

LAND USE COMMISSION
MEETING MINUTES

August 15, 2019 – 9:30 a.m.
He`eia State Park, Cottage Hale
46-465 Kamehameha Hwy, Kaneohe, HI 96744

COMMISSIONERS PRESENT: Jonathan Scheuer
Aaron Mahi
Nancy Cabral
Lee Ohigashi
Arnold Wong
Edmund Aczon
Gary Okuda

COMMISSIONERS EXCUSED: Dan Giovanni
Dawn Chang

LUC STAFF PRESENT: Daniel Orodener, Executive Officer
Lori Tanigawa, Deputy Attorney General
Bert Saruwatari, Staff Planner
Riley Hakoda, Staff Planner/Chief Clerk
Scott Derrickson, Staff Planner
Rasmi Agrahari, Staff Planner
Ariana Masuoka, Secretary
Intern- Nikki Sen

COURT REPORTER: None

CALL TO ORDER

Chair Scheuer called the meeting to order at 09:30.

APPROVAL OF MINUTES

Chair Scheuer stated that the minutes from July 25 and August 8, 2019 were not ready for approval.

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.

- AUG 28-HNL-DR19-66 Pōmaika`i Partners, LLC (Oahu)
- AUG 29- Video Conference for A18-804 Barry Trust (Hawai`i)
- HCPO- will be on Maui SEP 11-13- with no LUC meeting on the 13th

- SEP 25-26- A19-809 Lanai Resorts and A04-751 Pulelehua (Maui overnight) & staff reports for A97-721 Makena ATC and A89-642 C. Brewer

- OCT 9-10- SP09-403 Waimanalo Gulch Sanitary Landfill
 - OCT23-24- A17-804 Hawaiian Memorial Park
- NOV 4-5 overnight A11-791 Hokua Place (Kauai)
 - NOV 20-A87-610 (Oahu)
 - NOV 21- A02-737 U of N Bencorp (Hawai`i) at NELHA

OPEN SESSION DISCUSSION

LUC staff resumed providing instructional material to the Commission on District Boundary Amendments (DBA), Special Permits (SP), Declaratory Rulings (DR), and Important Agricultural Land (IAL) and responded to various questions the Commissioners had.

LUC staff also provided instructional material and facilitated discussion on HRS/HAR updates and requirements; and recent Supreme Court decisions as they related to LUC proceedings.

LUC staff took a recess at 11:20 a.m. and resumed instruction at 11:35 a.m.

EXECUTIVE SESSION

Chair Scheuer entertained a motion to enter Executive Session pursuant to HRS Section 92-5 (a) (4) to 1) consult with board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities and liabilities related to how and when to enter Executive Session (with LUC staff present) and pursuant to HRS Section 92-5(a)(2) to discuss the performance review of the Executive Director (LUC Staff excused- Mr. Orodener summoned to participate after Commission's deliberation).

Commissioner Wong moved to enter Executive Session. Commissioner Cabral seconded the motion. There was no discussion. By voice vote, the Commission elected to enter Executive Session.

The Commission entered Executive Session at 11:35 and exited at 1:05 p.m

OPEN SESSION DISCUSSION

Chair Scheuer reconvened the meeting in open session at 1:05 p.m. and declared a recess.

Chair Scheuer reconvened the meeting at 1:10 p.m. and had Mr. Orodenker introduce guest speaker, Danielle Bass, Sustainability Coordinator, State Office of Planning to the Commission. Ms. Bass presented an overview of how concerns over climate change and sustainability issues could impact land use decision-making.

Commissioner Mahi was excused from the meeting with Chair's consent at 1:10 p.m. (6 Commissioners remain in attendance).

LUC staff continued providing information and responding to questions till Chair Scheuer adjourned the meeting at 2:30 p.m.