

LAND USE COMMISSION  
MEETING MINUTES

**November 22, 2016 – 9:00 a.m.**  
**Airport Conference Center, Meeting Room #3**  
**400 Rodgers Boulevard, Suite 700,**  
**Honolulu, HI 96819**

COMMISSIONERS PRESENT: Edmund Aczon  
Kent Hiranaga  
Arnold Wong  
Nancy Cabral  
Linda Estes  
Aaron Mahi  
Jonathan Scheuer  
Gary Okuda

COMMISSIONERS EXCUSED: Dawn Chang

LUC STAFF PRESENT: Daniel Orodener, Executive Officer  
Diane Erickson, Deputy Attorney General  
Scott Derrickson, Staff Planner  
Riley Hakoda, Staff Planner/Chief Clerk

COURT REPORTER: Priscilla Gonzaga

**CALL TO ORDER**

Chair Aczon called the meeting to order at 9:00 a.m.

**APPROVAL OF MINUTES**

Chair Aczon asked if there were any corrections or additions to the October 13<sup>th</sup>, 2016 minutes. There were none. Commissioner Estes moved to approve the minutes and Commissioner Mahi seconded the motion. Commissioner Cabral requested clarification on whether the minutes reflected the changes made to page 8 as mentioned in an email from LUC staff. Mr. Hakoda confirmed that the minutes had been updated.

The minutes were approved by voice vote (7 ayes- Commissioners Aczon, Cabral, Estes, Hiranaga, Mahi, Okuda, Wong– 1 abstain – Scheuer and 1 excused).

## **TENTATIVE MEETING SCHEDULE**

Executive Officer Orodener provided the following:

- The regular tentative meeting schedule has been distributed in the handout material for the Commissioners for the following dates and docket numbers.
  - DEC 22- Declaratory Ruling for Kauai 201H project (no DR number assigned yet)
  - JAN 18-19 A94-706 Ka`ono`ula Ranch EIS acceptance & A15-798 Waikapu Country Town – EIS accept
  - JAN 25 or 26 – Adoption of EIS orders
  - FEB 8-9- Kauai 201H project (no docket number assigned yet)
  - FEB 22-23- Adoption of 201 H project order and DR16-55 OP Declaratory Ruling for solar
  - MAR 8-9 - A89-649 Lanai Remand
  - MAR 22-23 - A16-800 Island School and A16-801 University of Hawaii Community Colleges- Kaua`i DBAs
  - APR 12-13- A94-706 Ka`ono`ula Ranch – Motion to Amend
  - MAY- SP09-403 Waimanalo Gulch-
  - JUN- Big Island Motions
  
- Any questions or conflicts, please contact LUC staff.

## **ADOPTION OF ORDER**

### **A81-525 Y-O LIMITED PARTNERSHIP (Hawai`i)**

Motion for an Order Regarding Satisfaction of Affordable Housing Condition

## APPEARANCES

William Yuen, Esq. for RCFC Kaloko Height, LLC

Hawai`i County Planning Department provided notice of non-appearance for this meeting

Dawn Takeuchi Apuna, Esq. for State Office of Planning (“OP”)

Lorene Maki, Planner, OP

Chair Aczon updated the record and called for Public Witnesses.

## PUBLIC TESTIMONY

There was no Public Testimony.

## ACTION

Commissioner Cabral moved to adopt the form of the order. Commissioner Estes seconded the motion. There was no discussion.

Chair Aczon asked Mr. Orodener to poll the Commission.  
The Commission unanimously voted to approve the form of the order (8-0-1 excused)

## **ACTION**

### **DR16-57 UNIVERSITY OF HAWAI'I COMMUNITY COLLEGES (Kaua`i)**

To consider Petition for a Declaratory Order to waive the requirement contained in HAR §15-15-50 ( c ) (20) that Petitioner submit a schedule and a map for development of the project in increments in order that Petitioner may request the Commission to redistrict the Petition Area as set forth in HAR §15-15-78(a)(1)

## **APPEARANCES**

Earl Matsukawa, Petitioner Representative, Wilson Okamoto & Company  
Kaua`i County Planning Department provided notice of non-appearance for this meeting

Dawn Takeuchi Apuna, Esq. for State Office of Planning ("OP")

Lorene Maki, Planner, OP

## **MAP ORIENTATION**

Mr. Derrickson provided a brief map orientation of the Petition Area using an LUC staff map and identified various features of the Petition Area and surrounding properties.

There were no questions for Mr. Derrickson.

## **PUBLIC TESTIMONY**

There was no Public Testimony

## **PETITIONER PRESENTATION**

Mr. Matsukawa provided a brief history and background summary on the Petition and described why the Declaratory Order should be granted.

Chair Aczon inquired whether OP had any public testimony. Ms. Apuna replied that OP had none.

Commissioner Scheuer inquired about what plans were in place to accommodate any burial findings that were exceptions to the cemetery exclusion area. Mr. Matsukawa described how any findings would be handled. Commissioner Scheuer suggested maintaining close communications with the Island Burial Council to better address any issues that might develop. Mr. Matsukawa acknowledged Commissioner Scheuer's suggestion.

There were no further questions for Mr. Matsukawa.

## **ACTION**

Commissioner Estes moved to grant the petition for declaratory order. Commissioner Wong seconded the motion. There was no further discussion.

Chair Aczon asked Mr. Orodener to poll the Commission. The Commission unanimously voted to grant the petition for declaratory order (8-0-1 excused)

There being no further business to address, Chair Aczon adjourned the meeting at 9:17 a.m.