipurpose room, but to us, that's a more dangerous
21 location because that's a very busy intersection to have a
22 playground there.

23 So at the current location, it's a fenced
24 playground, so it's not just open to the parking area, and
25 there's a safe, assessable route that gets you to that

1 location. It is also located in the more open area of the
2 project, so it's not going to be shaded all day long by the
3 buildings, and it's also surrounded by more open space. So
4 from the playground, you can look across the street, there's
5 like -- it's an open -- it's an open view, so you're not kind
6 of hemmed in by buildings around you. So that's some of the
7 considerations that we thought about of like --

8 VICE CHAIR LINDSEY: I think for that location, a
9 shaded -- in the shade of the buildings for most of the day
10 would be priority. All of the -- all of the playgrounds in
11 Kahului, they were open, and they covered all of them. Like
12 even the -- the foam on the bottom started melting, the kids
13 don't use them because it's too hot there.

14 MS. LI: So it would be shaded by the building for
15 part of the day, but not all of the day, and so -- and it's
16 also where it's more open, so when we talk about like car
17 fumes, it's less likely to be trapped in that more open part
18 of the project than inside the U.

19 COMMISSIONER KEALOHA: Okay. So, in terms of use of
20 that, is that just for residents, or is that also -- I'm not
21 sure of the use of the civic area, but is either or both for
22 residents only, or is it a community space?

23 MS. LI: The residential component is for residents
24 only. The civic center is for the public.

25 COMMISSIONER KEALOHA: And the playground is a --

1 MS. LI: Is for residents only.

2 COMMISSIONER KEALOHA: Is a residential --

3 MR. SCHNELL: It's a resident amenity right -- along
4 with the recreation decks on the second floor.

5 COMMISSIONER KEALOHA: Okay. So accessing the
6 playground -- sorry, Chair.

7 CHAIR THAYER: Go ahead.

8 COMMISSIONER KEALOHA: Accessing the playground on a
9 safe route, I have a three-year-old, unless that route is
10 fenced, also, I don't feel like it's safe running through a
11 parking lot. Can you also -- can you talk about that a little
12 bit? Because I know you're trying to access it from multiple
13 places, so, you know, more people would be in the U-shaped
14 building, and then the -- you know, less people from the other
15 side, so the access may be crossing a driveway.

16 MS. LI: So if you go to a ground floor plan -- I
17 think at the end of the day, people will walk where they want
18 to walk, but there is a route that goes from --

19 CHAIR THAYER: Oh, you'll need a mic.

20 COMMISSIONER KEALOHA: Yeah, take it with you.

21 MS. LI: Okay. So here's the elevator lobby for the
22 U-shaped building, and then -- and here's the ADA parking. So
23 there's a marked route that you can go from here and go
24 through here and get to the playground. So it's used by --
25 for ADA purposes, so they need to be marked, and this needs to

1 be a certain slope and all of that, but that's the route that
2 one would take to cross over to the playground.

3 COMMISSIONER KEALOHA: So you're crossing the
4 driveway?

5 MS. LI: Yes, but it's marked. It's a marked walk.

6 COMMISSIONER KEALOHA: And will those be -- is any
7 of that lit?

8 MS. LI: Yes, there's parking light on the -- on the
9 parking level, yes.

10 COMMISSIONER KEALOHA: And for the playground, is
11 there lighting near the -- playground specific?

12 MS. LI: I -- let me double-check on that. I think
13 the parking -- general lighting for the parking is enough, is
14 sufficient for the lighting of the playground. So it's not
15 specific to the playground, but the -- all the lighting in
16 that area is sufficient.

17 COMMISSIONER KEALOHA: So I -- sorry. The
18 playground location, like it can't be, say, up against the
19 green strip at the north end? Just like trying to minimize
20 the amount of walkway that's within the traffic corridors.

21 MS. LI: I think you would -- you would have to walk
22 farther to get to the north end of the project.

23 COMMISSIONER KEALOHA: Because there's no entrance
24 or there's no, like, exit from like the L-shaped building at
25 the top of it.

1 MS. LI: Yeah. So the L-shape elevator lobby is
2 here, so they will also just go like that to the --

3 COMMISSIONER KEALOHA: Okay. So there's no exit
4 from the building on the north end,

5 MS. LI: No. I mean, there's existing openings in
6 the historical walls that, if people want to, they can use
7 that to get in and out of the project, but that's not like a
8 -- that just happens to be there.

9 COMMISSIONER KEALOHA: That's -- yeah, so the
10 residents --

11 MS. LI: But -- for the residents, yes, it's
12 expected that they would come down in the elevator lobbies and
13 get to the playground this way.

14 CHAIR THAYER: Okay. We may have to work through
15 that a little bit more, speaking about the realities of having
16 small children among cars, for sure.

17 Commissioner Elizares.

18 COMMISSIONER KEALOHA: That being said, is the
19 playground -- what is the target age range for the playground?

20 MS. LI: I think it's for any kids or adults who
21 want to use it. There's play equipment, there's benches, so I
22 don't think we're saying --

23 MR. KIM: It's more of a tot lot, I would say, or
24 you know --

25 COMMISSIONER KEALOHA: If it's grass or is there --

1 because usually, they're like one to five and then five to 12,
2 and then they -- then they kind of move on to courts after
3 that or grass. Is there --

4 MR. SCHNELL: I would say five and up. I'm not --

5 MS. LI: One to five.

6 Yeah, one to five, the landscape architect says.

7 CHAIR THAYER: Commissioner Elizares.

8 COMMISSIONER ELIZARES: Was there any thought to
9 since this playground -- obviously, we care about our kids and
10 others' kids, was there any thought to do like a bridge or a
11 sky crosswalk that -- because it's for the residents from the
12 second floor, so the children could avoid the parking lot
13 completely, or was that never discussed?

14 MS. LI: Sorry, sorry. I was trying to get the
15 height, the building height study.

16 COMMISSIONER ELIZARES: Oh, I forgot my question.

17 CHAIR THAYER: A sky bridge for the second floor.

18 COMMISSIONER WARD: A sky bridge.

19 COMMISSIONER ELIZARES: Yeah. Was it ever
20 discussed, because it's for the residents there, that the
21 second floor could have a bridge or walkway so that the
22 children could avoid the parking lots and traffic?

23 MS. LI: To get to the playground?

24 COMMISSIONER ELIZARES: To get to the playground.

25 MS. LI: I think -- well, there's also a recreation

1 deck on the second floor, too, so if there's -- people can --
2 the residents also have a choice to have -- to recreate on the
3 second floor deck if they don't want to walk through parking,
4 so it's just there's different options for recreational
5 facilities in the project.

6 COMMISSIONER ELIZARES: Right. So I'm talking about
7 my three-year-old avoiding the -- oh, if I don't apply for
8 that, then maybe I can run for county council in one year.
9 Sorry.

10 So if I choose to go to the second floor amenity,
11 and my son could walk across the sky bridge walkway that would
12 have some stairs to go down into the playground, was that ever
13 thought of, too, so that my son could avoid the traffic?

14 MS. LI: No, that's -- that's something that we
15 could consider. I think when we were designing the building,
16 we really wanted, you know, for the safety and security of all
17 the residents, that there be limited entry into the buildings,
18 so there -- like there's -- the lobbies are secure entries
19 into the building. So, adding another point of entry and
20 exit, we have to study that, but yeah.

21 CHAIR THAYER: Or could you like move the play area
22 closer to the entrance of that other residential building?
23 Like there's, it looks like, a few parking spaces on the south
24 side of the play area, like could you swap those just so then
25 you walk straight out of the building to the play area? And I

1 know we're getting into the weeds, but just thinking about how
2 practical this is, like having raised small children and
3 knowing what they are prone to.

4 MS. LI: I think we -- we studied putting the
5 playground at different parts of the project, and we have to
6 balance a bunch of different things, so including the parking
7 layout, the drive aisles, circulation, and on top of that,
8 there is an underground storm drain system that -- where we
9 cannot put the playground on top. So there's some technical
10 limitation on where we put that playground, so -- and the most
11 logical location, given all of these technical limitations, is
12 kind of where we have it now.

13 CHAIR THAYER: Commissioner Circle-Woodburn and then
14 Commissioner Ward.

15 COMMISSIONER CIRCLE-WOODBURN: Thank you.

16 I guess this is kind of a two-fold question based on
17 the discussion of the location of this play area and parking.
18 You know, I did have some questions about the total number of
19 parking of the project, and so one of those would have to do
20 with where do guests park if there's this sort of limited
21 number of parking? But in looking -- you know, playing off of
22 this discussion of pedestrian safety and getting to and from
23 this parking area, it -- was there a -- is there a way to
24 double use parking, meaning can the parking garage get bigger
25 or hold more cars and reduce some of the parking on the ground

1 level to maybe make more friendly areas or safe circulation
2 areas? I know they're different uses, the civic center and
3 residential, but evening parking for guests or residents or --
4 you know, I'm just wondering if parking could be more or
5 better double used between the two uses.

6 CHAIR THAYER: Question to the applicant.

7 MR. SCHNELL: I mean, generally, for shared-use
8 parking lots -- Well, first off, all the parking for this
9 project is on the ground level. There's no structured parking
10 for the residential component. The civic center component
11 does have a parking structure. But structure parking is very
12 expensive, and it would take floor area from the units. As
13 far as -- I'm sorry, I forgot your other part of your
14 question. Oh, shared use. Typically, for shared-use parking
15 areas, it's shared use for, let's say, residents go to work in
16 the daytime, maybe some business uses can park in the shared
17 use. But in the evening time, that's when people come home,
18 so parking would be occupied most likely.

19 COMMISSIONER CIRCLE-WOODBURN: Yeah. I was
20 wondering, can the residential -- I'm not suggesting you build
21 a parking structure, but can you use the parking structure
22 that's already being build, or can it be made a little bigger,
23 or -- it's already being constructed, right, so can the
24 residential not have any access to that?

25 CHAIR THAYER: Like, can the civic center parking

1 structure be used by the residents?

2 MR. SCHNELL: So that would be a question to work
3 out between EAH Housing, who's building the affordable housing
4 component, and DAGS, who's running the building and running
5 the civic center. But they are meant to be separate projects,
6 essentially.

7 CHAIR THAYER: Commissioner Ward.

8 COMMISSIONER WARD: Thank you, Chair.

9 So my question was that -- is there a way to move
10 the playground to the second-level recreation area? I don't
11 have children, but I have lots of nieces and nephews and kids
12 that I do care for. So, to me, I'd be -- not any more secure
13 that they're not in the parking lot, but if they're then
14 within a restricted area within the building, that child's
15 kind of stuck in there, so to speak -- in a good way -- versus
16 on the first floor where anybody can walk through the parking
17 lot. It's not even a residence. So I guess in my mind, that
18 would be my recommendation is you move it to the second floor
19 so that it's just out of the way, period, and the kids are
20 just safe overall.

21 MR. SCHNELL: So if the playground was on the second
22 floor, it would need to be elevated, probably at the expense
23 of one of the recreation decks that are on the second floor.
24 I suppose it's possible, but you probably would lose one of
25 the amenity recreation decks. There's two recreation decks,

1 one for the U-shaped building and one for the L-shaped
2 building.

3 COMMISSIONER WARD: Right. I guess where I was
4 going was take the adults down on the first floor, so kind of
5 like a recreation area. At least the adults should,
6 hopefully, be smart enough to navigate through the parking lot
7 a little bit better than a child.

8 MR. SCHNELL: One point I'd bring about -- you know,
9 for the age range of this playground, you know, if it's two-
10 to five- to seven-year-olds, I would hope the parents would
11 accompany the child to the playground and not just send them
12 down the elevator to the playground by themselves, you know.
13 You'd think it would be supervised by the parents.

14 COMMISSIONER WARD: I do speak from my reference, my
15 nieces and nephews. I have -- if I take two of them, one goes
16 this way, one goes that way.

17 MR. SCHNELL: Well, the playground area would be
18 fenced in, too, so it's not that kids could run into the
19 parking lot.

20 CHAIR THAYER: Vice Chair.

21 VICE CHAIR LINDSEY: So, can you talk about maybe
22 the recreational areas a little bit more in depth? Like, is
23 this like envisioning for birthday parties, or is it like just
24 general gatherings? Is there amenities there additionally?
25 Are they just rooms?

1 MR. LAU: I can answer this really quickly. Hi, my
2 name is Questor Lau, EAH. I swear to tell the truth.

3 On the second floor, we have a fitness room, we have
4 another activity room. We kind of leave it open to the
5 residents. So we have a resource coordinator that, you know,
6 listens to the residents and what kind of activities they're
7 interested in, and then work to bring that service or event to
8 the site. So it's not like we're programming this to be
9 fixed, used for this specific purpose. The second floor has
10 that flexibility in it, the multiple-purpose room as well.
11 So, depending on what the residents are interested in, is how
12 that space would be used.

13 CHAIR THAYER: Okay. Commissioner Kealoha.

14 COMMISSIONER KEALOHA: A clarifying question. So is
15 it empty, then, until everybody moves in, and then they build
16 things in there after people move in?

17 MR. LAU: It's not that it's built in, but if we
18 want -- for example, if there's somebody who -- if the
19 residents are interested in, say, training, for workforce
20 training, maybe, it's to build a resume, then they would look
21 for someone in the community who might offer that service and
22 then bring them in to speak to the residents. So we have
23 tables and chairs that can be folded and put on the side if
24 they want a bigger, open-space type of activity, or if it's
25 something like this, where they want the table and chairs

1 around, they can set the room up that way for that guest
2 speaker or for that use.

3 COMMISSIONER KEALOHA: I see. So it's not a
4 physical activity room, it's a --

5 MR. LAU: It's an open space.

6 COMMISSIONER KEALOHA: Yeah. Thank you.

7 MR. SCHNELL: And a fitness room.

8 COMMISSIONER KEALOHA: I see.

9 MR. LAU: Right. We do have equipment in the
10 fitness room.

11 CHAIR THAYER: Commissioner -- oh, no? Okay.

12 Vice Chair and then Commissioner Elizares.

13 VICE CHAIR LINDSEY: What kind of community outreach
14 and lifestyle outreach have you done within our community?

15 MR. LAU: So, you know, we want to be very mindful
16 of the rest of the items on the agenda. We did do initial
17 community engagement, but we have not surveyed our residents
18 because we don't have them yet to understand what they're
19 interested in. But we will have a resource coordinator who
20 will be doing that type of service.

21 MR. SCHNELL: I think 23 of the staff report has a
22 consultation log, and then notes the public meetings that were
23 held in advance of the project.

24 VICE CHAIR LINDSEY: That's that matrix that's in
25 there?

1 MR. SCHNELL: Yeah, the last few pages.

2 VICE CHAIR LINDSEY: Yeah. So it looked like there
3 was a lot of like kind of high-level conversations that were
4 had, and there was like a couple of open community meetings
5 that were had, but they had like three attendees. So, like,
6 there's a large number of meetings, but it seems like they
7 didn't necessarily like penetrate into the population of
8 people who would be living within these apartments.

9 MR. LAU: I think our main concern at this point is
10 the housing and to provide housing at a price that's
11 affordable for the renters of this community, and this survey
12 of what exactly they're interested in will come when the units
13 are occupied. It's not something that needs to be done at
14 this point for the design of the facility. I think it
15 provides enough flexibility for us to accommodate what those
16 needs might be.

17 (Inaudible comment.)

18 MR. LAU: Right, right. EAH has a depth of
19 experience in managing these types of projects and doing
20 exactly that.

21 CHAIR THAYER: Vice Chair.

22 VICE CHAIR LINDSEY: I think so far my questioning
23 -- I was just like -- I think there's like just citizens of
24 Maui have like certain priorities that I don't feel like were
25 thought about so far in this project. And I understand that

1 you want -- that housing is the priority, which is why this
2 kind of -- you know, kind of went through all yeas, which is
3 great. But like Harbor Lights, for example, they have a
4 similar design, they have recreational areas, their target is
5 similar, they're in a nearby location, so I guess, you know,
6 it's -- that's an opportunity to learn from, you know, things
7 that are similar that are -- you know, that's already our
8 community. Just simple observations that I don't feel like
9 were done or not applied. I'm not sure, but there's some sort
10 of miss -- miss that happened. So I'm just trying to get a
11 gauge for like our -- like, you know, just maintaining -- like
12 even though it is a low -- it is an affordable house, like we
13 still have our lifestyle that we are -- you know, we're
14 different than Maui -- Maui is different than Oahu, we don't
15 -- so all of those things I just want to consider, make sure
16 you guys are considering just our own lifestyle here that a
17 lot of that maybe isn't where you are. That's all for now.

18 CHAIR THAYER: Commissioner Elizares, and then
19 Commissioner Kealoha.

20 COMMISSIONER KEALOHA: I was just wondering if maybe
21 -- could you -- could you give me examples of other projects,
22 affordable projects that you have in Hawaii, just like a few
23 names so I can --

24 MR. LAU: We just finished Halewiliko Highlands or
25 Aloha Ia Halewiliko, that's in lease-up now, it's a senior

1 project.

2 VICE CHAIR LINDSEY: Sorry. Aloha?

3 MR. LAU: Aloha Ia, I-A, Halewiliko.

4 VICE CHAIR LINDSEY: That's on Oahu?

5 MR. LAU: Yeah. We do also manage three projects
6 here. So, Imi Ikena -- the other projects are on the tip of
7 my tongue. I have them in my book here, but did you have a
8 specific question about those projects?

9 VICE CHAIR LINDSEY: I just wanted to compare, just
10 to --

11 MR. LAU: Right. If you go to, like, our website,
12 EAH Housing, and you can see all of the projects we have
13 statewide, but also narrow it down to the projects we have
14 here on Maui, and you can -- and see the amenities there and
15 the population that's served, the number of units.

16 VICE CHAIR LINDSEY: Got it. Yes, got it. Thank
17 you.

18 CHAIR THAYER: Commissioner Elizares.

19 COMMISSIONER ELIZARES: Mine was a hybrid, like
20 three of them in one. It goes back to the parking, the
21 parking spaces, these open areas that the residents will get
22 to choose what to use, perhaps, within the building, and then
23 what a testifier mentioned earlier, which I think is really
24 important, especially if you want to live within walking
25 distance of a surfable wave, it'd be kind of (inaudible) to

1 jump on that wave in the harbor. Is there enough space for a
2 four-door Tacoma, which is what I heard Kahului guys drive,
3 with their six-seven board off the back? I know that we have
4 another housing in Kihei that they do not. They cannot --
5 their boards keep on getting clipped by passing -- by car
6 vehicles. Is it a possibility that if there is a significant
7 number of surfers, that they will have a space to store their
8 boards safely for -- was that thought about?

9 MR. LAU: Yeah. The elevator size was very
10 important to us because when you're moving stuff in, it's
11 about the size of a surfboard. So having each building have a
12 large elevator is very important, that's one of the first
13 things that we talk about with our architect. So she's
14 looking up the exact dimensions, but in general, the
15 discussion was we want to have that capacity. Because if
16 somebody's moving a bed in and they're knocking off a
17 sprinkler head, that's a huge liability for the property, so
18 very important for us when designing a building is to think
19 about that kind of thing.

20 You were also asking about surfboard storage, so,
21 for example, the average size of the unit, a one-bedroom would
22 be 637 square feet, the two-bedroom roughly 933 square feet,
23 and the three-bedroom roughly 1,188 square feet, which is
24 rather generous. And so if they do choose to surf and they
25 want to bring their board back, one of the options is they

1 could store it in their unit. So, you know, it's -- we're not
2 building little shoeboxes here, we're trying to accommodate
3 the need.

4 COMMISSIONER ELIZARES: So my surfboard -- well, the
5 one that I'm thinking about right now is 11 feet long, two and
6 three-quarter inches thick, and a little over two feet wide,
7 it's 25 inches wide, made out of wiliwili and koa.

8 Maneuvering that if I lived on the sixth floor -- is that what
9 you guys talked about an 11-foot surfboard potentially?

10 'Cause that's the one I would use if I lived in Kahului.

11 MR. LAU: Right. I don't think we were designing
12 the rooms and spaces for a standup paddleboard or that size
13 board per se, but for example, a gurney, and being able to get
14 a gurney in and out of the spaces is something that was
15 generally thought about. So I don't think it's too far, you
16 know, separate ideas, I think they're kind of about what
17 you're thinking of.

18 COMMISSIONER ELIZARES: I'm also thinking if I live
19 on the sixth floor, I would rather -- if it could be an
20 amenity, I'd rather leave my board downstairs instead of --

21 MR. LAU: That's something, you know, we can look at
22 closer.

23 COMMISSIONER ELIZARES: My board is big because I'm
24 heavy.

25 MR. LAU: My board is small because I'm small.

1 (Laughter.)

2 COMMISSIONER WARD: Chair.

3 CHAIR THAYER: Commissioner Ward, then Vice Chair,
4 then Commissioner Deakos.

5 COMMISSIONER WARD: Just to follow on my fellow
6 commissioner that -- with the surfboard, looking -- knowing
7 that location, I would anticipate you're going to have lots of
8 people that have surfboards. Just having people going in and
9 out with them, the liability I think you're going to have of
10 pedestrians getting hit or walls getting dinged because
11 they're carrying them through, I think I would strongly
12 encourage to have you an amenity space that lets them be
13 downstairs and out of the way, because you're going to have
14 dinged walls and people can get hurt, especially if there's
15 going to be kids. I just think you have a risk of damaging
16 the -- somebody's damaging the property relatively often.

17 CHAIR THAYER: Commissioner Deakos and then Vice
18 Chair.

19 COMMISSIONER DEAKOS: Thank you, Chair.

20 So I commend you, lots of -- you know, the
21 non-car-centric design. It's tough to make the transition
22 from a car-centric community to start with that, but how is
23 that working if you don't have -- so there's 298 parking
24 structures for 303 units, so some units don't even have
25 parking. I just -- you know, again, you're near a transit

1 center, trying to make it walkable, there's potentially work
2 right there, and all of these are great, but just maybe help
3 me with the thinking of a lack of vehicles for the --

4 MR. LAU: In the 201H process, we heard from some of
5 the counselor members that they were very concerned about
6 micro-mobility devices, so, for example, if they're in an
7 income-restricted situation, an electric bike might be more
8 affordable than a car. And so we do have more bike parking
9 than the county requires. I don't think the county requires
10 any parking, but we have a significant amount of bike parking
11 on-site to accommodate, you know, that need. So it's --
12 that's how, you know, we are encouraging micro or alternative
13 transportation. Also, being right next to the Maui Transit
14 Center, we want to encourage the use of that, too. And if
15 anywhere is going to have less parking, I mean, this would be
16 the site for it, right? It's right next to it.

17 COMMISSIONER DEAKOS: Okay, great. And then there
18 was some talk about the crosswalks, getting across. Can you
19 address that a little bit?

20 MR. LAU: We did think about that, accessibility,
21 and maintaining an accessible route is very important for a
22 project like this, so we do have those crosswalks.
23 Unfortunately, the site plan that we have right now doesn't
24 show them, but we are coordinating with the civic center so
25 that people can cross safely, our residents can safely get to

1 the civic center facility, and to the transit center.

2 On Kane Street right now, for example, it's dirt, so
3 if you're walking Kaahumanu, that's paved, and then at that
4 corner of Kane and Kaahumanu, it stops, and then it's dirt,
5 and the paved sidewalk picks up at the corner of Vevau and
6 Kane. So one of the things we're including is continuing that
7 sidewalk, that curb and gutter, from Kaahumanu all the way
8 down to Vevau so that folks will have that pedestrian route.

9 COMMISSIONER DEAKOS: Thank you.

10 CHAIR THAYER: Vice Chair.

11 VICE CHAIR LINDSEY: Can you talk a little bit about
12 your concessions you made for kupuna? Like, you know, maybe
13 they have physical limitations to access or, you know, they
14 will potentially be the people who wouldn't have -- use cars,
15 you know, so just getting around and accessibility for them
16 and safety for them. Can you talk about that?

17 MR. LAU: So, the two buildings are family
18 independent living. They're not for people who aren't able
19 to, you know, ambulate and take care of themselves. So it's
20 not a kupuna facility; however, all of the units are
21 adaptable, so we have a set number of ADA-compliant units, and
22 we also have all of the units that could be adapted into an
23 ADA in the future.

24 VICE CHAIR LINDSEY: But even just safety, just
25 older people, you know, multigenerational households are

1 pretty common here, so just have you had any additional
2 concessions for them, just older people being around, included
3 in a regular family?

4 MR. LAU: Safety is very important to us, too, and
5 so we do have safety -- security cameras around the site, you
6 know, lighting, as was mentioned, in the parking lot to make
7 sure that all areas are lit and that we can monitor and watch
8 over the area. The facility also includes two non-revenue
9 units, as was mentioned, so staff units, so that they're
10 on-site. They have a presence there and can immediately
11 address concerns that arise.

12 CHAIR THAYER: Go ahead. And then Commissioner
13 Kealoha.

14 VICE CHAIR LINDSEY: So oftentimes people have like
15 work trucks which are maybe a little bit bigger or wider than
16 others. Is there parking availability for those styles of
17 cars?

18 MR. LAU: The standard-size parking stall, I think,
19 is 18 by eight foot six, roughly, here, and so if it fits in a
20 standard-size stall, it should fit on our site.

21 VICE CHAIR LINDSEY: Okay. So they're not like a
22 little bit smaller to fit more?

23 MR. LAU: We're checking.

24 VICE CHAIR LINDSEY: Okay. If you could include
25 that, maybe a few larger stalls for work trucks.

1 MR. LAU: The site is constrained. I mean, there's
2 a lot that was given to us to do, to accomplish on this site,
3 so integrating all of those requirements while providing as
4 many affordable units as we would, there's not perhaps that
5 flexibility. But we do have the standard stall. A few of
6 them had to be made compact to get them all in, but we're
7 doing a lot here.

8 VICE CHAIR LINDSEY: Is the parking for the civic
9 center portion, did that get any parking reduction, or is that
10 just full on? So that didn't account for being right next to
11 the transit center?

12 MR. LAU: They were not involved in the 201H because
13 they did not need any exemptions.

14 VICE CHAIR LINDSEY: Okay. Is there room for --
15 well, I guess can there be a -- it seems like we're going to
16 lose an opportunity for, like, really good synergy if -- on
17 Commissioner Circle-Woodburn's question, like the dual use for
18 the parking structure parking, like can -- it's all state
19 agencies, right? Can there -- and I know this may be a tall
20 ask for state agencies to work together, but can that be a
21 possibility?

22 MR. KIM: So I'm going to just speak for -- not for
23 DAGS, but from our meetings, previous meetings, we are -- I've
24 heard that DAGS has entertained the idea of allowing the
25 housing to come at night for some kind of price that they can,

1 you know. And right now, the way the garage is designed for
2 the Civic Center is that you get a pay -- you know, a ticket,
3 so they can actually park overnight, technically. It's -- the
4 problem -- there's two issues that kind of we have to work
5 with, that was security in that area as well, so we do have to
6 lock the doors down in the garage structure when it's not
7 operating hours. However, we -- there might be some way,
8 yeah, possibly, that can be worked out for overnight parking.
9 And also, what if they just stored their cars there? Because
10 another second challenge that DAGS have is maintaining. They
11 don't have the staff to always go and patrol the garages, you
12 know, that takes a lot of work. And so for those two reasons,
13 I think it's -- it's in talks, and it's being considered from
14 DAGS's side.

15 VICE CHAIR LINDSEY: Okay. I'm glad there's been
16 talks. It seems like -- it seems like there should be a way.
17 'Cause I assume you have a key card or something to get into
18 the residential building, so if you could just have that
19 system for the parking, and then you would see that this is a
20 resident, and you would presumably be able to see, like, they
21 checked into the parking garage three days ago and never came
22 back out.

23 MR. KIM: One other -- sorry -- concern we might
24 have is what if they over-park the garage? So we would have
25 to probably maintain a level, right, and then block that level

1 down again so that the level gets just for the staff and
2 tenants. So, I mean, there's kind of ways, but, again, for
3 those two first reasons, it's still in talks right now.

4 CHAIR THAYER: Okay. And then just 'cause knowing
5 our -- I feel like our use of parking areas around town, like
6 to have a whole entire parking structure that's going to be
7 chock-full of cars all day every day, seems like it like never
8 actually happens in practice. So based on observation and
9 trends and actual use over time, it seems like there would be
10 space probably within the garage if you're maxing out the
11 parking requirement. Like Kaahumanu Center right next door
12 has like the required number of parking and it's practically
13 never all the way full.

14 Sorry. Commissioner Circle-Woodburn, you had more?

15 COMMISSIONER CIRCLE-WOODBURN: I think just
16 following on that, I didn't -- maybe because I asked too many
17 questions in a row, but I was still curious about guest
18 parking because obviously, this is important, we're trying to
19 help the community, to think about liveability. And I don't
20 think anyone living here would never have a guest, and so I
21 guess where are the guests supposed to park, or are there
22 designated guest spots? And again, to Commissioner Deakos's
23 point, if we're already under one per unit, just is there a
24 space for that, or how does that function for these residents?

25 MR. LAU: Currently, parking is not assigned, I

1 mean, that's to be determined operationally, so we don't have
2 a specific formula for that. But yes, it's a concern.

3 COMMISSIONER CIRCLE-WOODBURN: Free-for-all.

4 CHAIR THAYER: Commissioner Kealoha.

5 COMMISSIONER KEALOHA: I am not that familiar with
6 DAGS at all. Actually, I'm not familiar with DAGS at all, and
7 it just feels like we're struggling -- maybe some of the
8 commission is struggling because there's not -- because
9 there's not enough parking or there needs to be some more
10 space for the residents. And it just feels like it's all, you
11 know, shipped over there to make it work, which I understand
12 because you're -- you have limited space, but what I'm trying
13 to understand is what is the need for the civic center to be
14 right there? Has -- is it because that state -- like what is
15 -- yeah, what is the need for the civic center? Why does it
16 have to be right there? Why does it have to be that size?
17 Why can't we make the residential component larger, add in
18 some more parking?

19 MR. SCHNELL: So, going back to the governor's
20 executive order, because the state does own the property, he
21 set it aside for HHFDC to manage, and then, you know, in the
22 executive order, it specifically said on this property should
23 be affordable housing, should be a state civic center, should
24 be a transit center. So that decision or, you know, the mix
25 was, you know, decided, you know, probably during the Ige

1 administration, you know.

2 COMMISSIONER KEALOHA: Okay. And the size of all
3 the -- the size of the civic center was part of that?

4 MR. SCHNELL: I'm not specifically sure about that,
5 but I mean, it was always envisioned to be a mixed-use site
6 with residential and, you know, state civic center uses.

7 COMMISSIONER KEALOHA: Yeah. I guess what I'm
8 asking is, like, it was considered that the -- the state
9 agency that was using that building needed that size of a
10 building? That, however many offices are in there, there's
11 like we need -- we have people to fill all of these offices,
12 and we need all of this space. That was -- that was part of
13 it? Okay.

14 CHAIR THAYER: Commissioner Ward.

15 COMMISSIONER WARD: Thank you, Chair.

16 So what exactly, I guess, is going in the civic
17 building?

18 MR. SCHNELL: What is in the building, the civic
19 center?

20 MR. KIM: Oh, in the civic center?

21 COMMISSIONER WARD: Yeah.

22 MR. KIM: Oh, okay. Yeah. So right now, we're
23 currently working with the library, more of -- it's not a
24 library, per se, it's -- you don't borrow books, you borrow
25 tools. It's like an innovation center, like a studio vibe on

1 the ground level. I think we -- it kind of fits well on the
2 ground level. So we're still working with the program on that
3 one. And then, obviously, the McKinley Adult School is the
4 community adult school we're working with currently there.
5 They'll be going somewhere else temporarily and coming back.
6 That's about 8,000 square feet. And then we have pre-K as
7 well, per -- that might -- that might come in. And then the
8 rest, again, for about 40,000 something of offices, primarily
9 offices. Those are all the uses currently.

10 And then, again, going back to the parking question
11 for the civic center, it was what was required on -- based on
12 our usage and our square footage right now, so we were just
13 going to the minimum number that's required by code.

14 CHAIR THAYER: Commissioner, you have one more
15 question? And then -- so Commissioner Ward finish, then
16 Commissioner Lind, and then Vice Chair Lindsey.

17 COMMISSIONER WARD: So you're saying there's a good
18 portion of the civic center is going to be offices. I guess
19 that doesn't sound right in my head that we would need that
20 many offices in that location. It seems like an odd -- it
21 almost seems like it's trying to create Waikiki. Like, throw
22 it up by the shore, by the ocean, put a tall building up, lots
23 of offices in there, and I just don't understand what's going
24 to go there. Traffic is going to be a nightmare if there's
25 going to be offices because that means each individual person

1 is going to be driving there to a degree. I guess I'm not
2 grasping the logic of -- I don't disagree with the concept,
3 but that location seemed to be a little odd to have that
4 quantity of traffic to me. That wasn't a question, that was
5 more much a statement. I'm sorry.

6 CHAIR THAYER: Commissioner Lind, and then Vice
7 Chair.

8 COMMISSIONER LIND: Yeah, I was wondering for PBR
9 Hawaii, I assume everything in the apartments, individual
10 apartments would be -- would be all electric systems, right?

11 MR. SCHNELL: I believe so, yes.

12 VICE CHAIR LINDSEY: No gas involved?

13 MR. SCHNELL: No gas involved.

14 VICE CHAIR LINDSEY: Okay. On that, in your letter
15 dated October 28 to the Water Resource Plan, County of Maui,
16 there's an attachment file I can't find. It's the fire
17 protection plans. Can you elaborate more on that?

18 MR. SCHNELL: I think those were -- are you talking
19 about the letter to the Department of Water Supply?

20 VICE CHAIR LINDSEY: Well, I -- my point is getting
21 to like is there an installed sprinkler system or some kind of
22 fire retardant that could help, you know, in case there's a
23 unit fire or anything like that?

24 MR. SCHNELL: Yes. It's a sprinklered system
25 building, yes.

1 VICE CHAIR LINDSEY: Okay, thank you.

2 MR. SCHNELL: I believe what you were talking about
3 was, you know, the Department of Water Supply was trying to
4 calculate the size of water meter we would need, and those
5 were civil drawings regarding, you know, the fire protection
6 plan, the sprinkler system, and how much water would be needed
7 for those systems.

8 COMMISSIONER LIND: So each bedroom and the -- and
9 the parlor area would be -- would be able to -- you know, a
10 sprinkler system would go off in both areas? Is that what I'm
11 understanding?

12 MR. SCHNELL: I believe the fire sprinkler
13 requirements require a fire sprinkler in every room.

14 VICE CHAIR LINDSEY: Every room. That makes sense.
15 Okay, thank you.

16 CHAIR THAYER: Thank you.

17 Vice Chair.

18 VICE CHAIR LINDSEY: My question was for the pre-K.
19 They have pretty stringent requirements on outdoor needs for
20 the kids. I'm wondering if you could loop in the little
21 parking playground to -- since it's a similar targeted age and
22 both would benefit from the outdoor and green -- the
23 potentially green space that you need for a preschool. Is
24 that an opportunity or -- yeah, there are so many square feet
25 of outdoor space per child, and you're going to have to have

1 it fenced and toilets and --

2 MR. LAU: We're thinking shared, is that --

3 VICE CHAIR LINDSEY: Oh, just that's the same age,
4 and they're -- they need the same safety. I know they need to
5 be fenced off separately because it's a preschool in a public
6 space, but the needs are the same, and the safety requirements
7 are the same. So I'm just wondering if, like, you could kind
8 of put them closer together so that there's kind of a -- you
9 know, they're all -- kids are here, you know, it's kind of
10 where -- instead of kids are there, and kids are also here.
11 So when you're driving, you know, it's kind of psychologically
12 driving through. Just thinking about the opportunity to keep
13 the kids safe since you're already doing it.

14 MR. LAU: Yeah, yeah. No, good comment. The
15 unfortunate thing is there's a shared drive between the
16 project, so there is cars, unfortunately. And so I don't know
17 if, like, you can, per se -- I mean, yeah, maybe clustering it
18 somewhere near would be -- the location would be better, but
19 for the pre-K, I think it benefits for the affordable housing
20 to walk their kids literally to there. So we're trying to
21 maximum the space and students that's allowed. Again, with
22 the outdoor requirement, unfortunately, it's really hot out,
23 and so what we're trying to do is trying to do a hybrid where
24 you're kind of underneath, but then it's open on the walls.
25 So it's like screens -- sorry, screens, and then -- but it's

1 covered on the top. So that's kind of the -- so it's
2 contained in the building. So I don't know if it's like a
3 truly outdoor with the -- you'll get sun, but more, you know,
4 like on a wall that's open.

5 VICE CHAIR LINDSEY: Okay. I was just wondering if
6 there was an opportunity between the two.

7 MR. LAU: Yeah. Thank you.

8 COMMISSIONER KEALOHA: So, sorry, just following up
9 on that question about there being a pre-K because I'm pretty
10 sure you have to have like 90 square feet of outdoor space per
11 student that's in a fenced-in area. Is that accounted for in
12 here?

13 MR. LAU: Yeah. So the technical outdoor space can
14 be replaced by this hybrid that I just spoke to -- spoke about
15 having, you know, the -- kind of the top being covered, but
16 being able to have --

17 COMMISSIONER KEALOHA: -- open air on the sides.

18 MR. LAU: Yes, yes. And I think the magic number is
19 like 110 per student, including the outdoor, but --

20 COMMISSIONER KEALOHA: Yeah.

21 MR. LAU: Thank you.

22 CHAIR THAYER: Commissioner Ward, and then
23 Commissioner -- or no. Commissioner Elizares.

24 COMMISSIONER ELIZARES: Okay. Now we can go to
25 plants a little bit. In the presentation, I just wanted to

1 point this out before I start my questioning, there's quite a
2 few typos in -- like names don't match the actual plant, the
3 actual species of plant, and I wanted to get that out there.

4 But the testifier from Texas, he had glasses, he was
5 talking about the nonnative shade trees in that space. I
6 think he was referring to the four or five monkey pods, like
7 huge old monkey pods that are there. There's quite a bit of
8 existing new -- coconut trees that they're not allowed to
9 produce coconuts, there's liabilities, right? When these
10 trees are removed, do you -- can you guys commit, or is there
11 any intention of saving or gifting the materials to different
12 organizations? I'm asking to commit to using the monkey pods
13 there that have been there for -- I don't know, I'm just
14 guessing, a hundred years, that's about how long I've been
15 around. I remember those trees when I was a kid. I'm not
16 that old. To use it in the space. Those trees, even though
17 nonnative, they only know that space. I think you guys have a
18 need for natural woods in your space, maybe benches in your
19 area, but also to give back to the community. I don't think
20 you guys are going to have the need to make pahu out of those
21 coconut trees that have been there for generations, too. Can
22 you guys make a commitment for when you guys do take that
23 down, to repurpose, reuse, and redistribute those to people
24 who can use those?

25 MR. SCHNELL: A two-part -- let me answer that in

1 two parts. The first part is that the landscape plan that you
2 have in your package, I think, is dated from April 2025, and
3 the landscape plan has since been updated, so the version in
4 my presentation was updated in September, I believe, so
5 slightly different on the plant species. But regarding reuse
6 of the existing trees, I'll let Questor come up because
7 they've been talking to the Department of Oihi Resources
8 regarding that.

9 MR. LAU: Yeah. This came up during the (inaudible)
10 process, and there was a request to coordinate the coconut
11 tree removal with Oihi Resources, so we did reach out to them,
12 and we'll be contacting them when the trees are removed so
13 they have that opportunity to reuse them.

14 COMMISSIONER ELIZARES: What about those massive
15 monkey pods?

16 MR. LAU: That was not something that we talked
17 about with them. They did not express an interest in them.
18 The condition of those existing monkey pod trees is -- we have
19 our landscape architect who can elaborate more on why -- the
20 condition of them, if you'd like to hear.

21 COMMISSIONER ELIZARES: Yeah, that would be great.

22 MS. CACERES: Pam Caceres, Brownlie & Lee. I swear
23 to tell the truth.

24 So, the existing trees on site would impact
25 development, so the civil needed to clear those trees,

1 unfortunately, to be able to allow this project to be built.
2 Like you said, the trees have been there for years and
3 unfortunately, we don't have the ability to remove, store, and
4 bring back onto site, so the option of using the wood once
5 removed is something that we can look into, but it hasn't been
6 something, in terms of the monkey pods, that has been looked
7 into yet. So far, it was just the coconut trees on site.

8 COMMISSIONER ELIZARES: Could we add that to your
9 guys' list, the monkey pods? Believe me, I understand that
10 they're going to -- you can't fit your building around those
11 monkey pods, but I think there is about ten feet of usable
12 wood in that that I think would make a nice bench in your
13 lobbies there, or for the kids or parents to sit down in that
14 parking lot playground.

15 MR. LAU: Would it make sense to reach out to Oihi
16 Resources at the time that we discuss the coconut trees with
17 them? Is that kind of what you're suggesting?

18 COMMISSIONER ELIZARES: I don't know that Oihi
19 Resources would want monkey pod or can use. I think that'd be
20 nice to reach out to whoever you can, but like you said, to
21 re- -- to bring them back to the space that they've lived in,
22 maybe in a different form, right, in the form of a bench.
23 Maybe you guys are looking into another woodworker that you
24 guys wanted to hire to do something for the space. So
25 whoever, I don't care about who you ask.

1 MR. LAU: Yeah, it's a very provocative idea.

2 COMMISSIONER ELIZARES: Provocative?

3 MR. LAU: We'd like to consider it. Yes.

4 COMMISSIONER ELIZARES: Thank you. That's it.

5 CHAIR THAYER: Thank you.

6 Commissioner Ward and then -- were you raising your
7 hand?

8 Okay, Commissioner Ward.

9 COMMISSIONER WARD: Thank you, Chair.

10 So in the South Maui Community Plan, we actually put
11 a policy in that trees being cut down, that is open to schools
12 and artists to be able to come and pick that -- pick it up and
13 utilize it. So if you're not able to repurpose it back into
14 the space, which I would agree would be ideal, I guess I would
15 add to that to be donated to schools where kids can learn to
16 use it, and it stays within the community, and an artist has
17 an opportunity to use their craft.

18 CHAIR THAYER: Vice Chair.

19 VICE CHAIR LINDSEY: To make that easier for you
20 guys, I think Oihi Resources could point you in the right
21 direction, even though they don't want -- maybe don't want the
22 monkey pod also.

23 MR. LAU: Yeah.

24 VICE CHAIR LINDSEY: Or maybe it wasn't a
25 consideration.

1 MR. LAU: Yeah, that sounds great.

2 VICE CHAIR LINDSEY: If you forwarded those -- these
3 comments specifically about monkey pod, I'm sure they'll be
4 really receptive to that.

5 MR. LAU: Thank you.

6 CHAIR THAYER: Commissioner Kealoha.

7 COMMISSIONER KEALOHA: I have a question about the
8 entrance. I noticed -- oh, shucks. What is the name of the
9 two streets?

10 CHAIR THAYER: Kane, Vevau.

11 COMMISSIONER KEALOHA: Vevau. So the Vevau, the
12 road, I haven't been on that road for a long time, but the
13 last time I was on that road, it was really bust up. Is it
14 new now?

15 CHAIR THAYER: Oh, Vevau is like super new.

16 COMMISSIONER KEALOHA: Oh, okay, great. So then
17 that road, you can turn left or you can turn right into that
18 main driveway -- whatever, halfway, but then the road on Kane,
19 you'll only be able to make a right-hand turn into that, you
20 can't make a left into that, and I want to -- it's going to be
21 a real pain to make a left-hand turn into that, right, so is
22 -- is the whole setup so that you can't turn left?

23 MR. LAU: From Kane into the --

24 VICE CHAIR LINDSEY: Yeah,

25 MR. LAU: No, the -- one of the things that we are

1 looking at is restriping a portion of Kane to allow left turns
2 into the project.

3 VICE CHAIR LINDSEY: Okay. And then to make a
4 left-hand turn into Vevau from Kane, I mean, it's already kind
5 of sketchy in that area. I feel like if I'm trying to come
6 out of Kaahumanu or I'm trying to make a left-hand turn out of
7 Foodland, it just is -- there's a lot going on, so how are you
8 going to manage all of the people taking a left from Kane into
9 Vevau? Like, is that going to be a light now?

10 MR. LAU: The intersection of Vevau and Kane was --

11 VICE CHAIR LINDSEY: It'd probably have to be a
12 light.

13 MR. LAU: Was already improved with flashing
14 beacons. So if you are a pedestrian and you want to cross,
15 you push the button and then the -- there's beacons that come
16 on to alert drivers that you're actually crossing over there,
17 so that was an improvement that was already implemented by the
18 county.

19 VICE CHAIR LINDSEY: But I mean the cars, like, do
20 you anticipate there's going to be a lot of cars backed up?
21 Because we're talking how many people, a thousand people
22 maybe, entering this place?

23 MR. LAU: Yeah.

24 VICE CHAIR LINDSEY: How are all of those cars going
25 to take a left-hand turn?

1 MR. LAU: We should have our traffic consultant,
2 Wayne Yoshioka, on the call.

3 VICE CHAIR LINDSEY: Oh, great.

4 MR. SCHNELL: Wayne, can you join us?

5 MR. YOSHIOKA: Yes, I'm here. Just for the record,
6 my name is Wayne Yoshioka. I'm with WSP USA. I swear to tell
7 the truth. I'm the traffic engineer for the project.

8 And to pick up -- I'm here for questions, but just
9 to follow on the discussion that's been going on, as Questor
10 mentioned earlier, there are -- we have proposed improvements
11 on Kane Street without widening Kane Street, just a restriping
12 to improve the left-turn lane into the project on Kane Street.
13 There's an existing left-turn lane from Kane Street into
14 Vevau, and as said earlier, Vevau Street has been improved as
15 well. There's been -- as part of Maui County's actions in the
16 area, they've taken steps to calm the traffic on Kane Street.
17 And I have personally observed it, and I found that the
18 actions they have taken were effective.

19 One of the biggest improvements they had made is by
20 the installation of what's called RRFB, rectangle rapid
21 flashing beacons, on Kane Street for people crossing Kane
22 Street at the Vevau Street intersection. And that, again, as
23 described, if a pedestrian were to come up to that
24 intersection, they press the button, lights start to flash,
25 alerting drivers that there is a pedestrian wanting to cross

1 the roadway. Now, it doesn't force them to stop, but I found
2 that's been very effective in increasing the awareness and
3 slowing traffic down so that they do pay attention to the
4 pedestrians in the area.

5 As Questor also mentioned, there -- the project will
6 be improving the east side of Kane Street, which currently has
7 no sidewalks, and new sidewalks will be installed so that
8 would increase pedestrian circulation and accessibility in the
9 area. And (inaudible) and to already marked crosswalks on
10 Kane Street and on Vevau Street. So with that, that's just a
11 brief introduction. We have done an evaluation and found that
12 the area can accommodate the traffic generated by the project.

13 So with that, you know, I'm open to any questions
14 you may have.

15 CHAIR THAYER: Commissioner Kealoha.

16 COMMISSIONER KEALOHA: That's all for now, Chair.

17 Thank you.

18 MR. YOSHIOKA: Thank you.

19 CHAIR THAYER: I've additional questions on the
20 landscaping plan, and I'm glad it's not just me interested in
21 plants anymore. But is it -- can we -- do we have room within
22 this to switch out some species? Because I think there's
23 quite a bit of other natives that could replace some of these
24 nonnative ones. And just thinking about people living here,
25 like to have lei plants, which you do have some, which is

1 fantastic and thank you for including those, but if there
2 could be like more lei plants involved, even some fruit trees,
3 since these are residences after all and people living here
4 and hopefully being able to as much as possible still have
5 some connection to the land and be able to live off the land
6 itself, like can there be fruit trees?

7 MS. CACERES: (Inaudible) -- I mean, Maui County
8 Planting Plan, it's -- they are requesting no fruit trees to
9 be used on projects like this. And just from a maintenance
10 standpoint, it kind of, you know, is also an issue with
11 dropping and accidents, and so we usually don't see fruit
12 trees on kind of commercial or housing projects like this,
13 unfortunately. I mean, I'm all for, you know, being able to
14 offer things like flowers and fruit for residents, but
15 unfortunately, that's not something that you usually see, and
16 it's not really something that we include on residential
17 projects.

18 CHAIR THAYER: Okay. And yeah, just a note on the
19 planting plan, I know there's no chapter on fruit trees, there
20 are no fruit trees listed, but I'm pretty sure there is a
21 passage in there that says although they are not fruit trees
22 included in this plan, that is like by no means should be
23 taken that fruit trees should be excluded because they're not
24 in the plan. And a lot of it, I believe, is because there's
25 been discouraged fruit trees in like public parks and things

1 have been discouraged for those maintenance issues, but it
2 seems like if you have people living here all the time who are
3 probably local folks who are very familiar with local fruits
4 and everything would be pretty maa to caring for them. And I
5 understand the maintenance, but at the same time, these are
6 like low-income people who are probably looking for all kinds
7 of means of getting nutrition, and what better than to have
8 fresh fruits right there. And if you can't have your own
9 garden, then hopefully this, like, shared garden on this
10 property would be able to provide for that.

11 I know there's one right next door at the
12 apartments, right to like the other side of Vevau Street, have
13 a pretty cool community garden right there that seems to grow
14 nicely, but there's an example right next door.

15 MS. CACERES: The majority of our trees on site are
16 parking lot trees, which have certain requirements as well, so
17 yeah, I think like 55 of our trees are parking lot trees. The
18 area that we have to be able to kind of like put the needle in
19 the hole for these trees in the parking lot is pretty narrow,
20 so a lot of these fruit trees, you know, that would -- you
21 were kind of speaking to like have more rigorous kind of root
22 systems as well, so we're limited to what we could put in in
23 our parking lots. And in terms of like fruit droppings on
24 cars, that's kind of a big issue as well.

25 In terms of our canopy trees on the perimeters, we

1 did include puakenikeni for a lei plant, so that was an
2 offering that we included with our tree planting plan. Oh,
3 yeah, kukui nut as well on this (inaudible).

4 CHAIR THAYER: Could there be a replacement for,
5 say, like the shell ginger, which is, I think,
6 water-intensive, and is invasive. Like, that's one that has
7 shown up in the mountain and in the forest that only got here
8 because of landscaping, and that's a problem in the forest
9 that's like right here. And I know you think it's far away,
10 but like birds eat the stuff, and they go fly into the
11 mountain, and that creates a problem in the mountain. So can
12 that be one that gets switched out?

13 MS. CACERES: Yeah, thank you. (Inaudible)
14 switching out shell ginger.

15 CHAIR THAYER: Yeah. And then instead of like the
16 wax myrtle could be naio papa, which looks the same, and I
17 think grows just as vigorously.

18 MS. CACERES: Yeah.

19 CHAIR THAYER: Things like that. Yeah? Okay, thank
20 you.

21 Yes, Vice Chair and then Commissioner Elizares.

22 VICE CHAIR LINDSEY: The other plants like kokio and
23 milo all are pretty high maintenance, correct, even in parking
24 lots because of the balls, all the balls (inaudible).

25 CHAIR THAYER: You have to speak into the mic.

1 VICE CHAIR LINDSEY: Oh, that's in the civic center
2 phase planting palette. It's the third one in the first row.

3 MR. SCHNELL: The plant pallet in your package is
4 (inaudible).

5 MS. CACERES: Oh, okay. We have since updated the
6 trees, so (inaudible) is not one that we have planned
7 currently.

8 VICE CHAIR LINDSEY: I'm not --

9 MS. CACERES: Okay.

10 VICE CHAIR LINDSEY: -- looking for replacing, but
11 they are high -- kou especially is like a higher maintenance
12 plant that I'm like, you could replace that with a fruit tree
13 that --

14 MS. CACERES: So, yeah, we don't have kou, so are we
15 speaking of kakui or milo or waymaniae? Because those are --

16 VICE CHAIR LINDSEY: Both of those have the nuts
17 that are the high maintenance and tripping hazards and
18 especially with parking lots outside. I'm not advocating for
19 getting rid of natives, but I think if the argument is
20 maintenance of fruit trees, I don't think they are less equal
21 than the --

22 MS. CACERES: Those trees are not within our parking
23 lot, per se. They're on the perimeter of the property.
24 Within the parking lot, we have the tulipwood and the dwarf
25 hau, silver buttonwood tree, which don't have the prolific

1 seed pod seeds.

2 VICE CHAIR LINDSEY: Okay, thank you.

3 CHAIR THAYER: Commissioner Ward and -- sorry.
4 Sorry, we're supposed to go to Commissioner Elizares first,
5 and then Commissioner Ward.

6 COMMISSIONER ELIZARES: Sorry. I never let you sit
7 down. Got you guys up, down, up, down. And maybe -- if you
8 got an answer to this, you don't have to come to us, and I
9 thought you were pulling up the updated one, or you can send
10 it, and we can get it.

11 MR. SCHNELL: I have the updated plan available now,
12 yeah. Let me -- let me share my screen.

13 COMMISSIONER WARD: Okay, Plant Lady. I'm sorry.
14 What was --

15 MS. CACERES: Pam Caceres.

16 COMMISSIONER WARD: Pam. So in the parking lots, a
17 fruit tree that doesn't have -- maybe we're open to this, like
18 papaya. I guarantee putting papaya in one parking lot like
19 this, the fruit's not going to get a chance to touch the
20 ground or fall on anybody's car. It's going to get harvested
21 as soon as anybody can.

22 MS. CACERES: So no shade.

23 COMMISSIONER WARD: Yeah, no shade in the -- in the
24 parking lot. Well, six hours of a day because of the angle of
25 the sun and the height of the buildings, right? That's

1 another part that I think about, like how much of these trees
2 are going to get light in the direction of how tall these
3 buildings are, these pockets in between. I think the building
4 is going to create enough shade. The papaya leaves do create
5 some shade, but, you know, I'm just talking about, like,
6 feeding the community and people having a relationship to
7 aina, honoring aina. 'Cause if land isn't feeding us, then
8 it's not that, you know. Are we trying to incorporate these
9 themes, or we're just trying to get through -- get the project
10 through? Like, I feel like papaya is a relatively easy ask.

11 MS. CACERES: Yeah, I think we were looking at kind
12 of what the requirements are first in terms of the shade that
13 needs to be generated on a residential parking lot, and
14 there's specific requirements, like 25 percent by a certain
15 amount of years of parking lot surface has to be shaded by the
16 shade tree, parking lot shade trees. So that's our first
17 requirement that we're looking at. I also agree and support
18 being able to provide food sources, recreational resources,
19 but I guess the forefront was the requirement of the shade
20 within the parking lot for the heat island effect, and being
21 able to provide a comfortable setting for parking in there.

22 COMMISSIONER ELIZARES: And then for -- okay. Now
23 that we have this one up, for loulu, are we going with actual
24 Hawaii loulu, or are you talking like Pacific -- yeah, like
25 Pritchardia Pacifica and other Washingtonians as like --

1 MS. CACERES: I mean, I think, like, that's on the
2 civic side, but I would think that going towards also using
3 natives on that side would be a priority versus the Fiji fan
4 palm.

5 COMMISSIONER ELIZARES: Right.

6 MS. CACERES: Yeah, I think we want to celebrate the
7 native landscape, so I would think --

8 COMMISSIONER ELIZARES: It's hard -- it's hard to
9 get -- what I'd hate is that you're making a promise to put in
10 Pritchardia Remie, but you're not going to get it, and you
11 would have to put in a Pacifica or the Fiji.

12 MS. CACERES: Yeah. What we come across in those
13 circumstances, personally, is just you're getting a smaller
14 one. So if we want to stick with the native, maybe we're not
15 getting the same height, so that's just the concession
16 usually. So, just sizing might not be as large as what was
17 specified if it's not sourceable, but we try to work with what
18 is sourceable and make do.

19 COMMISSIONER ELIZARES: Well, are you guys okay with
20 that? To -- if you cannot get an appropriately-sized -- and I
21 feel like -- it doesn't look that way in where it sits, but I
22 feel like if you put a three-foot remie versus a six-foot fan
23 palm, a PG fan palm --

24 MS. CACERES: Yeah, you're not getting the same
25 look, but it's like, do we want native, or do we not want

1 native? So it's like, are you willing to wait for it to grow
2 and it eventually gets to be a native at the civic center, I
3 guess, or, you know, you want this look, and you put the Fiji
4 in.

5 COMMISSIONER ELIZARES: So you guys are
6 concentrating on the native, not the --

7 MS. CACERES: For the housing project, which is what
8 I'm in charge of, yes. So like, you know, maybe we're not
9 getting -- I mean, we're not even specifying a 45-gallon
10 because there's no -- that's not a reality for these native
11 trees. They're 25-gallon coming in, and we're just going to
12 have to wait for them to grow and fill in because that's our
13 priority.

14 COMMISSIONER ELIZARES: And for the haole kou, is
15 that still on this, and it's on the -- I cannot see it.

16 MS. CACERES: No.

17 COMMISSIONER ELIZARES: I told ya, I'm close to a
18 hundred years old, my eyes don't work that good.

19 MS. CACERES: It looks like it's on the civic center
20 pallet, at least based on the slide deck. I think the goal is
21 that it's going to be a complimentary plant palette, and I
22 think they would just -- I don't want to speak out of place,
23 but follow suit with what we're putting on the residential
24 side. So maybe that was -- I know they added the dwarf hau,
25 tulipwood, and Geiger after we updated our plan, so it might

1 just be a typo that that's still there. I don't know if
2 that's the desire for the landscape architect on the civic
3 center.

4 COMMISSIONER ELIZARES: Sorry, I wanted to -- sorry,
5 I just wanted to know about the -- it was listed as haole kou,
6 I call it kou haole, we have them outside here in our parking
7 lot, the dark leaf sacorda --

8 MS. CACERES: That's different than kou, though.

9 COMMISSIONER ELIZARES: Different than kou.

10 MS. CACERES: Yeah.

11 COMMISSIONER ELIZARES: Yeah, but what -- I was
12 wondering about that because I had seen it on the plant list.
13 I don't see -- and I don't have to ask this question now, but
14 I will. I noticed in the past few years that all of the kou
15 haole has been attacked by some type of pest that is infesting
16 Kahului, but for some reason, it hasn't come to Wailuku.
17 Maybe it's a fungus or something that's in the air. So I'm
18 glad to see it off your list now that you pulled up the new
19 presentation, so thanks.

20 CHAIR THAYER: Wait. So there's no -- Geiger tree
21 being the other name, right? That's what we're talking about?

22 COMMISSIONER ELIZARES: Yeah.

23 CHAIR THAYER: So is that in or is that out?

24 MS. CACERES: Geiger is not on.

25 CHAIR THAYER: Not on. Okay. So in the 9-25

1 version, the slide deck, that's --

2 MS. CACERES: It's been replaced with the dwarf hau.

3 CHAIR THAYER: Okay.

4 COMMISSIONER ELIZARES: Oh, it's right there.

5 CHAIR THAYER: Yeah. Well, it's on -- the one with
6 the grid of pictures, it's still on there. That version on
7 the left, with the red car all the way on the left.

8 MS. CACERES: Oh, maybe that was a mistake on the
9 update, but, you know, we spoke with Elaine, and she also had
10 reservations about that tree, so we took that concession --

11 CHAIR THAYER: Okay.

12 MS. CACERES: -- and updated and edited our plant
13 pallet.

14 CHAIR THAYER: Okay.

15 COMMISSIONER ELIZARES: Is that another variety? It
16 says haole kou on the bottom. It looks like --

17 UNIDENTIFIED FEMALE: It looks like a Geiger --

18 COMMISSIONER ELIZARES: On the second row, end of
19 the second row.

20 CHAIR THAYER: Yeah, that looks -- the picture looks
21 like a lei, but the label says haole kou next to the ginger
22 shell.

23 COMMISSIONER ELIZARES: I seen that.

24 MS. CACERES: Far right (inaudible).

25 CHAIR THAYER: Far right. After the akia, yeah.

1 MS. CACERES: I'm not sure about that. That slide
2 wasn't from our side.

3 COMMISSIONER ELIZARES: And then I noticed another
4 one on the top. So this is the new one. It said nanu
5 something.

6 MS. CACERES: Gardenia.

7 COMMISSIONER ELIZARES: Nanu gardenia, so that's the
8 gardenia brighamii?

9 MS. CACERES: Yes.

10 COMMISSIONER ELIZARES: But that picture is tiare.
11 I mean, we just -- we did this -- I think we're going too far
12 into this.

13 CHAIR THAYER: I know.

14 COMMISSIONER ELIZARES: I think we got the idea.

15 CHAIR THAYER: We got the idea. Integrity to place,
16 I think.

17 MS. CACERES: Yeah, I don't see (inaudible).

18 COMMISSIONER ELIZARES: Zoom out to the left. Zoom
19 back.

20 MS. CACERES: I'm sorry that that one is in the
21 presentation, but yeah, it would be nanu.

22 COMMISSIONER ELIZARES: Nanu, not brighamii.

23 MS. CACERES: There is.

24 COMMISSIONER ELIZARES: Cool.

25 CHAIR THAYER: Okay. Additional questions?

1 Commissioner Lind, sorry, I can't tell you if you've
2 raised your hand. Your picture is coming out pretty mottled
3 on our side.

4 COMMISSIONER LIND: (Gesturing.)

5 CHAIR THAYER: Okay. Commissioner Ward.

6 COMMISSIONER WARD: Something to consider with the
7 fruit trees, like I agree with the concept, but they do draw
8 rats and other rodents, so it -- I think we might be cautious
9 in pushing that too hard in a residential area of this nature.
10 That could create other problems by pushing that hard. I
11 definitely agree with it a hundred percent, but it needs to be
12 investigated a little bit more, the placement, and making sure
13 that we're not bringing pests and rodents to units.

14 CHAIR THAYER: Thank you.

15 Commissioner Kealoha.

16 COMMISSIONER KEALOHA: Oh, I don't ask questions
17 about plants.

18 (Laughter.)

19 COMMISSIONER KEALOHA: Sorry. Do you guys want to
20 keep talking about plants? Because I have a different
21 question.

22 CHAIR THAYER: We can probably talk about plants all
23 day, but we can move on.

24 COMMISSIONER KEALOHA: Okay. I'm happy to hold my
25 question.

1 I was actually just -- I know we were just talking
2 about -- there was mention about other elevators, but I just
3 can't see them in any of the diagrams. And the U-shaped
4 building, how many -- how many units are in that, like how
5 many people are expected to live in that U-shaped building?

6 MS. LI: I think -- sorry, scrolling to that. I
7 think it's 196, 196 units in the U-shaped building. And we
8 have two elevators.

9 COMMISSIONER KEALOHA: How many people are expected
10 to live in that space? How many bedrooms are there?

11 MS. LI: There's a mix of one, two, and three
12 bedrooms, so let me see. Sorry, I don't have that calculation
13 off the top of my head, but I guess if we're expecting --

14 (Inaudible comment.)

15 MS. LI: Right.

16 COMMISSIONER KEALOHA: Two elevators for 200
17 apartments?

18 MS. LI: Yes.

19 COMMISSIONER KEALOHA: With like maybe 600 people.
20 That seems -- sorry -- mildly too less -- too little.

21 MS. LI: Yeah, she's talking about these. Yes.

22 Yeah, normally, the rule of thumb for calculating
23 the number of elevators needed is one per 100 units.

24 COMMISSIONER KEALOHA: One per 100 units, okay. I'm
25 just, like, worried about all of those little kids going down

1 for school every morning at 7:00 a.m. and they're waiting, you
2 know. I guess they'll just have to take the stairs.

3 (Inaudible comment.)

4 CHAIR THAYER: I think there might be a few more
5 questions. I have a few more questions. But I think
6 everybody looks like they could use a break. Okay. So it is
7 1:58 right now. Let's come back at 2:10 and resume questions,
8 and then hopefully move on soon after that.

9 (Pause in proceedings: 1:58 p.m.-2:10 p.m.)

10 CHAIR THAYER: Okay. We are back on and ready to
11 go. Resuming our Planning Commission meeting, Maui Planning
12 Commission meeting of Tuesday, November 25th, and we are on
13 Item A3, still doing commissioner questions, but I think we're
14 coming to the, hopefully, tail end of that. I'm not going to
15 speak in absolutes with this.

16 Anybody want to go next or -- Commissioner Lind.

17 COMMISSIONER LIND: I have another question for the
18 developer of this building regarding the fire, the safety, the
19 fire, I guess, the -- there's generators, backup generators?
20 I couldn't find any in the record. In case the grid goes out.

21 MR. SCHNELL: There are -- yes, there are
22 generators.

23 VICE CHAIR LINDSEY: Okay, thank you.

24 CHAIR THAYER: Okay. I have a question on the civic
25 center building materials. Can you let us know about that?

1 MR. KIM: Yes. For the superstructure for the
2 interior, we're thinking a double-T system, so pretty much
3 concrete, and then we have the exterior cladding as precast as
4 well. Again, this was due to the maintenance required for a
5 state-required building. They don't have a lot of maintenance
6 that they can care for the building, so then basically we're a
7 building for a pyramid. But, you know, we've -- it's
8 expensive, actually, still to maintain precast. We're going
9 to also use aluminum bronze windows for the window framing.
10 We're also doing sustainability -- sorry. Solar on the roof
11 as well as on both the garage deck and the civic center roof.
12 We're also applying maybe two contrasting colors for the
13 concrete.

14 What else? That's it.

15 CHAIR THAYER: Okay.

16 MR. KIM: Yeah.

17 CHAIR THAYER: Yeah. Just to explain where I'm
18 coming from, this is Kahului, and it's salt air. I live just
19 up the coast from here, and the salt air is real, so just
20 making sure you don't have anything that's metal that will
21 rust in a very short amount of time.

22 MR. KIM: Yeah. We did consider aluminum, but no,
23 it's just not going to work.

24 CHAIR THAYER: Yeah.

25 MR. KIM: Windward side.

1 CHAIR THAYER: Everything will rust.

2 MR. KIM: Yeah.

3 (Inaudible comments.)

4 CHAIR THAYER: Yes. Thank you.

5 Okay. Any other questions? Commissioner Circle-
6 Woodburn.

7 COMMISSIONER CIRCLE-WOODBURN: I just have a
8 question from -- that I'm curious on that I saw in one of the
9 letters, I think it was the letter to the mayor. I'm just
10 curious what the response was. It looked like the CRC had
11 recommended preservation or reuse of the building that was on
12 site, and I think they offered it to the county, and I was
13 just curious if the county responded or took it, or if anyone
14 knew or heard if there was ever a response on that. I was
15 just curious because it was an interesting proposal.

16 MR. SCHNELL: Yeah, I can respond to that. So,
17 yeah, you're correct, the CRC did recommend, you know, if the
18 building can't be preserved on site, to relocate it or offer
19 it for relocation. HHFDC did write a letter to the mayor
20 offering the building; there was no response from the county
21 at that time.

22 COMMISSIONER CIRCLE-WOODBURN: Okay, thank you.

23 CHAIR THAYER: Okay. Commissioner Kealoha.

24 COMMISSIONER KEALOHA: I guess I'm -- we haven't
25 talked about water, and there were a bunch of back-and-forth

1 emails, letters with DWS, and I guess I just was having
2 trouble following it all because it was pretty technical. Can
3 you help me -- can you summarize that and help me to
4 understand like the issues and how they're being resolved, and
5 maybe what --

6 MR. SCHNELL: I guess I can take you to the bottom
7 line is last week, we did get a confirmation from the
8 Department of Water Supply that they can provide a four-inch
9 meter for the residential housing component, which is what was
10 requested, and that would satisfy the water demand for the
11 residential housing component. So all the back and forth, it
12 was resolved last week, yeah. So there is a reservation for
13 the four-inch water meter.

14 COMMISSIONER KEALOHA: Okay.

15 CHAIR THAYER: Vice Chair.

16 VICE CHAIR LINDSEY: For the drainage during like
17 storm events, can you talk a little bit about that? Because
18 the -- I know Kane Street floods. Is there going to be
19 improvements there? And since you're making it mostly a
20 nonpermeable surface, the water is going somewhere?

21 MR. SCHNELL: So, yeah, there'll be -- there'll be a
22 drainage retention system underground for both components of
23 the project, and there's -- I'm not the civil engineer, but I
24 understand there's like a separator and a hydrator and, you
25 know, a way to separate, you know, waste from water so that it

1 percolates into the ground. Periodically, you know, that does
2 have to be cleaned out from the waste that gathers there.

3 VICE CHAIR LINDSEY: So it would be all -- during
4 storm events, there's, you know, storage to --

5 MR. SCHNELL: There's enough storage to handle the
6 runoff from both projects, yeah.

7 VICE CHAIR LINDSEY: During storm events, okay.

8 CHAIR THAYER: Also, on the note of letters
9 received, there was a letter received just a couple of days
10 ago from the Coast Guard. Are you able to speak to that?

11 MR. SCHNELL: Questor has been in communication with
12 the Coast Guard for the last year, so I'll let Questor address
13 that.

14 MR. LAU: Yes. We initially reached out to the
15 Coast Guard starting in June of last year, so June 2024. I
16 have been in communication with them. Currently, we are
17 coordinating with the state and the Coast Guard. We
18 understand their preference is to raise the rear range and
19 we're coordinating with the state and the Coast Guard on that.

20 CHAIR THAYER: Okay. So -- Oh, Commissioner
21 Circle-Woodburn.

22 COMMISSIONER CIRCLE-WOODBURN: No, I was waiting --
23 sorry, I don't understand what you mean.

24 CHAIR THAYER: Oh, okay. Yeah, there's a letter in
25 the letters received, but basically they're saying they have a

1 concern because the ranges, which I think is those orange and
2 yellow -- I mean, orange and white striped -- you have the two
3 ones that need to line up. So, yeah, so they're like on this
4 site, and they said the building is going to compromise that
5 because you won't be able to see the back one because of the
6 building being there, so they gave a few different options for
7 how to address that.

8 COMMISSIONER CIRCLE-WOODBURN: Right.

9 CHAIR THAYER: Yes.

10 MR. SCHNELL: Just to clarify, the navigational aids
11 are not on this site, but the US Coast Guard owns a small TMK,
12 you know, on the other side -- south side of Vevau Street,
13 where that tower is now. I just saw it when we drove in. And
14 then there's another one, you know, across Kaahumanu. And
15 apparently they have to communicate, so apparently, you know,
16 one solution that the Coast Guard is proposing is to raise the
17 height of the tower that's on the south of the Vevau Street.

18 CHAIR THAYER: So, like that is getting resolved,
19 and that will be resolved?

20 MR. LAU: It will be resolved, yes.

21 CHAIR THAYER: Okay. Yeah, Mr. Hopper. Go ahead.

22 CORP COUNSEL HOPPER: Yeah, just the concern is -- I
23 mean, they're saying right now as planned it will block their
24 -- it says, "This building will obstruct the rear range,
25 rendering both use less." And if you -- if there's an SMA

1 permit for what was represented, generally, that means you
2 can't substantially change what was represented as far as the
3 -- as the view plain or the building heights and things like
4 that. So I don't know what -- so -- and I don't want the
5 commission to be approving something that's in -- you know,
6 that we have a letter that says this could violate federal
7 law. So what we need to know, I think, is, is there a -- do
8 we need to defer until you get that information, or is there a
9 condition or something that you need to resolve this? Or I
10 mean, I guess, if the commission approves this and you can
11 somehow resolve this without changing your representations and
12 your plan, that could be allowed. But to the extent you have
13 to do anything to modify, you know, the buildings, you would
14 need to come back to the commission again.

15 So I don't want to put you in a position -- and I
16 don't think the commission wants to do that either -- of
17 having to redo that, but it's kind of unclear, you know, what
18 to do about that. And so I don't know if there's a -- there's
19 conditions that you would prefer to have or if you'd prefer to
20 defer this until that's worked out, and so you can confirm
21 that that's happened? But I just don't want the commission to
22 have to potentially be approving a project with this concern
23 in place without this resolved.

24 So I don't know if the project team has suggestions
25 for this as to what it should best do because we, obviously, I

1 don't think, would -- I don't think it would be a good use of
2 time for you to have resubmit an SMA application, re-notice a
3 public hearing to change the height of the building or
4 something like that, or to redesign the project to that extent
5 if there's something that could be done here. So that's the
6 concern that I think that we might have here.

7 MR. LAU: The conditions sound like the preferable
8 route, because I don't think we are going to have a definitive
9 answer, you know, in a short amount of time. It's a process,
10 and we understand that instead of redesigning the building,
11 we're hearing from the Coast Guard that their preference is to
12 raise the rear range. So there appears to be a solution to
13 this that is workable, but a condition is -- is the more
14 feasible route.

15 MR. SCHNELL: Questor, could you speak about the --
16 you know, the building permit process and the construction
17 process, too, and when that would start?

18 MR. LALL: Right. So after this SMA, we go through
19 and submit a consolidated app at the state. We would be
20 submitting our building permits starting, hopefully, very soon
21 after this, and so then there's roughly a year for that
22 process, the review, and the approvals. And so there's a --
23 some amount of runway to resolve this. And closing, we
24 anticipate, is about early 2027, maybe mid 2027, and then we'd
25 have to start the construction, and so the actual obstruction

1 is not until later. However, a lot of these issues for us to
2 move forward require us to obtain, you know, this approval
3 first, so it's -- some of these things happen sequentially,
4 and that's why this approval is really important.

5 CORP COUNSEL HOPPER: So your suggestion would be
6 something like prior to the issuance -- I don't know if you'd
7 call it a building permit or what other permits you need,
8 'cause you -- the state can exempt itself from building
9 permits, but I don't know exactly what you plan to get. But
10 based on some milestone, prior to some milestone, that you
11 will have resolved the -- you know, and some description of
12 the issue so the commission has that as a condition of the SMA
13 so that, you know -- we just don't want the Coast Guard to
14 come and say, Hey, why are you approving a permit with this
15 concern in mind? They obviously think this is important
16 enough to write to the commission. So, you know, I don't know
17 if you or your consulting team has suggested conditions, or if
18 the department has some, or I could help with some. But I
19 just don't -- I don't have the level of expertise of -- you
20 know, you guys have DOT and others in the group that might
21 have that expertise about that process. But I just would like
22 -- would advise the commission to have something in place that
23 indicates this would be resolved before, you know, the
24 building goes up.

25 So I can work on something or if you had a

1 suggestion, but I'm presuming it's -- you know, if you have a
2 milestone it would be prior to, prior to that milestone
3 occurring, the -- the concerns raised by the United States
4 Coast Guard in its -- reference to the letter will have been
5 resolved to the satisfaction of the Coast Guard.

6 MR. LAU: And if it's prior to the start of
7 construction, that would give us the most flexibility to keep
8 this moving forward without -- yeah.

9 CORP COUNSEL HOPPER: I mean, yeah, whatever
10 milestone it is, but -- and I turn it back to the chair and
11 commissioners, or they may need my assistance more, but I just
12 mainly wanted the commission to have something in place so
13 that, you know, we don't have a federal government issue based
14 on this letter.

15 CHAIR THAYER: Duly noted. Thank you.

16 Any additional questions, Commissioners?
17 Commissioner Ward.

18 COMMISSIONER WARD: Thank you. I'm just in my head
19 trying to balance out the condition versus deferring. So in
20 one sense, I think deferring is better because then it's -- we
21 know that it's resolved, so the solution is agreeable by the
22 Coast Guard.

23 CHAIR THAYER: Commissioner Deakos.

24 Sorry, was there --

25 COMMISSIONER WARD: Yeah.

1 CHAIR THAYER: Yeah, okay. Yeah, Commissioner
2 Deakos.

3 COMMISSIONER DEAKOS: Yeah. It seems like it's a
4 fairly minor -- I mean, it's not minor, it has -- it's federal
5 law, but it sounds like the Coast Guard -- they just need to
6 raise the channel marker. I'm not saying it's a simple
7 process, but it sounds like they agreed to do that, so we
8 could have a condition on the condition that the Coast Guard
9 raises the channel marker, or, as corp counsel suggested, that
10 it just gets resolved.

11 COMMISSIONER WARD: But, I guess, do we know -- is
12 there a restriction on the height of what it can go to?
13 'Cause we could say, Great, raise it, but is there a
14 restriction on the height levels? Which I don't know.

15 MR. SCHNELL: The channel marker.

16 COMMISSIONER WARD: Well, within our community plan,
17 saying that there's no height restriction.

18 CHAIR THAYER: Director.

19 DIRECTOR BLYSTONE: I'm going to ask staff to agree
20 with me or deny that -- so there wouldn't be a community plan
21 component of this. It could be zoning, but I think that what
22 this is is different. It's not like a building, right? So
23 it's just a marker. I don't think there's anything in zoning
24 that would prevent -- I'm looking at Danny, who is gazing at
25 the ceiling to try to figure out the answer to this question,

1 too. But I can't think of anything within the code that would
2 prevent a marker like this from -- any height limitation that
3 would prevent this.

4 MR. DIAS: I don't think so, either. I know -- I
5 mean, there might be like setback requirements, but I think
6 that's more in ag where the setback has to be like equal to
7 the height. But yeah, I don't -- I can't think of an issue
8 off the top of my head as far as like removing it or raising
9 it.

10 DIRECTOR BLYSTONE: Yeah. So I think the
11 recommendation that Hopper made regarding putting a condition
12 in there that it be resolved to the satisfaction of the Coast
13 Guard is good. The timing, though, of that -- prior to
14 construction, I think, is a good example, but we've also said
15 final compliance report. I don't know.

16 When do you think, Staff? Do you have any
17 suggestion for timing?

18 CORP COUNSEL HOPPER: Yeah, I mean, I would not have
19 you do it prior to construction -- I don't know if they're
20 relying on approvals before that to say -- you know, you issue
21 your SMA permit, and then I don't know if the -- I mean, does
22 the county get to check before construction or anything like
23 that? You just -- you would want there to be a point where
24 you could check to see if that was still fulfilled or not. So
25 I don't know what kind of system the county would have in

1 place for a state project going on later to, you know, sort of
2 check with you or have them give you a -- you know, it sounds
3 like a compliance report might be part of that, but yeah, just
4 make sure it's within a time where you -- if it's not done,
5 you would be able to, you know, check on that at some point.
6 That would be the latest.

7 DIRECTOR BLYSTONE: So we would then -- we would
8 next consult -- sorry, Chair. If I may.

9 CHAIR THAYER: Yeah.

10 DIRECTOR BLYSTONE: We would next consult the SMA
11 approval at the time of the building application, right, so
12 then that would be the next time we would go, Is this done?
13 So that would be preconstruction, that would be pre-approval
14 for the building permits. I mean, that might be a way to go.

15 CHAIR THAYER: Yeah. Commissioner Circle-Woodburn.

16 COMMISSIONER CIRCLE-WOODBURN: Yeah, because is
17 final compliance after construction? Yeah. And if this is
18 going to be blocked --

19 DIRECTOR BLYSTONE: Then it would be too late,
20 wouldn't it?

21 COMMISSIONER CIRCLE-WOODBURN: Correct.

22 DIRECTOR BLYSTONE: Correct.

23 MR. LAU: The reason why we're asking for the
24 flexibility is because there are some requirements, for
25 example, if we're going for funding, right, they want to know

1 certain approvals are in place. So if this is going to hold
2 up, for example, the building permit issuance versus the
3 actual construction, which would occur later, right, it allows
4 us to get further along without getting caught up in some of
5 these issues.

6 CHAIR THAYER: Thank you. If I may, my question may
7 be related. Just looking at the comments from the Cultural
8 Resources Commission, they had one -- only two comments, and
9 one of them was recommending that the project incorporate
10 architectural changes that are more organic and appropriate to
11 the area in regards to overall size, massing, and height. I'm
12 just curious how you explored this and what you decided after
13 that.

14 MR. SCHNELL: So, when we -- so, remember, we went
15 to the Cultural Resources Commission in I think it was
16 December 2022. Actually, it was not PBR representing the
17 applicant at that time; it was another consulting group. And
18 they had quite a list of concerns that they would like
19 addressed. Those concerns have been addressed. The only
20 concern that can't be addressed regarding the building height,
21 massing, because HHFDC actually looked at this, and they
22 thought that the public benefit of providing affordable
23 housing and the civic center, you know, warranted this size,
24 density, height. So that's one obstacle that, you know, we --
25 in deference to the Cultural Resources Commission, you know,

1 lowering the height or lowering the massing would reduce the
2 amount of affordable housing or would reduce the amount of
3 civic center space, so it's a balance.

4 CHAIR THAYER: Okay, thank you. And just for the
5 record, I was referring to the July 14th, 2025, letter that
6 they --

7 MR. SCHNELL: Right. So, yeah, I was at that
8 hearing and, you know, the chair, at least at that time,
9 seemed satisfied -- I don't want to speak for him, but, you
10 know, we had addressed the previous concerns except for the
11 massing concerns, and that remained a concern, but in looking
12 at the whole public benefit of affordable housing and civic
13 center uses, you know, HHFDC had already gone through an
14 analysis of, you know, we should use this property for the
15 highest public benefit.

16 CHAIR THAYER: Thank you.

17 Commissioner Kealoha.

18 COMMISSIONER KEALOHA: Thank you, Chair.

19 I think I -- I was wondering if you had gotten the
20 -- I had asked the question before about heights, building
21 heights in the surrounding area, and how this one would
22 compare, if this one would be the largest or --

23 MS. LI: Yes, we did get the information. Let me
24 pull it up. So the hotel, the new hotel across Kaahumanu,
25 that's the Hampton Inn, is four stories at 55 feet tall. The

1 apartment adjacent to the east of our side, the Waterfront
2 Apartments, is four stories at 44 feet tall. And the
3 apartment to the south of us is six stories at 54 feet tall.
4 So we -- our building is also six stories, but we're a bit
5 taller at 75 feet. And the big -- one of the drivers of why
6 we're a little taller -- but still under the height limit of
7 90, but we're a little taller because our ground floor parking
8 level is really tall. And the reason why it needs to be
9 really tall is that we need to accommodate a fire truck going
10 into our site.

11 And also, back to the previous comments about
12 allowing airflow through our site, having that really tall
13 ground level allows -- also had that added benefit of allowing
14 airflow. So we're six stories, the same as our neighbors, but
15 we're a little taller.

16 COMMISSIONER KEALOHA: About 20 feet taller. You
17 didn't get the height of Kaahumanu?

18 MS. LI: Oh, the shopping mall?

19 COMMISSIONER KEALOHA: Yeah.

20 MS. LI: Oh, let me see. It's 40 feet.

21 COMMISSIONER KEALOHA: Thank you.

22 CHAIR THAYER: Okay. Commissioners, any final
23 questions?

24 (Background noise.)

25 CHAIR THAYER: Okay. I think I see no more

1 questions. We can have the recommendation from staff one more
2 time.

3 MS. SANGER: So, the application meets the criteria
4 for an SMA Use Permit. The department is recommending
5 approval based on the 12 conditions, but I think you guys want
6 to make another condition, so it would be 13 conditions as
7 listed in the staff report and recommendations. In
8 consideration of the foregoing, the Department of Planning
9 recommends that the Maui Planning Commission adopt the
10 department's report and recommendation prepared for the
11 meeting as its finding of fact, conclusion of law, and
12 decision and order, and to authorize the director of Planning
13 to transmit said written decision and order on behalf of the
14 Planning Commission.

15 CHAIR THAYER: Thank you very much.

16 Yeah. So, Commissioners, I think we actually maybe
17 have a few potential -- well, should you be moving towards
18 approval today, there are a few points which could lead to
19 conditions based on everything you've said.

20 Commissioner Elizares.

21 COMMISSIONER ELIZARES: I'd like to make a motion to
22 approve with those conditions, and open to a -- well, that's
23 the first part, yeah. Motion to approve.

24 CHAIR THAYER: Motion to approve from Commissioner
25 Elizares based on the staff report for now.

1 COMMISSIONER ELIZARES: Yes.

2 CHAIR THAYER: The staff report and recommendations.
3 Okay. I see a second from Commissioner Deakos.

4 Commissioner Elizares, would you like to speak to
5 your motion?

6 COMMISSIONER ELIZARES: I'm super scared to see
7 something like this come in. I see -- I see the times, I see
8 this -- to me, this looks like Oahu. I was -- I was raised on
9 that corner when whatever it's called now used to be called
10 the Red Dragon Room. I was the bus pan baby. My mom took me
11 to work at three months old in that space. When it was Maui
12 Palms, that was where I learned to swim, jumping off that deck
13 into the pool. Maui Seaside, all in that area, I had a lot of
14 coaches' meetings at that school, the school for adults in
15 this area. It's spooky to see it. Right?

16 But then we realize where we are now, and all of our
17 people moving away and not having affordable housing. All of
18 our friends that we used to see in that area that used to work
19 at the hotels and we don't see our community in that space
20 anymore. The only people we see walking those streets have
21 come in on the boats to visit for the day. So that's why I
22 step over the fear of this six-story, whatever height,
23 seventy-something feet building, to know that families are
24 going to have their own space to be back in Kahului.

25 And hopefully, having these walkable towns, or at

1 least have that option for us to be walking on the streets
2 again, and slowing down traffic. I also want to say that I
3 failed my driver's license test a total of five times, two of
4 those times was because I went over 20 miles an hour on Kane
5 Street just for the traffic part. I think it's needed.

6 CHAIR THAYER: Commissioner Deakos, as the second?

7 COMMISSIONER DEAKOS: Yeah. And I -- and I share
8 those concerns of, you know, we see what happened on Oahu,
9 Ward Center looks like something in Hong Kong, just towered
10 and no sun gets through. So every time we get big buildings,
11 that concerns me on Maui. But a hundred percent affordable, I
12 mean, I think in my three years on the commission, that's --
13 this is the first project that's a hundred percent affordable.
14 And I do like -- I know state is required to do lead solar,
15 but I don't think this is considered a state building, but it
16 sounds like they're incorporating some of the stuff. I'd love
17 to see solar on the residential side, maybe eliminate some of
18 those utility bills for those lower-income folks. A lot of
19 parking structures, if there's any way to do impervious.
20 Normally, I would go through all of this in discussion, but
21 given it's a hundred percent affordable, I commend you for
22 that.

23 The walkability I already talked about, making that
24 transition to multimodal to mixed-use, you know, these are all
25 things we keep talking about. We rarely see them come to

1 fruition. I do have concerns with the safety just merging
2 that into the existing infrastructure around there, so
3 hopefully those will blend in. You mentioned the innovation
4 center with the shared tools, the shared rides. I think
5 that's a great component. Especially if there is going to be
6 restricted car use, you know, just to have the ability for
7 low-income families to have access to shared things.

8 So there's a lot about this project that I really
9 like. I'm usually pretty critical of projects, so -- I
10 commend you, I look forward to all the success, and the --
11 I'll be approving this project.

12 Thank you, Chair.

13 CHAIR THAYER: Thank you, Commissioner Deakos. And
14 thank you, Commissioner Elizares.

15 So, just to put it out there, noting down some
16 topics of discussion that we have gone through that could
17 potentially float up to conditions, and I'll list them out and
18 see what you folks think, if you want to pursue anything more
19 or not.

20 But what I captured from the decision was surfboard
21 storage on ground floors, some kind of relocation maybe of the
22 play area, combining some kind of shared parking arrangement
23 with the parking structure, using the wood from the mature
24 monkey pods or repurposing or redistributing the woods from
25 the monkey pods and the kumu niu that are removed, the Coast

1 Guard rearrange to be lifted or somehow to the agreement of
2 the Coast Guard to make it workable, and then revisions to the
3 plant pallet.

4 Go ahead, Commissioner.

5 COMMISSIONER WARD: Are we allowed to add
6 (inaudible)?

7 CHAIR THAYER: I think so. Yeah? Yeah.

8 COMMISSIONER WARD: Allow for surfboards -- not only
9 surfboards, but I think there's other items, so like a
10 downstairs storage available for the -- for the people to use,
11 the residents to use. Residents-only storage of large -- what
12 Hawaiian Airlines, no more of them, so we can talk about them,
13 yeah, and what they used to charge extra for.

14 CHAIR THAYER: Surfboards?

15 COMMISSIONER WARD: But like -- there's like a size,
16 'cause I think we have to put that in the condition.

17 CHAIR THAYER: Like golf clubs, surfboards kind of
18 things.

19 COMMISSIONER WARD: Some type of locker room
20 storage, yeah.

21 CHAIR THAYER: Maybe staff can assist with language,
22 but something to the effect of that the project shall provide
23 downstairs -- downstairs secure storage for residents to store
24 large bulky items, such as but not limited to surfboards, golf
25 -- recreational implements.

1 Commissioner Deakos.

2 COMMISSIONER DEAKOS: So I don't know, obviously,
3 with 300 units, are you suggesting a storage locker for every
4 unit or -- you may want to be more specific.

5 COMMISSIONER WARD: I think I'm suggesting a square
6 footage kind of thing, like one big room where people can go
7 and lock their stuff to the wall or something. Because these
8 would be single-item things, right? It's not like we're
9 offering somebody an extra closet to put their bowling balls,
10 which are also recreation items, but that can go upstairs.
11 Some kind of stackable where you can lock your -- like what we
12 see on the beach, you can lock it to a tree or something. I'm
13 not a designer.

14 CHAIR THAYER: This is not like the first time an
15 apartment is doing this, right? There's a model to follow for
16 this.

17 DIRECTOR BLYSTONE: Sorry, Chair.

18 CHAIR THAYER: Director.

19 DIRECTOR BLYSTONE: If I may, just conferring, you
20 know, your mandate, this is a little beyond your mandate. I
21 just want to put that out there. I think if you're going to
22 craft a condition, that you make it squishy a little bit, so
23 that it like asks the applicant to consider providing storage
24 for recreational equipment, something like that, because this
25 is not really within -- recreational equipment is not really

1 within your mandate.

2 COMMISSIONER WARD: Well, so they can figure out --
3 sorry. Sorry, Director.

4 DIRECTOR BLYSTONE: No, that's okay.

5 COMMISSIONER WARD: They can figure out
6 operationally how that works, but maybe -- again, like I said,
7 I'd like to move down there in a few years and store my
8 11-foot board someplace.

9 DIRECTOR BLYSTONE: You're saying something with an
10 11-foot space?

11 COMMISSIONER WARD: (Inaudible.) Only got to be
12 three.

13 DIRECTOR BLYSTONE: Oh, sideways. Oh, yeah.
14 (Inaudible comment.)

15 CHAIR THAYER: Okay. So back on track, back on
16 track. I guess, what would be workable? Because this is, you
17 know, thinking about people living here and being able to make
18 use of this location, they're going to need something like
19 this. And I know this is maybe getting into the weeds, but
20 it's -- I think it plays into how you're going to be able to
21 live in this space. Yeah. So I guess maybe staff can help,
22 but to craft this language so that it's squishy enough, but
23 still gets to the intent of what we're going for, that the
24 applicant shall --

25 DIRECTOR BLYSTONE: Should.

1 CHAIR THAYER: Should.

2 DIRECTOR BLYSTONE: Should provide residents space
3 for storage of recreational equipment outside of their
4 apartments, or something like that, 11-foot surfboards outside
5 of their apartments.

6 COMMISSIONER ELIZARES: Yeah. Is that -- is that
7 too vague, though? Because now I'm going back to, you know
8 what, this is Hawaii and surfing is our sport. Why just make
9 them surfboards?

10 CHAIR THAYER: If you -- Vice Chair.

11 VICE CHAIR LINDSEY: I think the e-bikes thing is --
12 I think there's going to be give in that space already.
13 There's not going to be enough -- in order to get a lot of the
14 subsidies that these low-income people have, the car's omitted
15 from the finance requirement, so they can buy a car and not an
16 e-bike, for example, at the same price as a car payment. So I
17 think there's going to be give in that space that they already
18 have. So I don't think it's a big ask in general for that,
19 but --

20 COMMISSIONER ELIZARES: If we can, Chair.

21 CHAIR THAYER: Commissioner Elizares.

22 COMMISSIONER ELIZARES: Can the -- I suck with names
23 today. Ms. Indominable.

24 DIRECTOR BLYSTONE: Laury.

25 COMMISSIONER ELIZARES: Laury. I'm not great with

1 words.

2 MS. SANGER: I just have that the applicant should
3 provide a resident-only storage for recreational items outside
4 of their apartments. Is that okay?

5 CHAIR THAYER: Okay. That seems workable?

6 MR. LAU: If I may.

7 CHAIR THAYER: Please.

8 MR. LAU: If you could change it to should consider.
9 You know, and again, part of what we did was we did provide
10 more bike storage because that was the feedback we received,
11 and it made sense that you could afford a micro mobility
12 device, but not a full-on car, and so we enlarged that bike
13 storage space. But do realize that part of the constraints, I
14 mean, that you heard today, the reason why the spaces are
15 configured that way is because it was a very compact site.
16 There is a lot that we're accomplishing on this site. And so
17 what you're asking for is on the ground floor, which is like
18 the premium area of the site, to then take up more space with
19 providing this extra storage.

20 I mean, part of the design consideration was we were
21 -- the units are generously sized to provide that living area
22 for the folks that are going to live here, but that also means
23 there's some trade-offs for what happens on the ground floor.
24 And so part of that trade-off is, you know, do we want the
25 multipurpose room? Do we want the bike storage? Do we want

1 the space for the property management office on the ground
2 floor so they have eyes on site, they can, you know, provide a
3 general sense of security, that we have, you know, as much
4 parking as we could fit on the site, or do we -- do we then
5 prioritize other things? Because when we do this, it's like
6 -- it's a balancing act. Because you do something here and
7 you're not able to do other things here, so that's -- that's
8 the thought process we've been going through to get to the
9 design that we shared with you today. And so if we're -- if
10 we're starting to move around different things, then we're not
11 able to accomplish all of the things that -- you know, it
12 shifts this balance that we're trying to achieve here.

13 DIRECTOR BLYSTONE: Well, I guess we could have
14 flexibility. Maybe not ground-floor storage, but it could be
15 somewhere in the building.

16 COMMISSIONER WARD: Yeah.

17 CHAIR THAYER: Okay.

18 COMMISSIONER WARD: I mean, again, I'm not one
19 designer or whatever, but I've seen examples where it's
20 outside the building. Maybe we should not plant the Geiger
21 trees and build one shed on the side of that, an additional
22 shed for this, because this is an additional condition that
23 they can put on to put up these buildings. I just think it
24 takes some creativity.

25 DIRECTOR BLYSTONE: So, for the language that they

1 should, would that be workable? Would that achieve what --

2 COMMISSIONER WARD: Yeah.

3 CHAIR THAYER: Yeah.

4 COMMISSIONER ELIZARES: Just creating a space, like
5 she said. Did we say first floor, ground floor? No, we
6 didn't.

7 DIRECTOR BLYSTONE: So you want to change that the
8 applicant shall consider providing a resident only --

9 COMMISSIONER ELIZARES: It's not my motion.

10 CHAIR THAYER: Oh, okay.

11 COMMISSIONER ELIZARES: It was just not on the
12 ground floor. It doesn't necessarily --

13 CHAIR THAYER: It doesn't need to be on the ground
14 floor. So, between the two versions that we had, does one of
15 them sound better?

16 Can you reread yours?

17 MS. SANGER: Yeah. So that the applicant shall
18 provide a residential-only storage for recreation items
19 outside of their apartments.

20 DIRECTOR BLYSTONE: Chair, we can't say shall
21 provide.

22 CHAIR THAYER: Okay, yeah.

23 DIRECTOR BLYSTONE: That's not --

24 CHAIR THAYER: Okay. Can you read your version
25 again, please, of this condition?

1 CORP COUNSEL HOPPER: Just adding the words should
2 consider. I'm not --

3 CHAIR THAYER: Yeah? Okay. So -- because we didn't
4 actually have a second on your motion, so we're still crafting
5 your motion, so to speak. So it would be that the applicant
6 shall consider storage for recreational items outside of their
7 apartments. Well, what our planner is saying, I had written.
8 Yeah? You got it? Okay.

9 COMMISSIONER ELIZARES: Okay.

10 CHAIR THAYER: Okay. Is there a second? Second
11 from Commissioner Ward. Any discussion? It's a formality.

12 UNIDENTIFIED FEMALE: Just a formality.

13 CHAIR THAYER: Discussion, anybody?

14 (No response.)

15 CHAIR THAYER: Okay. Let us vote on this amendment.

16 DIRECTOR BLYSTONE: Commissioner Circle-Woodburn.

17 COMMISSIONER CIRCLE-WOODBURN: Yes.

18 DIRECTOR BLYSTONE: Commissioner Elizares.

19 COMMISSIONER ELIZARES: Yes.

20 DIRECTOR BLYSTONE: Commissioner Lind.

21 COMMISSIONER LIND: Yes.

22 DIRECTOR BLYSTONE: Commissioner Deakos.

23 COMMISSIONER DEAKOS: (Inaudible.)

24 DIRECTOR BLYSTONE: Commissioner Kealoha.

25 COMMISSIONER KEALOHA: Aye.

1 DIRECTOR BLYSTONE: Commissioner Ward.

2 COMMISSIONER WARD: Aye.

3 DIRECTOR BLYSTONE: Vice Chair Lindsey.

4 VICE CHAIR LINDSEY: Aye.

5 DIRECTOR BLYSTONE: Chair, that's seven votes in
6 favor of the amendment.

7 CHAIR THAYER: Thank you.

8 Okay. Anything on the play area? Vice Chair.

9 VICE CHAIR LINDSEY: I don't think it's safe in the
10 middle of the parking lot. I think walking a little bit
11 further would be okay. The other thing to consider is the
12 heat of how warm it's going to get over there with the sun at
13 its location. So, putting it in the shade would be
14 beneficial, so moving it towards the building would be my
15 preference. I'm not sure how to apply that in here.

16 Applicant?

17 MR. LAU: The landscaping plan does show that there
18 are two trees in the -- that park area, and then we did -- for
19 safety, we put in a double gate in that play area to keep the
20 kids from just running out really quickly.

21 VICE CHAIR LINDSEY: Can you put up on your -- slide
22 20 of your presentation? On that, I understand, but
23 Keopuolani has established monkey pod trees, I think, and they
24 still added onto it 20 years later the sun covering, which --
25 and they have the same factors that you guys have. And all

1 Kahului Elementary, all of the playgrounds right there are too
2 hot during the day.

3 MR. LAU: One of the things that I have done on a
4 past project, we had one -- as a -- which was really hot, it's
5 hot there too. We put up these big umbrella structures to
6 shade the play area, so that's something that could be done
7 here, too. The challenge that we would be looking at if
8 forced to move that play area is you've heard that there are a
9 lot of other things that were done, so there's underground
10 infrastructure that was specifically located to avoid that
11 footprint. And so, you know, anything that shifts pushes
12 these other things around. So as much as possible, you know,
13 our plans are ready to go submit for a building permit like
14 today, so we really want to keep everything moving. But
15 there's things that we can do to address the concerns that
16 have been raised. So we're hearing the shade's a real issue,
17 there's things that -- you know, like a big shade structure
18 that we could look at to see if that's something feasible,
19 that meets code requirements because it's near a building,
20 right? So there's things like that that we have to check, but
21 it might be feasible to do that and achieve the same objective
22 and address the concerns without moving it.

23 VICE CHAIR LINDSEY: I -- the concern that wouldn't
24 be addressed is it's in the middle of the parking lot, that's
25 a big one. But also, like, all of these playgrounds have

1 like, This is a 20-year product. These products in that
2 location last five years no matter what they tell you. And
3 then the kids -- then it's shut down 'cause they need --
4 they're putting money in other parks. And then a playground
5 with no kids playing on it is just a waste of space. So
6 saving that -- it kind of doesn't matter if it's just nothing
7 in the middle, a playground that you can't use in the middle
8 of the parking lot, and it will keep the kids safe. But
9 they're not going to be there, so what is the use?

10 MR. LAU: So the -- you're concerned about access,
11 too?

12 VICE CHAIR LINDSEY: Well, just the ability to use
13 it. The umbrella, the same thing. At certain times at
14 Keopuolani Park with big, established trees -- this park has
15 been there for 20 years -- they added umbrellas on there. It
16 -- they had to remove -- salt damages the structure thing that
17 holds the umbrella, so then that part breaks. And this is
18 like five -- every five less years. My daughter is seven, she
19 -- that park shut down at least twice in her life because of
20 the elements that are right there that you will be
21 experiencing for the same function. And it's an established
22 park with large trees. So I just want to avoid all of that so
23 that we actually have use in the park.

24 And I hear you, like you did all the work and
25 there's -- and there's things you can't move, but if there is

1 some kind of reliable shade that's not umbrellas held by metal
2 poles that's going to erode quickly and the products that
3 would be something more substantial, but so far, Maui County
4 has not implemented any of that for Kahului parks.

5 CHAIR THAYER: So -- well, I guess, is there
6 something you would want to --

7 VICE CHAIR LINDSEY: I think like a -- establish a
8 shade would be moving it closer so that the building provides
9 the shade or something else that could help save that -- but I
10 say moving the building closer because then you're eliminating
11 walking in the middle of the parking lot. You're also
12 eliminating -- like the shade, you know, the shade will come
13 in the afternoon naturally.

14 MS. LI: So if I may, just addressing the issue of
15 shading, so --

16 (Inaudible comment.)

17 CHAIR THAYER: Yeah, the microphone.

18 MS. LI: Yeah, this is a good one. The building
19 will be partial -- yeah, this is a good one, yes. So the sun
20 is going to be kind of going like this on the -- so this is
21 the sun path, so these buildings will partially shade -- will
22 also help shade the park. And the strongest and hottest time
23 in the afternoon, like this building, will help shade the
24 park. The park, the playground as well. So there's -- I
25 think Questor talked a little bit about balancing all the

1 different needs and wants for this community, for this
2 affordable housing, and parking also is -- I'm also hearing is
3 important for them. So there's -- we're really packing a lot
4 of uses and program onto the ground floor, so some -- like on
5 top of that, we have the underground retention system for
6 storm drainage. So there's really not a lot of room where we
7 can move this playground. But just also wanted to bring for
8 attention that these buildings are also helping to shade that
9 playground.

10 CHAIR THAYER: Sorry. While we have this up there,
11 and I apologize, we kind of don't -- well, can you clarify the
12 walking path to get to the play area? I see the
13 cross-hatching from that building, but how do they get there
14 to the playground from the other one?

15 MS. LI: Yeah, okay. So from the L-shaped building,
16 the elevator is -- the elevator is here, so they can -- they
17 can either go this way and out and go across, or they can --
18 yeah, yeah, the door is here, so they can go this way and then
19 like that. So here's the elevator lobby and go down. And
20 then from the U-shaped building, the elevator lobby is here,
21 and they can go this way.

22 CHAIR THAYER: So that's where they cross the
23 driveway to get across?

24 MR. LAU: But it's also accessible by both
25 buildings.

1 CHAIR THAYER: Commissioner Deakos.

2 COMMISSIONER DEAKOS: Yeah. I'm just looking at the
3 -- one of the images, you've got a pavilion in the front,
4 looks like a wooden -- you know what I'm talking about?

5 MS. LI: Oh, the --

6 COMMISSIONER DEAKOS: If you could add something
7 like that over the park, a smaller version of that, just to
8 get a more rigid, permanent shade structure.

9 MR. LAU: I think the concern was if it's vertical
10 sun, that actually looking at the play structure, there is
11 like an umbrella thing part of -- that's part of that
12 component, and part of what we do is we maintain the building.
13 It's -- EAH builds and manages their project. It's not like
14 we sell it and walk away, like use the cheapest material.
15 We're going to be managing it for however long it's there, and
16 it's -- the idea is as long as possible. That's part of our
17 mission is to provide the housing, maintain it, and keep it
18 affordable. And so, you know, we're using really good
19 materials, we want it to last a long time. The umbrella is
20 already part of the play structure. And as the architect just
21 explained, the sun path is moving at a low-enough angle that
22 the buildings around it will shade it.

23 And part of the reason it was chosen for that
24 location is that's where we get a good amount of sun, so the
25 kids can play there, but it's also shaded. Because in other

1 places, it would be under the tree all of the time, or it
2 would be too close to the street, where you get a lot of
3 fumes. So, at least here in the area, it's like less fumes,
4 it's a little bit more protected, it's centrally located, and
5 people can access it. And for my two-year-old kid, I -- she,
6 like, takes off, like I can't stop her, even in the mall, so I
7 have to keep my hands on her or keep her nearby all of the
8 time. So if she's going down to that play area, you know,
9 she's holding my hand. I can't -- I can't just let her go off
10 and run, so (pause) --

11 CHAIR THAYER: Commissioner Elizares, did you have
12 your hand up?

13 COMMISSIONER ELIZARES: I did, I want to just -- as
14 Vice Chair crafts this, would like bollards -- because it
15 looks like there's two places where they would cross. Would
16 installing bollards to promote slower traffic within the
17 facility help? 'Cause that's a two-way road right there where
18 they're going to go crosswalk. If we put a bollard from, what
19 is that, the lobby in the center there that would slow people
20 down. And then even when you come in through the main entry,
21 put a bollard in the center. Does that throw off the -- I
22 think that's relatively cheap.

23 MR. SCHNELL: Are you suggesting a speed bump
24 that --

25 COMMISSIONER ELIZARES: No, a bollard, like a metal

1 pole filled with cement to destroy your vehicle. They have
2 them in the Wailuku parking structure. I know because my
3 truck took a hit.

4 CHAIR THAYER: It jumped out and got you.

5 MR. LAU: One of the things that happens in this
6 plan is a trash truck is going in to pick up trash. It was
7 also designed so a fire department truck can go in, you know,
8 drive around, and then come out. So, I mean, it's not --
9 there's a lot of different things that were -- went into this
10 design, and so we want to be very mindful of making sure that
11 those clearances are still provided for all the different
12 types of uses and emergencies and things that would happen on
13 the site.

14 COMMISSIONER ELIZARES: So you guys have -- sorry.
15 I understood you crafting yours, but you guys have on-site
16 staff that are there when, Hey, there's a fire, a fire truck's
17 coming, pull that bollard out of the ground.

18 MR. LAU: Well, we have --

19 COMMISSIONER ELIZARES: They're removable, yeah.
20 Sorry. Does that -- does that affect your operations for two
21 more bollards, removable bollards?

22 MS. LI: I don't know about the building operation,
23 but I think for the fire department, that might be an issue,
24 because I think when we talked to them about access, there's
25 very specific height clearances and also a turning radius that

1 we need to accommodate for the fire trucks. And they also
2 need the access. So, like, for example, if like, you know,
3 they're going to want to cut gates and they're going to want
4 to gain access, so they really just want easy access to the
5 property in case of emergency. So if we are adding bollards
6 or speed bumps, we just have to test that all of that is still
7 going to work for the fire trucks.

8 COMMISSIONER ELIZARES: Creating removable bollards,
9 you know.

10 MS. LI: Right, but I think in an emergency, it's
11 hard. I think there's -- like they're -- when I talked to
12 them, their consideration is not only for them to get in, but
13 also for people to get out, and that people getting out and
14 them getting in don't run into each other, so there's that
15 kind of consideration.

16 CHAIR THAYER: You could say something like explore
17 with the fire department the feasibility of putting in
18 bollards to control traffic. Commissioner Elizares, does
19 that --

20 COMMISSIONER ELIZARES: Well, that's her, yeah.

21 CHAIR THAYER: Well, this was more along the lines
22 of what you were talking about, of just managing, like, the
23 speed of people driving around the parking lot.

24 Commissioner Ward.

25 COMMISSIONER WARD: Thanks, Chair. I would not put

1 the solution in, I would -- I would suggest that it's that
2 they consult with the fire department to come up with a
3 solution to minimize traffic flow while protecting children
4 going into the park.

5 CHAIR THAYER: Traffic-calming measures?

6 COMMISSIONER WARD: But leave it to the fire
7 department and them to work out (inaudible).

8 CHAIR THAYER: Director.

9 DIRECTOR BLYSTONE: If this is all on the property,
10 then, yeah, I think the fire department is the right way to
11 go, but if it's in any way like kind of inching into the area
12 beyond their property, DPW is actually a more appropriate
13 mechanism for traffic-calming measures. But I like the
14 direction that the -- that you all are going. Again,
15 reminding you that this is an SMA permit, so just keep that in
16 mind and your obligations under SMA.

17 VICE CHAIR LINDSEY: I like the fire department
18 input. I think they would give a good answer, so can we add
19 that one? Was that creative (inaudible), Director?

20 CHAIR THAYER: I'm sorry. Consult with the fire
21 department to?

22 COMMISSIONER WARD: Mitigate traffic and safety for
23 children.

24 DIRECTOR BLYSTONE: So we need to be clear what you
25 mean by traffic. You're talking about traffic internal to the

1 project?

2 VICE CHAIR LINDSEY: Yes, yeah. This is not
3 touching Kane or Vevau. This is really thinking about the
4 access into the residential portion.

5 CORP COUNSEL HOPPER: Just as a reminder, this is an
6 SMA permit, so the goals, objectives, and -- okay, sorry.

7 CHAIR THAYER: Yeah, say it again. No, you can say
8 it. It's important.

9 CORP COUNSEL HOPPER: But the -- your basis for
10 conditions or denial are adverse environment or ecological
11 effects on the Special Management Area as defined by the
12 goals, objectives, and policies of HRS 205A-2, which are all
13 coastal environment type issues. It's not a general project
14 review statute. It deals with the SMA impacts that are unique
15 to the coastal zone. So it's not like a change in zoning
16 where you've got a whole list of other impacts that you're
17 looking at. You're looking at specific environmental or
18 ecological effects and not always necessarily traffic
19 mitigation or other types of issues. So if you are going to
20 look at traffic mitigation, you have to tie it to these
21 coastal zone goals, objectives, and policies. And there's
22 case law on that as well. So, again, I think we've gone over
23 that in training, but I just want to remind everybody that
24 that's the scope of your review is an SMA permit versus a
25 change in zoning or a special permit, for example, which are

1 broader in scope.

2 CHAIR THAYER: Commissioner Circle-Woodburn.

3 COMMISSIONER CIRCLE-WOODBURN: So it's
4 environmental, so health, is not safety really a part of that?

5 CORP COUNSEL HOPPER: General health and safety --
6 you've got to look at 205A-2, and you would look at the list
7 of goals, objectives, and policies. If you're going to put in
8 a condition or denial, we'd want to put that in a decision and
9 order and reference here in this list what it relates to
10 specifically. So general health and safety that you'd have a
11 change in zoning or something isn't necessarily something
12 you'd be looking at. Because the idea is this is a heightened
13 review in coastal areas. These impacts and these issues would
14 be the same as if this was Upcountry, you know, you would
15 have, you know, potential traffic issues and other things like
16 that. So it would be unique to the shoreline area how those
17 traffic impacts and other impacts would affect the project.
18 That's the idea for an SMA permit.

19 CHAIR THAYER: Thank you.

20 Commissioner Lind?

21 COMMISSIONER LIND: Off the subject, sorry. For the
22 PBR, this place would be -- will have surveillance, right?

23 MR. SCHNELL: That's correct.

24 COMMISSIONER LIND: Okay. Thank you, sir. Aloha.

25 COMMISSIONER KEALOHA: If it's okay -- Chair. If

1 it's okay, can we leave the firemen checking comment?

2 CHAIR THAYER: Yeah.

3 COMMISSIONER KEALOHA: I think the shade one with
4 the salt weather and Kahului is definitely a factor for the
5 use. And I -- and I want to say, like if you're looking -- if
6 that is facing Haleakala, that L-shaped building is going to
7 come up around 10:00 or 11:00 when the sun is going to hit,
8 and that was when the kids would potentially not be there.
9 And then till like 2:00ish, and then it'd come behind the
10 other building in theory. I mean, I'm just guessing, I didn't
11 -- you know, I'm not super -- but in -- so the time it
12 wouldn't be in use would be between 11:00 and 2:00. But I
13 would like something like a little bit more substantial,
14 preferably made out of wood there, because of the salt and the
15 wind and the sun impacts. So in Kahului, right there, like
16 direct ocean breezes.

17 CHAIR THAYER: I would say a tree would be best, but
18 that's me.

19 MR. LAU: There are two.

20 CHAIR THAYER: And there are two trees, right, right
21 in the play area. Okay.

22 VICE CHAIR LINDSEY: The other thing I did want to
23 mention is I did -- when you gave the website of the other
24 properties you did manage, you guys do a great job, so that is
25 -- that helps me make that decision here, but that the weather

1 there is very strong. We have a building there, and we put a
2 50-year product on there; it lasted us seven years. We
3 couldn't use any metal screws, so we have to change the metal
4 screws every five years. Yeah, it's like nothing else.

5 CHAIR THAYER: Okay. Maybe pivoting a little bit to
6 another area of interest, the -- looking into the combined or
7 shared use of the parking structure parking, is that something
8 we want to go into? I don't know how much we can put on --

9 (Inaudible comment.)

10 VICE CHAIR LINDSEY: Yeah.

11 UNIDENTIFIED MALE: It seems like a missed
12 opportunity.

13 VICE CHAIR LINDSEY: It totally seems like a missed
14 opportunity, like --

15 UNIDENTIFIED MALE: If parking is a concern.

16 VICE CHAIR LINDSEY: Yes.

17 UNIDENTIFIED MALE: Parking (inaudible).

18 VICE CHAIR LINDSEY: And I feel like --

19 UNIDENTIFIED MALE: Parking may be out of our
20 purview, it's just more trying to understand.

21 VICE CHAIR LINDSEY: Because part of me -- I'm like
22 we're taking an almost entirely, like, bare earth space and
23 paving the whole entire thing, which seems insane to me and a
24 little bit just on the surface level. And I'm like, need the
25 housing, it's great, and I'm glad you folks are such good,

1 like, housing managers and developers, but at the same time, I
2 can't get past we're completely paving over a whole entire
3 site in the middle of Kahului, and if there's --

4 (Inaudible comment.)

5 VICE CHAIR LINDSEY: Yes, right by the water. Like
6 if there -- if there's anything we can do -- if it is going to
7 get all paved over, if we can make the most use of that paving
8 action, and so can we -- and I put this forth to the
9 commission if there could be any kind of condition for best
10 effort at finding an agreement between -- if it would be DAGS
11 and HHFDC for the shared use of the parking structure for the
12 residences -- or residents.

13 MR. LAU: Surface-level parking or just to have more
14 access?

15 VICE CHAIR LINDSEY: Well, if we can't reduce the
16 parking, then I would hope that we make the best, most use out
17 of it, is my thinking. If it's going to be there anyway, then
18 it seems poho to have it empty overnight every single night
19 when it could maybe accommodate residents, make room for
20 guests.

21 CHAIR THAYER: Maybe this is not helpful, but -- it
22 might be helpful, but if you think about the parking structure
23 across the street and the whole parking lot in Kaahumanu,
24 there's so much parking there that never gets used. So I'm
25 thinking like guests are probably going to park there and walk

1 across the street if that's -- I don't know if that's legal or
2 if there is a way for you guys to work with Kaahumanu to maybe
3 share some space, but I think there's potential for parking,
4 it's just you have to think creatively. And it would really
5 be -- people will really appreciate being able to have a
6 friend over, you know. It's going to be really hard for
7 people to not have cars because yes, like we want to promote
8 walkability, but people haven't gotten there yet, so (pause)
9 --

10 MR. LAU: Mall security (inaudible) go to Costco.

11 VICE CHAIR LINDSEY: You'd have Instacart.

12 CHAIR THAYER: Yeah, I put that forth to the
13 commission if there would be any kind of condition in the
14 realm of parking, just --

15 (Inaudible comment.)

16 CHAIR THAYER: Yes, with Kaahumanu being right there
17 and being empty, that whole entire parking garage and that
18 whole entire side of the mall. But just thinking about this
19 parking structure going in right across the street from all of
20 that, next to the bus center, which hopefully has increasing
21 use and hopefully by people that work here and -- I don't
22 know. If you're living here and working in Kahului, Kahului
23 is so flat --

24 UNIDENTIFIED MALE: Walk.

25 CHAIR THAYER: Walkable and bikable, seemingly,

1 which is seemingly what we're all shooting for. And the whole
2 point of having a transit center is that you're using transit
3 and not cars.

4 COMMISSIONER WARD: We could make it a suggestion
5 and not a -- you know, to the extent possible, applicant --

6 CHAIR THAYER: Yeah.

7 COMMISSIONER WARD: -- consider shared parking to --

8 CHAIR THAYER: Explore a shared parking arrangement.

9 COMMISSIONER WARD: For residents or (inaudible).

10 CHAIR THAYER: Yeah, yeah.

11 COMMISSIONER WARD: It sounds like there's some
12 initial conversation, so (inaudible).

13 CHAIR THAYER: Yes.

14 COMMISSIONER WARD: Asking that they continue that.

15 CHAIR THAYER: Yes, as much as can. Otherwise, it
16 seems like a big waste of resources.

17 Vice Chair.

18 VICE CHAIR LINDSEY: Can we just ask them to do that
19 and not put it in a condition? There's so many neighbors
20 right there, and I'm sure when they -- when the tenants there
21 are like, Hey, I have to bring home my work truck, and I've
22 got two cars, two other adults, I think they're going to be
23 like, Hey, we've got to find parking. And so I think
24 eventually it'll get -- it's going to transition into
25 management issues, so it will work itself out. And hopefully,

1 they're good neighbors, and I trust that it will.

2 CHAIR THAYER: Commissioner Deakos.

3 COMMISSIONER DEAKOS: I mean, it's -- as we said,
4 it's not -- it's not directly connected to the SMA, so we can
5 make a suggestion, whether it's a suggestion and condition or
6 just ask them right now, but we can't really tie it to the SMA
7 permit, so it's (inaudible). I totally agree, but --

8 CHAIR THAYER: Commissioner Circle-Woodburn.

9 COMMISSIONER CIRCLE-WOODBURN: (Inaudible.)

10 CHAIR THAYER: Okay. Okay?

11 VICE CHAIR LINDSEY: So maybe we can request a
12 commitment from you folks to work on parking when it's needed.

13 CHAIR THAYER: Okay.

14 MR. SCHNELL: Yes, that's a yes.

15 VICE CHAIR LINDSEY: Okay, thank you.

16 CHAIR THAYER: Yes, the representation made to the
17 commission would get captured in Condition No. 3.

18 Okay. Anything on the plant pallet? The other two
19 were the plant pallet and then the use of wood from the monkey
20 pods and kumu niu that are removed.

21 COMMISSIONER WARD: Can we do that? Can we put that
22 -- can we just ask them for a commitment instead of force it
23 as a condition?

24 CHAIR THAYER: Yeah.

25 MR. SCHNELL: Yeah, I think that's reasonable. I

1 mean, we're -- we're already talking to the Oihi Resources.

2 COMMISSIONER WARD: Sure.

3 MR. SCHNELL: Like you say, if we brought it up,
4 they'd likely know some woodworkers that would like the wood.
5 They can send us in the right direction, yeah.

6 COMMISSIONER WARD: So there's a commitment then,
7 yeah. You can find -- not just going to trash that, that
8 wood.

9 CHAIR THAYER: Will you find a way to repurpose --

10 MR. SCHNELL: Yes.

11 CHAIR THAYER: -- the wood?

12 MR. SCHNELL: Yes.

13 CHAIR THAYER: Okay.

14 COMMISSIONER WARD: Ideally on-site.

15 MR. LAU: In practical terms, right, so when we're
16 working with Oihi Resources, we will contact them when it's
17 time, but we do have to get this project going, so it's like
18 there's a -- you know, the coordination is really important,
19 but it's not that we're going to, you know, cut the tree down
20 and store it and hold it forever on site, right? It's like we
21 will coordinate with them, but there's a time limit when we
22 have to get this -- the construction going, right? But we
23 have started that discussion with Oihi Resources, and we will
24 continue that and include the rest of the trees is what I'm
25 hearing is important.

1 VICE CHAIR LINDSEY: I think that --

2 CHAIR THAYER: Vice Chair.

3 VICE CHAIR LINDSEY: I think because of the South
4 Maui Community Plan change, I think there's going to have to
5 be a process anyway, so I think it's doing -- exploring this
6 process, starting with that. I know they at least know the
7 people in the community to get the wood to, so I'm sure once
8 it gets cut down and people know about it, people will show
9 up.

10 COMMISSIONER WARD: Oh, they'll show up like that.

11 VICE CHAIR LINDSEY: Yeah.

12 COMMISSIONER ELIZARES: I cut down kiawe every day
13 and throw it on the side of the road. I come back in the
14 morning, it's gone.

15 (Inaudible comment.)

16 VICE CHAIR LINDSEY: Monkey wood or (inaudible),
17 guaranteed.

18 (Inaudible comment.)

19 VICE CHAIR LINDSEY: Yeah.

20 CHAIR THAYER: Okay. And then I guess the last one
21 is anything on the plant pallet, or have we had
22 representations made that are sufficient?

23 COMMISSIONER WARD: Yeah, I think so.

24 COMMISSIONER ELIZARES: I think so.

25 CHAIR THAYER: Circle-Woodburn.

1 COMMISSIONER CIRCLE-WOODBURN: Did we have to
2 (inaudible) something out for the Coast Guard thing?

3 CHAIR THAYER: I think so.

4 VICE CHAIR LINDSEY: For the -- can you also explore
5 options in fruit trees even though -- because of what --

6 CHAIR THAYER: Yeah, review the plants from the
7 planting plan.

8 VICE CHAIR LINDSEY: Yeah.

9 CHAIR THAYER: But it is not meant to discourage
10 fruit trees for sure.

11 VICE CHAIR LINDSEY: I think moringa and papaya
12 would both be taken quickly and provide shade, or at least
13 will have some shade if it's not taken too quickly.

14 CHAIR THAYER: I feel like having trees that are
15 actually resources -- whether they're used for lei or food or
16 other material -- should be planted where people are living
17 and dwelling; otherwise, it seems like a waste of space and
18 resources. Which being in the coastal zone, I think having
19 good, proper vegetation in the coastal zone makes all kinds of
20 sense if that's clear enough for everybody. Yes? Okay, yeah.
21 Any qualms, anybody?

22 (No response.)

23 CHAIR THAYER: Good? Okay.

24 And then, yes, sorry, the last one is the Coast
25 Guard rearrange. Yeah, guidance from the director is this

1 should be a condition to put in here. And we (inaudible)
2 discussed various wordings for this, but something to the
3 effect of that the Coast Guard range to be lifted or adjusted,
4 or relocated.

5 MR. DIAS: Yeah, I can -- I can take a stab at it.

6 CHAIR THAYER: All right.

7 MR. DIAS: Add a condition that says -- that states
8 that prior to any ground-altering activities, the applicant
9 shall work with the United States Coast Guard to resolve the
10 concerns regarding the two navigational aids discussed in
11 their comment letter to the Maui Planning Commission dated
12 November 21st, 2025. Compliance with this condition shall be
13 confirmed by a letter provided by the United States Coast
14 Guard.

15 COMMISSIONER WARD: So moved.

16 CHAIR THAYER: Okay. So moved by Commissioner Ward,
17 second by Commissioner Deakos. Any discussion? Discussion?

18 CORP COUNSEL HOPPER: Just that -- just to make --
19 are we pretty confident we can get a letter from the Coast
20 Guard on that? I don't want them to necessarily be upheld
21 based on that or if it's some other -- I mean, I would presume
22 that's how they would do it to say we're okay or some type of
23 correspondence, but I just would want to make sure that's
24 something that can be obtained.

25 MR. LAU: May we suggest substituting instead of a

1 letter from the Coast Guard, from the State Department of
2 Transportation, Harbors Division? Because they're already
3 involved in that conversation and we're working with HHFDC, so
4 a state agency might be the -- a better level of --

5 CORP COUNSEL HOPPER: I mean, I don't know if the
6 federal government would write a letter to the commission
7 directly, but like -- I don't know if they would generally
8 have a correspondence to you. DOT would be fine, too, if the
9 -- it's up to the commission in the end, but I just didn't
10 want to have something that was unresolvable. Because some
11 agencies won't -- might not give you a letter just 'cause you
12 -- 'cause they're not bound to the commission. So I don't
13 know if Danny had a --

14 MR. DIAS: Yeah, my intent was a letter like to the
15 applicant, but we can -- we can tweak -- so I guess I can add
16 compliance with this condition shall be confirmed by a letter
17 or other correspondence provided by the United States Coast
18 Guard or --

19 CHAIR THAYER: The State Harbors.

20 MR. DIAS: -- the State Harbors Division.

21 CHAIR THAYER: Is that okay with you as the movant
22 and as the second?

23 Okay. Thumbs up from both. Any discussion now that
24 we have changes?

25 (No response.)

1 CHAIR THAYER: Okay. Seeing none, let us vote on
2 this amendment to include this Coast Guard condition.

3 DIRECTOR BLYSTONE: Commissioner Circle-Woodburn.

4 COMMISSIONER CIRCLE-WOODBURN: Aye.

5 DIRECTOR BLYSTONE: Commissioner Elizares.

6 COMMISSIONER ELIZARES: Yes.

7 DIRECTOR BLYSTONE: Commissioner Lind.

8 COMMISSIONER LIND: Yes.

9 DIRECTOR BLYSTONE: Commissioner Deakos.

10 COMMISSIONER DEAKOS: Aye.

11 DIRECTOR BLYSTONE: Commissioner Kealoha.

12 COMMISSIONER KEALOHA: Aye.

13 DIRECTOR BLYSTONE: Commissioner Ward.

14 COMMISSIONER WARD: Aye.

15 DIRECTOR BLYSTONE: Vice Chair Lindsey.

16 VICE CHAIR LINDSEY: Aye.

17 DIRECTOR BLYSTONE: Chair, that's seven votes in
18 favor.

19 CHAIR THAYER: All right. Okay. I believe that is
20 all, everything, unless there's anything for the playground,
21 which we would have to draw in how exactly that plays into the
22 coastal zone, because it's not a coastal recreational
23 resource, it's a general recreational resource within the
24 coastal zone.

25 Commissioner Ward.

1 COMMISSIONER WARD: Thank you, Chair. I think it's
2 -- they've heard what we said.

3 CHAIR THAYER: Yeah.

4 COMMISSIONER WARD: I would like to believe that
5 they understand and that they will do what they can. I don't
6 see how we can tie it to the coastal stuff. So I would like
7 to have it in, but I -- I think they've heard what we said and
8 why, so --

9 CHAIR THAYER: Okay.

10 COMMISSIONER WARD: I will go on good faith.

11 CHAIR THAYER: Okay. Well, then I think that's all
12 the issues we had talked about in our questions and
13 discussion.

14 Vice Chair.

15 VICE CHAIR LINDSEY: I do have a question that I
16 should have asked earlier, and it's totally -- we didn't talk
17 about it at all, but are there barbecues on property?

18 (Inaudible comment.)

19 VICE CHAIR LINDSEY: No? Okay. Can (inaudible)?

20 CHAIR THAYER: Yes, I did have a question on
21 landscaping just 'cause all the kumu niu are getting taken
22 out, and they're like super characteristic of Kahului. And I
23 think I know why they're not in there, but that was a question
24 I had. 'Cause if you look at the landscape of Kahului any
25 time you're driving on the road, there's always coconut trees

1 somewhere, and this is removing very old ones and not putting
2 any back. And I'm just -- have concerns about losing that
3 part of the skyline, but -- anyway, we've got good people
4 working on the landscaping plan, so --

5 All right. Any other things, Commissioners?

6 (No response.)

7 CHAIR THAYER: Okay. Seeing none, I think we can
8 vote on the main motion, which is for the recommendation
9 provided by staff, with the addition of two conditions, one's
10 for the recreational equipment storage, and then one for the
11 Coast Guard rearrange. Everybody clear? Yeah?

12 Okay. Let's vote on the main motion.

13 DIRECTOR BLYSTONE: All right. Commissioner
14 Circle-Woodburn.

15 COMMISSIONER CIRCLE-WOODBURN: Aye.

16 DIRECTOR BLYSTONE: Commissioner Elizares.

17 COMMISSIONER ELIZARES: Yes.

18 DIRECTOR BLYSTONE: Commissioner Lind.

19 COMMISSIONER LIND: Yes.

20 DIRECTOR BLYSTONE: Commissioner Deakos.

21 COMMISSIONER DEAKOS: Aye.

22 DIRECTOR BLYSTONE: Commissioner Kealoha.

23 COMMISSIONER KEALOHA: Aye.

24 DIRECTOR BLYSTONE: Commissioner Ward.

25 COMMISSIONER WARD: Aye.

1 DIRECTOR BLYSTONE: Vice Chair Lindsey.

2 VICE CHAIR LINDSEY: Aye.

3 DIRECTOR BLYSTONE: Chair, that's seven votes in
4 favor of the motion.

5 CHAIR THAYER: Okay. The motion carries. Thank you
6 for bearing with us and all of our questions. Appreciate your
7 time.

8 MR. SCHNELL: Thank you very much for the discussion
9 and deliberations. Thank you.

10 CHAIR THAYER: Okay. And maybe, Director, you have
11 notes for us on A4 and A5?

12 DIRECTOR BLYSTONE: Mahalo, Chair. So, Items A4 and
13 A5 were to be presented by Greg Post on behalf of the
14 department, and he has had a family emergency and is not
15 available to do them. Since he is carrying them to the other
16 commissions as well, I would like for him to be the one who
17 participates in this discussion and presents this information
18 to you, so we are asking that these two items -- we're going
19 to reschedule them to your regularly scheduled programming on
20 December 9th. You will be taking one very large item at that
21 meeting, but it is just an EIS, so this is -- we would propose
22 to put these two items first. They're, for us, cleanup items,
23 so they should be fairly straightforward, knock on wood, but
24 it's much better if Greg explains them. So we're asking the
25 commission to push them to December 9th if that's all right.

1 CHAIR THAYER: Sure. Do we need to do a deferral?

2 CORP COUNSEL HOPPER: They are public hearing
3 noticed items, so, yeah, I think you would want to say a
4 motion to defer the items to, and then state a date, time, and
5 place. That's to avoid having to re-notice a new -- in the
6 newspaper because your rules say that if you reschedule a
7 public hearing, you need to announce the date, time, and place
8 at the public hearing. So, whether it's a motion vote or
9 unanimous consent, you should still announce the date, time,
10 and place of the -- of the rescheduled hearing.

11 CHAIR THAYER: Do we need to do A4 and A5
12 separately, or can we do them as part of one?

13 CORP COUNSEL HOPPER: I think you can do them both
14 if they're being deferred to the same date, time, and place.

15 CHAIR THAYER: So we can include both of them in one
16 motion?

17 CORP COUNSEL HOPPER: Yeah. I think you could say
18 move to defer the public hearing items and then specify the
19 items, until December 9th, 2025, at the -- you know, and state
20 the location. I think the Kalana Pakui Building in Wailuku,
21 Hawaii, at 9:00 a.m., yeah.

22 CHAIR THAYER: Okay. So, entertain a motion to that
23 effect.

24 VICE CHAIR LINDSEY: I move to defer Items 4 and 5
25 on the agenda to our December 9th meeting here in the Planning

1 Commission -- planning room for 9:00 a.m. in the Kalana Pakui
2 Building.

3 CHAIR THAYER: Okay. A4 and A5.

4 VICE CHAIR LINDSEY: A4 and A5.

5 CHAIR THAYER: Motion by Vice Chair, second by
6 Commissioner Ward. Speak to your motion?

7 (No response.)

8 CHAIR THAYER: Speak to your motion?

9 (No response.)

10 CHAIR THAYER: Discussion? Everybody all good?

11 (No response.)

12 CHAIR THAYER: Okay. Let's vote.

13 DIRECTOR BLYSTONE: Commissioner Circle-Woodburn.

14 COMMISSIONER CIRCLE-WOODBURN: Yes.

15 DIRECTOR BLYSTONE: Commissioner Elizares.

16 COMMISSIONER ELIZARES: Yes.

17 DIRECTOR BLYSTONE: Commissioner Lind.

18 COMMISSIONER LIND: Yes.

19 DIRECTOR BLYSTONE: Commissioner Deakos.

20 COMMISSIONER DEAKOS: (Inaudible.)

21 DIRECTOR BLYSTONE: Commissioner Kealoha.

22 COMMISSIONER KEALOHA: Aye.

23 DIRECTOR BLYSTONE: Commissioner Ward.

24 COMMISSIONER WARD: Aye.

25 DIRECTOR BLYSTONE: Vice Chair Lindsey.

1 VICE CHAIR LINDSEY: Aye.

2 DIRECTOR BLYSTONE: Chair, that's seven votes in
3 favor of deferral.

4 CHAIR THAYER: Okay, all right. Now on to the
5 director's report. Is there anybody signed up to testify on
6 Items B1, 2, or 3?

7 (No response.)

8 CHAIR THAYER: Okay. This is the last call for
9 public testimony on the director's report. There's nobody in
10 the gallery, so this would be speaking to people online.
11 Public testimony on B1, B2, and B3 will close in three, two,
12 one.

13 Oh, somebody was going to testify?

14 (Inaudible comment.)

15 CHAIR THAYER: Okay. Director, go ahead.

16 DIRECTOR BLYSTONE: Mahalo, Chair. As usual, we
17 have the minor and exemption reports for SMAs from Halloween
18 until 11/14, so the last two weeks, right? Yes. Ish. Any
19 questions from the commission?

20 (No response.)

21 DIRECTOR BLYSTONE: Okay. Hearing none, I can move
22 on to Item 3.

23 CHAIR THAYER: Mm-hmm.

24 DIRECTOR BLYSTONE: So your next meeting is December
25 9th, 2025, at 9:00 a.m. right here. Your two -- well, you'll

1 have three agenda items now. Your first agenda item is an
2 ordinance amending Chapters 19.4, 19.6, 19.64, 19.65, and
3 19.510 of the Maui County Code on defining and clarifying the
4 duration of extension requirements for certain permits.
5 You're going to love that one. And then the same -- a very
6 similar chapter, several chapters as well on Item -- this
7 other item about publishing things in the newspaper, so that's
8 another item. And then, of course, the Makena Mauka EIS will
9 be coming your way as well. So it's going to be a big agenda,
10 but I know you guys can handle it.

11 CHAIR THAYER: I'm sorry. The two code changes will
12 go first?

13 DIRECTOR BLYSTONE: Correct. We'd like to get those
14 out of the way and allow you some freedom to engage on the
15 Makena Mauka. That's the way I'm describing it, yeah.

16 CHAIR THAYER: Oh, very positive.

17 DIRECTOR BLYSTONE: Positive. Positive.

18 CHAIR THAYER: Okay. Any questions?

19 COMMISSIONER WARD: What's our theme?

20 CHAIR THAYER: Oh, good question, important.

21 DIRECTOR BLYSTONE: It is going to be December.

22 CHAIR THAYER: It will be our only December meeting.

23 COMMISSIONER WARD: So it should be a Christmas
24 theme.

25 CHAIR THAYER: A Christmas theme.

1 DIRECTOR BLYSTONE: Or solstice.

2 CHAIR THAYER: Or solstice. Or holiday.

3 COMMISSIONER WARD: Holiday.

4 CHAIR THAYER: Holiday.

5 COMMISSIONER WARD: (Inaudible.)

6 CHAIR THAYER: Winter solstice holiday, whatever.

7 DIRECTOR BLYSTONE: Extravaganza.

8 CHAIR THAYER: Extravaganza. Extravaganza is going
9 to come from this corner.

10 (Laughter.)

11 CHAIR THAYER: There are many holidays that occur
12 around the solstice. You can choose any.

13 Okay. There being -- oh, a hui hou, Commissioner
14 Lind.

15 Okay. Meeting adjourned. Happy Thanksgiving.
16 Aloha lau kuau koa.

17 (The proceedings were adjourned.)

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