



ARBORIST ADVISORY COMMITTEE

DAN KAWIKA SMITH,
CHAIR-PROTEM
VACANT, VICE CHAIR

LAWRENCE BORGATTI, MEMBER
SANDRA BRYCE, MEMBER
SLYVIA SMITH, MEMBER
JODI HIGUCHI-SAYEGUSA, DEPUTY PLANNING
DIRECTOR

24 MAY 22 A10:37

Public Comments and Testimony:

- **Written testimony will be accepted for any agenda item herein.**
 - Written testimony indicating your 1) name, and if applicable, your position/title and organization you are representing, 2) whether you are a registered lobbyist and, if so, on whose behalf you are appearing, and 3) the agenda item that you are providing comment on, may be submitted to mromo@kauai.gov or mailed to the Arborist Advisory Committee, c/o Office of Boards and Commission, 4444 Rice Street, Suite 300, Lihū'e, Hawai'i 96766.
 - Written testimony received by the Arborist Advisory Committee less than 48 hours before the meeting will be distributed to all members at the start of the meeting.
- **Oral testimony will be taken at any time during the meeting.**
 - It is recommended that anyone interested in providing oral testimony register at least 24 hours before the meeting by emailing mromo@kauai.gov or calling (808) 241-4920. Any request to register may include your 1) name, and if applicable, your position/title and organization you are representing, 2) whether you are a registered lobbyist and, if so, on whose behalf you are appearing, and 3) the agenda item that you are providing comment on.

SPECIAL ASSISTANCE

IF YOU NEED AN AUXILIARY AID/SERVICE, OTHER ACCOMMODATION DUE TO A DISABILITY, OR AN INTERPRETER FOR NON-ENGLISH-SPEAKING PERSONS PLEASE CONTACT THE OFFICE OF BOARDS AND COMMISSIONS AT (808) 241-4917 OR ADAVIS@KAUAI.GOV AS SOON AS POSSIBLE. REQUESTS MADE AS EARLY AS POSSIBLE WILL ALLOW ADEQUATE TIME TO FULFILL YOUR REQUEST. UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATIVE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.

ARBORIST ADVISORY COMMITTEE MEETING NOTICE AND AGENDA

Tuesday, May 28, 2024

9:00 a.m. or shortly after that

Piikoi Building, 4444 Rice Street, Suite 300

Boards and Commissions Conference Room, Līhu'e, Hawai'i 96766

RECEIVED

'24 MAY 22 AIO :37

Oath of Office for Committee Members Lawrence Borgatti, Sarah Bryce, and Dan Kawika Smith, Sylvia Smith, and Jodi Higuchi-Sayegusa
CLERK
COUNTY OF HAWAII

MEETING CALLED TO ORDER

ROLL CALL TO ASCERTAIN QUORUM

ELECTION OF CHAIR AND VICE CHAIR FOR CALENDAR YEAR 2024

APPROVAL OF AGENDA

PUBLIC TESTIMONY ON ANY AGENDA ITEMS

Oral testimony will be taken at any time during the meeting or wait until the item comes up.

APPROVAL OF MINUTES

May 20, 2020, Open Session Meeting

BUSINESS:

AAC 2024-1:

Discussion and decision-making on adopting an Oral Testimony Policy.

AAC 2024-2:

Discussion and decision-making on adopting a revised EXCEPTIONAL TREE and PALM NOMINATION APPLICATION form.

AAC 2024-3:

Briefing by First Deputy County Attorney Mahealani Krafft on Act 19 and the Sunshine Law.

ACC 2024-4:

Discussion and decision-making on an exceptional tree nomination application submitted by E. Kathleen Palmer, the applicant seeks a recommendation from the Committee to designate a single Monkey Pod Tree scientific name Samanea Saman, located at 3-3400 Kūhiō Highway, in the center of Sun Village, Līhu'e, Hawai'i 96766, as an exceptional tree Owner's name: The Weinberg Foundation 3660 Waiālae Avenue, Suite 400, Honolulu, Hawai'i 96816.

EXECUTIVE SESSION: Under HRS§ 92-7(a), the Commission may, when deemed necessary, hold an executive session on any agenda item without written public notice if the executive session was not anticipated in advance. Any such executive session shall be held under HRS § 92-4 and shall be limited to those items described in HRS §92-5(a).

None anticipated.

ADJOURNMENT

cc: First Deputy County Attorney Mahealani Krafft

DRAFT to Be Approved

OPEN SESSION MEETING MINUTES

Board/Commission	Kauai Arborist Advisory Committee	Meeting Date	May 20, 2020
Location	Teleconference Microsoft Teams Audio: +1 469-848-0234, Conference ID: 152 037 986#	Start of Meeting: 2:00 p.m.	End of Meeting: 2:50 p.m.
Present	Chair-elect Dan Kawika Smith.; Vice Chair-elect Dr. David Lorence; Members; Lawrence Borgatti, Sylvia Smith, and Deputy Planning Director Jodi Higuchi-Sayegusa. Also, present Board & Commissions Office Staff: Support Clerk Mercedes Omo; Administrator Ellen Ching; Office of the County Attorney: Deputy County Attorney Mahealani Krafft; Planning Department: Deputy Planning Director Jodi-Higuchi-Sayegusa and Planner Romio Idica. Joining the teleconference meeting were Seth Levin, Project Manager for Hawai'i Unified/Contractor; Thomas Schnell, AICP Principal, Land Planning/Landscape Architecture, Jerry Nishek, Kaua'i Nursery & Landscaping.		
Excused			
Absent			

SUBJECT	DISCUSSION	ACTION
Call to Order	Chair Borgatti called the teleconference meeting to order at 2:00 p.m.	
Roll call to ascertain quorum	A roll was taken to establish a quorum and acknowledge staff and guests. Once the quorum was confirmed, Ms. Ching briefed members on effective meeting guidelines.	
Public Testimony	None.	
Business ACC 2020-1	<p><u>Election of Chair and Vice Chair for Calendar Year 2020</u></p> <p>Chair Borgatti called for nominations for the Chair's position.</p> <p>Deputy Planning Director Sayegusa moved to nominate Dr. Lorence for the Chair's position for the calendar year 2020. Dr. Lorence respectfully declined the nomination, citing personal reasons.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>After the election of the new Chair, outgoing Chair Borgatti handed the gavel to Chair-elect Kawika Smith to continue the meeting.</p> <p>Chair-elect Smith then called for nominations for the Vice Chair position for calendar year 2020.</p> <p>Chair-elect Smith then called for a roll call vote.</p>	<p>Ms. Smith moved to nominate Kawika Smith for the Chair position for the calendar year 2020. Mr. Smith accepted the nomination. Deputy Planning Director Sayegusa seconded the motion. Hearing no objections from the members, Chair Borgatti called for a roll call vote. A roll call ensued with all five (5) members present voting in favor of the motion to elect Mr. Smith as the new Chair for the calendar year 2020.</p> <p>Mr. Borgatti moved to nominate Dr. Lorence to the Vice Chair position, which Ms. Smith seconded. Hearing no objections from the members, Dr. Lorence accepted the nomination.</p> <p>A roll call ensued with all five (5) members present voting in favor of the motion to elect Dr. Lorence as the new Vice Chair for calendar year 2020.</p>

SUBJECT	DISCUSSION	ACTION
<p>AAC 2020-2</p>	<p><u>Discussion and possible recommendation to the Planning Commission on the permit application submitted by Applicant KHS, LLC, to the Planning Department for a permit no. Z-IV-2020-4, SMA (U) 2020-2, TMK 4-3-007:028 which proposes the removal of fifty-four (54) coconut trees, otherwise known as Niu Coconut-palm or <i>Coco nucifera</i>, which are part of the designated Exceptional K-12 Coconut Grove. The grove extends both makai and mauka of Highway 56 (Kūhiō Highway) at Waipouli: TMK 4-3-6-2, 4-3-7-27, 28 and 29.</u></p> <p>Vice Chair-elect Dr. Lorence noted that the correct spelling for the coconut palm trees is <u><i>Cocos nucifera</i></u>, not <i>Coco nucifera</i> as reflected in the agenda.</p> <p>Deputy Planning Director Higuchi-Sayegusa called on Planner Romio Idica to read the gist of the Director's Report on the application that was submitted by Applicant KHS, LLC, to the Planning Department.</p> <p>Mr. Idica stated that on October 22, 2019, the Planning Commission approved Class IV-2020-4 and SMA (U)-2020-2 for the installation of a photovoltaic (PV) system (solar PV canopies over the parking lot, electrical system, and battery storage) and to reconstruct a luau facility and for the removal of twenty-five (25) coconut palm trees within the parking lot area fronting Aleka Loop where the PV structures would be placed. However, due to the contractor's due diligence, it was discovered that the number of coconut trees originally slated for removal doubled to fifty-three (53) coconut trees.</p> <p>Under the amended proposal, the Planning Department is seeking the Committee's advice on removing and relocating the additional coconut trees in Coconut Grove designated as "exceptional trees".</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Mr. Borgatti asked for clarification if the amended proposal was to remove fifty-three (53) or fifty-four (54) coconut trees to which Mr. Idica clarified that the request was for the removal and relocation of fifty-three (53) coconut trees.</p> <p>Chair-elect Smith inquired if the Planning Department had approved the initial request to remove the twenty-five (25) coconut trees before the meeting.</p> <p>Mr. Idica replied affirmatively.</p> <p>Deputy Planning Director Higuchi-Sayegusa clarified that the Planning Department's decision to approve the removal and relocation of coconut trees was granted because, at the time, the Department did not feel it would be significant; however, given the magnitude of the amended proposal, a decision was made to seek guidance from the Arborist Advisory Committee on the Applicant's request to relocate another twenty-six (26) coconut trees, in addition to the twenty-five trees that were originally proposed.</p> <p>Chair-elect Smith asked the members if they had any more questions for Mr. Idica. Hearing none, he called upon the Applicant's representatives to address the Committee.</p> <p>Tom Schnell, PBR Hawai'i – Landscape Architecture & Planning, Principal & Planner stated his name for the record, then informed the members that Project Manager Seth Levin would be assisting him with his PowerPoint presentation.</p> <p>Copies of Mr. Schnell's PowerPoint Presentation was distributed to the members prior to the meeting that reflected data on the project's location, tax map key, general plan & zoning information, visitor designation areas within the VDA, special management area within the SMA, information on exterior and interior renovations to the resort rebranded as the Sheraton Kaua'i Coconut Beach Resort, proposed location for the three (3) new photovoltaic (PV) system over the existing parking lot,</p>	

SUBJECT	DISCUSSION	ACTION
	<p>a revised photovoltaic layout, existing property conditions, overhead view of the proposed photovoltaic (PV) canopy structures, a map reflecting the twenty-seven (27) coconut palms to slated be demolished and removed, the location of coconut palm trees that will remain in place and be protected during construction and the twenty-six (26) coconut palm trees slated to be relocated and protected, a revised plan reflecting the Planning Director’s recommendation to plant additional foliage in certain locations within the said property, and lastly a slide reflecting three different PV structure elevations.</p> <p>Chair-elect Smith thanked Mr. Schnell for his presentation and then inquired if the members had any questions regarding the PowerPoint presentation.</p> <p>Deputy Planning Director Higuchi-Sayegusa asked if an assessment was done to see the condition of trees that were marked for removal.</p> <p>General Manager Jerry Nishek of Kaua’i Nursery & Landscaping responded that an assessment was conducted on the taller and more mature trees, revealing significant damage to their trunks. Additionally, there were underground utilities located beneath some of these trees, and as far as he knew, there was no permit to remove them. Removing those trees could potentially cause damage to the underground utilities. The trees that were selected for removal and relocation were younger and much healthier, making them more likely to survive the process.</p> <p>Deputy Planning Director Sayegusa stated that, based on the revised plans, instead of planting a cluster of Arica palms, a decision was made to disperse the palms along the Aleka Loop area. Mr. Schnell noted that the intent is to place the Arica Palms in a more natural growth setting, but this will require reconfiguration on their part. Additionally, they would need to locate the underground utilities and adjust</p>	

SUBJECT	DISCUSSION	ACTION
	<p>accordingly to avoid any impact on the water lines, electrical lines, and communication cables located within the area.</p> <p>Mr. Borgatti asked Ms. Higuchi-Sayegusa to clarify if she meant to say Coconut Palms or Arica Palms to which Ms. Sayegusa replied that she was just commenting on the Applicant's revised plans to replace the Coconut Palms with Arica Palms.</p> <p>Mr. Schnell clarified that the proposal was to replace the Coconut Palms with Arica Palms.</p> <p>Chair-elect Smith asked if the additional twenty-six (26) Coconut Trees reflected in the PowerPoint Presentation were slated for removal and relocation within the property. Mr. Schnell replied yes and noted that the trees that were not highlighted are going to remain in place.</p> <p>Mr. Borgatti asked if the overflow parking on the north side of the property where the old Luau facility used to be would remain a grassy area.</p> <p>Mr. Schnell replied yes.</p> <p>Dr. Lorence asked if it would be possible to plant additional younger Cocos nucifera within the area to offset the net loss of the twenty-seven (27) trees.</p> <p>Mr. Schnell replied no and explained that planting additional trees would block access to the old dirt road that's highly used by everyone.</p> <p>Ms. Smith asked if it would be possible to plant younger trees at the base of mature trees in the event those trees have to come down, at least there would be another tree to replace it.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Mr. Nishek stated that it is possible to plant younger trees next to the base of the existing trees to help keep the grove-like appearance as viewed from the nearby highway.</p> <p>With no further questions from the members, Chair Smith called for a motion to being discussion.</p> <p>Mr. Borgatti moved to approve the trees slated for removal and the trees slated for relocation on the condition that the Applicant plant twenty-seven (27) younger trees (to maintain a grove-like appearance) fifteen (15) gallons or larger to replace the trees that have to be removed and cannot be transplanted. Dr. Lorence seconded the motion.</p> <p>Chair Smith called for discussion.</p> <p>Ms. Higuchi-Sayegusa asked Mr. Borgatti if planting twenty-seven (27) trees was in addition to the twenty-six (26) trees that have to be removed and relocated.</p> <p>Mr. Borgatti stated that the requirement was to replace the twenty-seven (27) trees with younger trees, meaning that no trees would be removed from the property. Additionally, the new trees should be planted to maintain a grove-like appearance.</p> <p>Ms. Higuchi-Sayegusa stated that to clean up the motion it should say remove and relocate twenty-six (6) Cocos Nucifera on the condition that the Applicant plant twenty-seven (27) younger trees in a grove-like appearance fifteen gallons or larger to replace the trees that cannot be transplanted and plant young trees at the base of the mature trees that are going to remain in place.</p>	<p>Motion:</p> <p>Mr. Borgatti proposed to remove and relocate the twenty-six Coco Nucifera trees. The condition is that the Applicant must plant twenty-seven (27) younger trees, each fifteen gallons or larger, to maintain a grove-like appearance. These younger trees will replace the ones that cannot be transplanted. Additionally, the Applicant must plant younger trees at the base of the mature trees that are going to remain in place. Dr. Lorence seconded the motion.</p>

SUBJECT	DISCUSSION	ACTION
	<p>Mr. Borgatti noted that the Applicant could utilize some of the twenty-seven (27) new trees and plant them at the base of the mature trees.</p> <p>Both Dr. Lorence and Ms. Smith agreed.</p> <p>With no further discussion, Chair Smith called for a roll call vote.</p>	<p>A roll call vote ensued with all five (5) members voting in favor of the motion.</p>
<p>Adjournment</p>	<p>With no further business, Chair-elect Kawika Smith called for a motion to adjourn the meeting.</p>	<p>Deputy Planning Director Higuchi-Sayegusa moved to adjourn the meeting. Vice Chair-elect Dr. Lorence seconded. A roll call ensued with all five (5) members voting in favor of the motion. At 2:50 p.m. the meeting adjourned.</p>

Submitted by: _____
 Mercedes Omo, Staff Support Clerk

Reviewed and Approved by: _____
 , Chair-elect

- () Approved as circulated on
- () Approved as amended. See minutes of _____ meeting.

ARBORIST ADVISORY COMMITTEE ORAL TESTIMONY POLICY NO. 1

Re: Oral Testimony

According to HRS § 92-3 of the Public Agency Meetings and Records statute, the Board is required to give all interested individuals the chance to submit written data, views, or arguments on any agenda item. Additionally, the Board must provide the opportunity for all interested individuals to present oral testimony on any agenda item. The Board may establish rules for the reasonable administration of oral testimony.

This Board Policy is enacted under HRS § 92-3 and the Office of Information Practices guidance, to allow the Board reasonable administration of oral testimony.

The Chair may limit all oral testimony during a Board meeting to 3 minutes, but such time limit shall not include pertinent responses by the speaker to questions posed by members of the Board. The Chair may grant an additional 3 minutes to provide further testimony after all interested persons have had an opportunity to provide oral testimony.

Chair-elect, Kaua'i County Arborist Advisory Committee

Date:



ARBORIST ADVISORY COMMITTEE

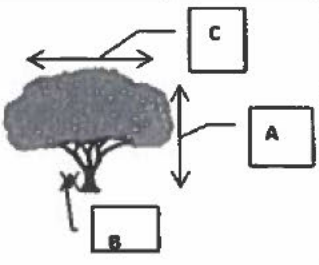
4444 Rice Street, Suite 300
Lihu'e, Kaua'i 96766
PHONE (808) 241-4920

EXCEPTIONAL TREE and PALM NOMINATION APPLICATION

Date: _____

Nominator		
Name:		
Mailing Address:		
City:	State:	Zip:
Contact Phone:		
E-Mail Address:		
Tree/Palm Information		
Scientific Name:		
Common (English or Hawaiian):		
Location of Tree(s)/Palms(s). Is tree or palm in a: (Please check below) <input type="checkbox"/> Row <input type="checkbox"/> Grove <input type="checkbox"/> Single		
Tax Map Key: (e.g., TMK 4-5-222:333)		
Address and Location of the Tree (e.g., 222 East Street, west side of lot)		
*Also, attach a map with tree location to application form		
Owner of the Tree/Palm (Please check box below)		
<input type="checkbox"/> Individual <input type="checkbox"/> Organization <input type="checkbox"/> County <input type="checkbox"/> State <input type="checkbox"/> Other _____		
Owner's Name:		
Address:	City:	Zip:
Contact Phone:		
Owner has been informed of this nomination or if Owner is a CPR unit owner, all CPR unit owners have been informed of this nomination:		
<input type="checkbox"/> Yes <input type="checkbox"/> No		

Criteria for Exceptional Trees

<p>Exceptional Tree Definition States: "An Exceptional Tree is an individual tree or stand or grove of trees with historic or cultural value, or which by reason of its age, rarity, location, size, esthetic quality, or endemic status has been designated by the county committee as worthy of preservation. Exceptional trees may be designated generally by biotaxy or individually by location or class." <i>Act 105 Enacted by the Legislature of the State of Hawai'i.</i></p>	
<p>Information about the Nomination Applications are reviewed monthly as received, and if approved are submitted to the County Council.</p>	
<p>Criteria</p> <ul style="list-style-type: none"> ■ Attach at least one recent photo of the tree(s) or palm(s). ■ For a tree/palm to be designated "Exceptional," it must have one or more of the following attributes: 	
<p>Age: (In years) <input type="checkbox"/> 0-20 <input type="checkbox"/> 21-50 <input type="checkbox"/> 51-75 <input type="checkbox"/> 76-100 <input type="checkbox"/> 101+</p>	
<p>Rarity: (There are others.....) Please check box below <input type="checkbox"/> In the surrounding area <input type="checkbox"/> In the County <input type="checkbox"/> In the State</p>	
<p>Size in Height: (In feet from ground to top of tree.) See diagram A. Please check box below <input type="checkbox"/> 0-20 <input type="checkbox"/> 21-50 <input type="checkbox"/> 51-75 <input type="checkbox"/> 76-100 <input type="checkbox"/> 101+</p>	
<p>Diameter of Trunk in Inches: (measured at 54 inches above the ground) See diagram B. Please check box below <input type="checkbox"/> 0-10 <input type="checkbox"/> 11-20 <input type="checkbox"/> 21-30 <input type="checkbox"/> 31-50 <input type="checkbox"/> 51-70 <input type="checkbox"/> 71+</p>	
<p>Size of Canopy: (From edge to edge of tree canopy in feet) See diagram C. Please check box below. <input type="checkbox"/> 0-20 <input type="checkbox"/> 21-50 <input type="checkbox"/> 51-75 <input type="checkbox"/> 76-100 <input type="checkbox"/> 101+</p>	
<p>Exceptional Qualities of this tree are: Please check all that apply. <input type="checkbox"/> Historic Value <input type="checkbox"/> Endemic Status: (Unique to a Hawai'i, not found elsewhere) <input type="checkbox"/> Aesthetic Quality: (What makes it stand out?) <input type="checkbox"/> Cultural Value</p>	
 <p style="text-align: center;">Diagram</p>	<p>Please explain based on the criteria selected above, why this tree is exceptional:</p>

Exceptional Tree Nomination Notice

Purpose

The Arborist Advisory Committee was created to advise the County Council in determining which trees are to be designated as Exceptional Trees. To ensure this Committee conducts its due diligence to make a recommendation to the County Council, all Nominators will be asked to obtain written accord of the owner(s) of the property on which a nominated tree is located. In lieu of written accord, at a minimum Nominators must show they provided notice to the owner(s) of the nomination.

Instructions

Provide the following Notice to all owners. Make as many copies of this Notice as necessary. Failure to provide notice to all owners will result in delays as the Committee must strive to obtain written accord of the owner(s).

Owner includes the owner listed on the County's Real Property website and each owner of a unit in a Condominium Property Regime (CPR). Nominators should consider the impact a nomination may have to the neighborhood and are strongly encouraged to provide notice of the nomination to their neighbors.

Notice of Nomination of an Exceptional Tree

I intend to propose the nomination of the tree listed on page one of this Nomination Application form as an Exceptional Tree to the Arborist Advisory Committee of the County of Kauai (the "Committee").

The Committee is required to strive to obtain written accord from the owner of the property on which the nominated tree is located. This Notice will provide proof that I, as the Nominator, have given notice to the owner and interested parties.

Please complete the Notice then sign and return it to me.

*Email address will be used to notify you when the nomination is placed on the Arborist Committee Agenda.

I am:	
<input type="checkbox"/> Owner/CPR Unit Owner*	<input type="checkbox"/> Neighbor <input type="checkbox"/> Other: _____
<input type="checkbox"/> I agree with the nomination.	
<input type="checkbox"/> I disagree with the nomination.	
<input type="checkbox"/> I have been notified of the nomination but neither agree nor disagree with the nomination.	
Address: _____	Email address: _____
Name (print): _____	
Signature: _____	Date: ____/____/____

****Declaration: I declare under penalty of perjury and under the laws of the State of Hawai'i (Unsworn Falsification HRS 5710-1063) that I am the owner of the property on which the nominated tree is situated, and I personally filled out the above information, that the foregoing is true and correct, and I certify its accuracy.***

The Nomination Application Checklist:

- 1. Application form**
- 2. Current photo of the tree(s)/palm(s)**
- 3. Site map**
If the tree/palm is located on a CPR, the map should include and indicate all other CPR units and the respective owners.
- 4. Arborist report on health of tree(s) or palms (s)**
(Recommended)
- 5. Notice of Nomination of an Exceptional Tree**
If the tree/palm is located on a CPR, submit a Notice of Nomination of an Exceptional Tree Form for each CPR unit owner.

Return by mail to:

**Arborist Advisory Committee
4444 Rice Street, Suite 300
Līhu'e, Hawai'i 96766**

Or by email to:

boardsandcommissions@kauai.gov

RECEIVED

FEB 27 2024

BOARDS & COMMISSIONS



ARBORIST ADVISORY COMMITTEE

4444 Rice Street, Suite 300
Lihue, Kauai 96766
PHONE (808) 241-4920

EXCEPTIONAL TREE and PALM NOMINATION APPLICATION

Date: 2/20/2024

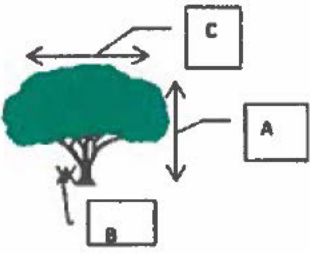
Nominator
Name: E. Kathleen Palmer
Mailing Address: 3-3400 Kuhio Hwy, [redacted]
City: Lihue, HI, 96766 State: HI, 96766 Zip:
Contact Phone: [redacted]
E-Mail Address: [redacted]
Tree/Palm Information
Scientific Name: Samanea saman
Common (English or Hawaiian): MonkeyPod
Location of Tree(s)/Palms(s). Is tree or palm in a: (Please check below)
[] Row [] Grove [x] Single
Tax Map Key: (e.g., TMK 4-5-222:333) 4-3-7-001-017
Address and Location of the Tree (e.g., 222 East Street, west side of lot)
33400 Kuhio Hwy, center of Sun Village, Lihue, HI.
*Also, attach a map with tree location to application form
Owner of the Tree/Palm (Please check box below)
[] Individual [x] Organization [] County [] State [] Other
Owner's Name: Weinberg Foundation
Address: 3660 Waialae Avenue, Suite 400, Honolulu, HI. 96816 City: Honolulu, HI. 96816 Zip:
Contact Phone: 808-924-1000
Owner has been informed of this nomination or if Owner is a CPR unit owner, all CPR unit owners have been informed of this nomination:
[x] Yes [] No

(For Office Use Only)

Application #

Date Received:

Criteria for Exceptional Trees

<p>Exceptional Tree Definition States: "An Exceptional Tree is an individual tree or stand or grove of trees with historic or cultural value, or which by reason of its age, rarity, location, size, esthetic quality, or endemic status has been designated by the county committee as worthy of preservation. Exceptional trees may be designated generally by biotaxy or individually by location or class." <i>Act 105 Enacted by the Legislature of the State of Hawai'i.</i></p>	
<p>Information about the Nomination Applications are reviewed monthly as received, and if approved are submitted to the County Council. worthy of preservation due to age, size and esthetic quality</p>	
<p>Criteria</p> <ul style="list-style-type: none"> ■ Attach at least one recent photo of the tree(s) or palm(s). ■ For a tree/palm to be designated "Exceptional," it must have one or more of the following attributes: 	
<p>Age: (In years) <input type="checkbox"/> 0-20 <input type="checkbox"/> 21-50 <input type="checkbox"/> 51-75 <input checked="" type="checkbox"/> 76-100 <input type="checkbox"/> 101+</p>	
<p>Rarity: (There are others.....) Please check box below <input type="checkbox"/> In the surrounding area <input checked="" type="checkbox"/> In the County <input type="checkbox"/> In the State</p>	
<p>Size In Height: (In feet from ground to top of tree.) See diagram A. Please check box below <input type="checkbox"/> 0-20 <input type="checkbox"/> 21-50 <input type="checkbox"/> 51-75 <input checked="" type="checkbox"/> 76-100 <input type="checkbox"/> 101+</p>	
<p>Diameter of Trunk In Inches: (measured at 54 inches above the ground) See diagram B. Please check box below <input type="checkbox"/> 0-10 <input type="checkbox"/> 11-20 <input type="checkbox"/> 21-30 <input type="checkbox"/> 31-50 <input checked="" type="checkbox"/> 51-70 <input type="checkbox"/> 71+</p>	
<p>Size of Canopy: (From edge to edge of tree canopy in feet) See diagram C. Please check box below. <input type="checkbox"/> 0-20 <input type="checkbox"/> 21-50 <input type="checkbox"/> 51-75 <input type="checkbox"/> 76-100 <input checked="" type="checkbox"/> 101+</p>	
<p>Exceptional Qualities of this tree are: Please check all that apply. <input type="checkbox"/> Historic Value <input type="checkbox"/> Endemic Status: (Unique to a Hawai'i, not found elsewhere) <input checked="" type="checkbox"/> Aesthetic Quality: (What makes it stand out?) <input type="checkbox"/> Cultural Value</p>	
 <p>Diagram</p>	<p>Please explain based on the criteria selected above, why this tree is exceptional: This only monkeypod is at the center our 6 acre complex at Sun Village as shown by the photograph. The residents consider it our main Signature Tree for its esthetic value, shade and refuge, ecological role and general environmental benefits.</p>

Hi Kathleen,

Sorry I have been out this week. I am happy to endorse the will of the board but currently, I don't have specifics of their wishes or visuals of the tree itself. We are supportive of what is best and the will of the residents.

Thanks,
Ryan

Ryan Gilbert

, **Director of Asset Management, Hawaii Real Estate**
3660 Waiialae Avenue, Suite 400 Honolulu, HI 96816

E: rgilbert@hjweinberg.org

P: 808-983-7120

Click [here](#) to subscribe to our e-newsletter!

www.hjweinbergfoundation.org

Kauai Arborist Advisory Committee
4444 Rice Street, Suite 300
Lihue, Hawaii 96766

2/26/2024

Dear members of the Arborist Advisory Committee,

The Sun Village Board past the resolution by a majority vote to designate our only monkeypod as an Exceptional Tree in our community. The Weinberg Foundation as the land owner has given it's permission as well.

Thank you for your time in this important matter now and in the future for the residents and visitors of Sun Village, Lihue, HI. 96766.

Sincerely,
Kathleen Palmer
V.P., Sun Village



Exceptional Tree Nomination Notice

Purpose

The Arborist Advisory Committee was created to advise the County Council in determining which trees are to be designated as Exceptional Trees. To ensure this Committee conducts its due diligence to make a recommendation to the County Council, all Nominators will be asked to obtain written accord of the owner(s) of the property on which a nominated tree is located. In lieu of written accord, at a minimum Nominators must show they provided notice to the owner(s) of the nomination.

Instructions

Provide the following Notice to all owners. Make as many copies of this Notice as necessary. Failure to provide notice to all owners will result in delays as the Committee must strive to obtain written accord of the owner(s).

Owner includes the owner listed on the County's Real Property website and each owner of a unit in a Condominium Property Regime (CPR). Nominators should consider the impact a nomination may have to the neighborhood and are strongly encouraged to provide notice of the nomination to their neighbors.


Notice of Nomination of an Exceptional Tree

I intend to propose the nomination of the tree listed on page one of this Nomination Application form as an Exceptional Tree to the Arborist Advisory Committee of the County of Kauai (the "Committee").

The Committee is required to strive to obtain written accord from the owner of the property on which the nominated tree is located. This Notice will provide proof that I, as the Nominator, have given notice to the owner and interested parties.

Please complete the Notice then sign and return it to me.

***Email address will be used to notify you when the nomination is placed on the Arborist Committee Agenda.**

I am:		
<input checked="" type="checkbox"/> Owner/CPR Unit Owner*	<input type="checkbox"/> Neighbor	<input type="checkbox"/> Other: _____
<input type="checkbox"/> I agree with the nomination. <input type="checkbox"/> I disagree with the nomination. <input type="checkbox"/> I have been notified of the nomination but neither agree nor disagree with the nomination.		
Address: <u>3-3400 Kuhio Hwy, C</u>	Email address: 	
Name (print): <u>E. Kathleen Palmer -VP, Sun Village</u>		
Signature: <u>E. Kathleen Palmer</u> Date: <u>02</u> , <u>20</u> , <u>2024</u>		

****Declaration: I declare under penalty of perjury and under the laws of the State of Hawai'i (Unsworn Falsification HRS §710-1063) that I am the owner of the property on which the nominated tree is situated, and I personally filled out the above information, that the foregoing is true and correct, and I certify its accuracy.***

Arborist Advisory Committee
4444 Rice Street, Suite 300
Lihue, HI. 96766

Dear Committee members,

2/20/2024

RE: Monkeypod located in the center of Sun Village complex. Lihue, Kauai, HI. 96766

I am the Arborist, (Passionate Gardener), taking care and maintaining the monkeypod located in Sun Village. This is a healthy "grand" tree at the approximate age of 80 years.

Thank you for your time and consideration in designating this tree in Lihue.
Sincerely,

Tibor Seres,

A handwritten signature in black ink, appearing to read "Tibor Seres". The signature is written in a cursive style with a long horizontal stroke at the beginning.



kathleen palmer [REDACTED]

Re: Tree Committee request

1 message

Beverly Olsen [REDACTED]

Mon, Feb 26, 2024 at 4 27 PM

To: kathleen palmer [REDACTED]

Cc: [REDACTED]

The motion has passed. Please tell your Arborist advisory committee to proceed.
Beverly Olsen, Treasurer SV BOD

On Feb 26, 2024, at 2:51 PM, kathleen palmer [REDACTED]

All,
I second it, and vote yes.
Kathleen

On Feb 26, 2024, at 2:49 PM, Beverly Olsen [REDACTED]

I move to formally designate the monkey pod tree located at the center of the SunVillage complex, adjacent to the B and D Buildings, with a special recognition or status.
Bev Yes

Beverly Olsen, Treasurer SV BOD

On Feb 26, 2024, at 1:34 PM, Veronica Rose [REDACTED] wrote.

I vote yes to the "Special" designation.
Veronica Rose
Member at Large

On Mon, Feb 26, 2024, 9:20 AM kathleen palmer [REDACTED] wrote:

SV's tree committee is in the process of requesting a special designation from the arborists advisory committee. We want them to assign our only monkeypod at the center of the SV's complex as an exceptional tree in our community due to its age, size and character. Before proceeding we request the board to vote FOR this status. Thank you for your support in this matter.
Sincerely,
P. Palmer, chairman
S. Peterson, secretary

NOTICE to all residents of Sun Village:
2/19/2024

The Tree Committee of Sun Village has applied to the Arborist Advisory Committee in Lihue, HI. for our only MonkeyPod located at the center of Sun Village's 6 acre complex between buildings A, B, and C to be designated an Exceptional Tree in our community. It is considered a "grand" tree due to its age, size and character. It will be protected by the state with this designation.

Thank you for your support in this endeavor.

Sincerely,

SV Tree Committee

Chair: Paul Palmer, [REDACTED]

Secretary: Sea Peterson, [REDACTED]

NOTICE to all residents of Sun Village:

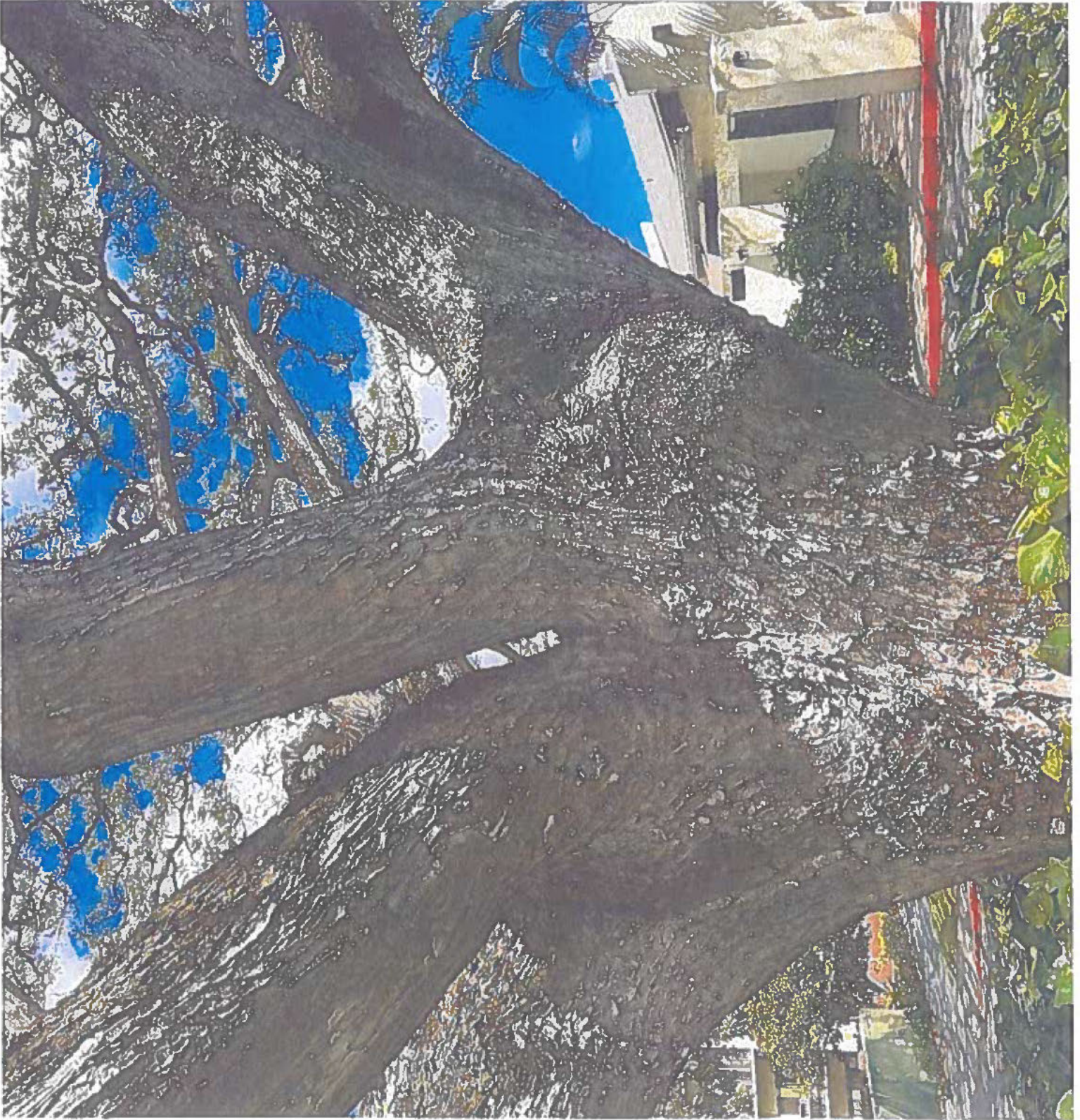
2/15/2024

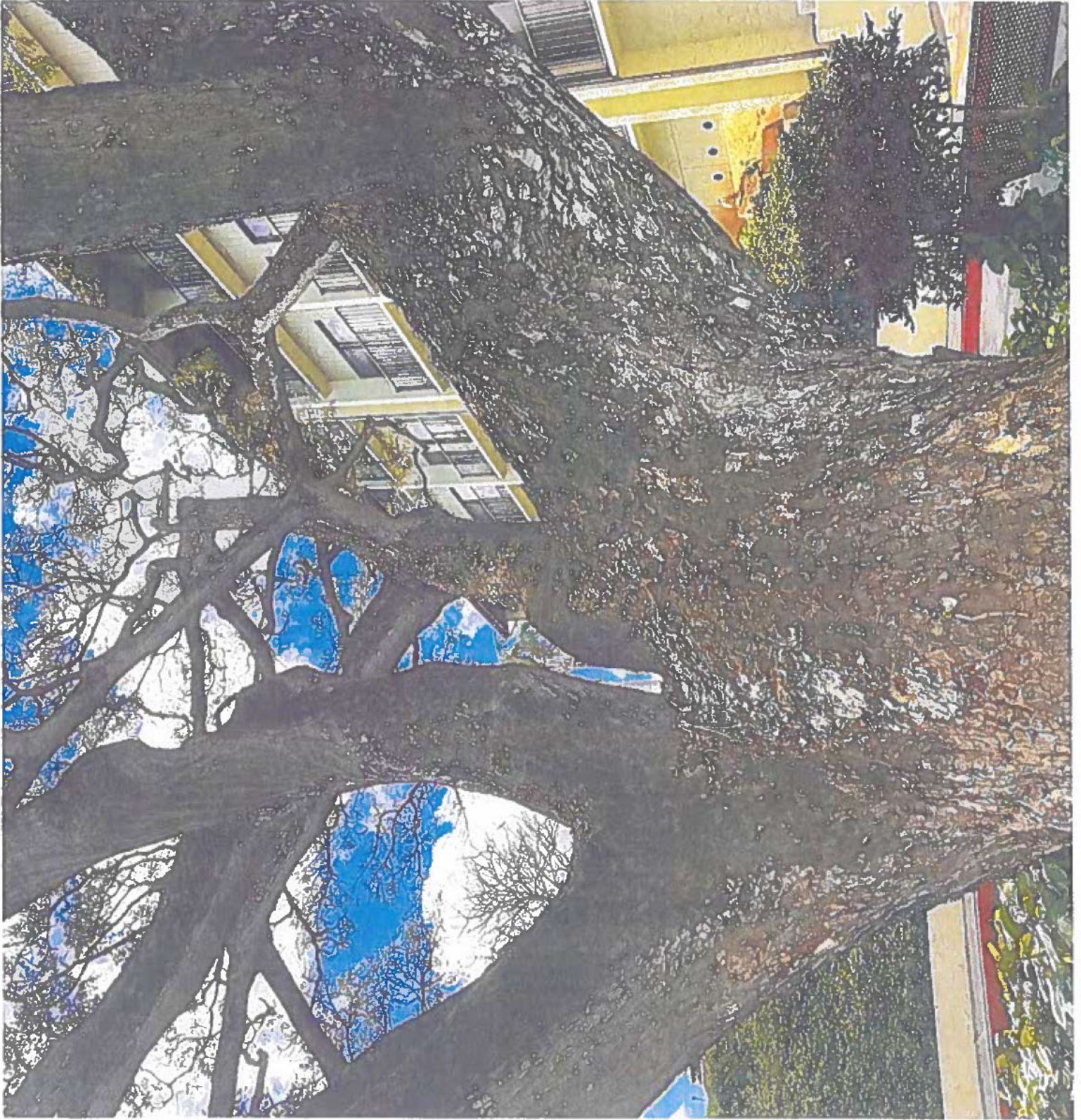
The Tree Committee of Sun Village has applied to the Arborist Advisory Committee in Lihue, HI, for our only MonkeyPod located at the center of Sun Village's 6 acre complex between buildings A, B, and C to be designated an Exceptional Tree in our community. It is considered a "grand" tree due to its age, size and character. It will be protected by the state with this designation.

Thank you for your support in this endeavor.

Sincerely,
SV Tree Committee









SUN VILLAGE (COMPLEX)

Lihue, HI.



WILCOX
HOSPITAL

MONKEY FOOD TREE
(CENTER)

Request designation for an "exceptional" tree.

From: paul palmer [REDACTED]

To: mromo@kauai.gov

Date: Tuesday, January 30, 2024 at 05:31 PM HST

1) Name: E. Kathleen Palmer, Vice President, Sun Village.

2) I am not a registered lobbyist.

3) Agenda item is:

At the center of Sun Village's 6 acre complex is our >100 year old Monkey Pod tree between building's → A, B, and C within our circle drive. Sun Village has 143 units with our resident's acknowledgement → that this tree is our main Signature Tree and definitely "exceptional".

Thank you for your time and consideration in establishing our Monkey Pod as exceptional in this area of Lihue.

Sincerely,

Ellen Kathleen Palmer, VP, Sun Village [REDACTED]

[REDACTED]