



## PLANNING COMMISSION

KAAINA S. HULL, CLERK OF COMMISSION

RECEIVED

'21 SEP 20 P2:51

DONNA APISA, CHAIR  
HELEN COX, VICE CHAIR  
GERALD AKO, MEMBER  
MELVIN CHIBA, MEMBER  
FRANCIS DEGRACIA, MEMBER  
GLENDA NOGAMI-STREUFERT, MEMBER  
LORI OTSUKA, MEMBER

On August 5, 2021, Governor David Y. Ige issued an Emergency Proclamation, which continued the suspension of Hawai'i Revised Statutes (HRS) Chapter 92, relating to Public Agency Meetings and Records (also known as the Sunshine Law) as it pertained to the COVID-19 Response. HRS Chapter 92 was suspended to the extent necessary to enable boards to conduct business in-person or through remote technology without any board members or members of the public physically present in the same location.

The meetings of the Kaua'i Planning Commission will be conducted as follows until further notice:

- Meetings will be publicly noticed pursuant to HRS Chapter 92.
- In-person meetings will be closed to the public to be consistent with social distancing practices.
- Planning Commissioners, Planning Department Staff, parties to agenda items, and resource individuals may appear via the Microsoft Teams remote technology.
- The meeting will be live streamed and also available as an archived meeting after completion at [www.kauai.gov/Webcast-Meetings](http://www.kauai.gov/Webcast-Meetings). Please note video production services or enhancements will not be available.
- **Written testimony** may be submitted on any agenda item and submitted to [planningdepartment@kauai.gov](mailto:planningdepartment@kauai.gov) or mailed to the Kauai County Planning Department 4444 Rice Street., Ste A473, Lihue, Hawaii 96766. Written testimony received by the Planning Department at least **24 hours prior** to the meeting will be distributed to all Planning Commissioners prior to the meeting. Any testimony received after this time and up to the start of the meeting will be summarized by the Clerk of the Commission during the meeting and added to the record thereafter.
- **Oral testimony** will be taken during the public hearing portion of the meeting via **Zoom remote** technology platform. Anyone interested in providing oral testimony shall provide a request to the Planning Department at least **24 hours prior** to the meeting by emailing [planningdepartment@kauai.gov](mailto:planningdepartment@kauai.gov) or by calling (808) 241-4050. Any request shall include your name, telephone number, E-mail address, and the specific agenda item(s) that you will be testifying on. Requests will not be allowed after that time.
  - It shall be the responsibility of the testifier to join the meeting through the **Zoom** link provided via E-mail to provide their oral testimony. In addition, it shall be the responsibility of the testifier to ensure that the **Zoom** software is downloaded and operational prior to the meeting. In addition,
  - All testifier audio will be muted and video disabled until it is your turn to testify.
  - Per the Planning Commission's and Chairs practice, there is three-minute time limit per testifier.
  - If there are temporary technical glitches during your turn to testify, we may have to move on to the next person due to time constraints; we appreciate your understanding.
  - After oral testimony has been taken, members of the public should continue watching the meeting via the live stream link found at [www.kauai.gov/Webcast-Meetings](http://www.kauai.gov/Webcast-Meetings).
- If any major and insurmountable technical difficulties are encountered during the meetings, the Planning Commission will continue all matters and reconvene at the next scheduled Planning Commission Meeting.
- Minutes of meetings will be completed pursuant to HRS Chapter 92 and posted to the Planning Commission's website upon completion and approval.

# **PLANNING COMMISSION TELECONFERENCE MEETING NOTICE** **AND AGENDA**

**Tuesday, September 28, 2021**  
**9:00 a.m. or shortly thereafter**

**Webcast Link:** <https://www.kauai.gov/Webcast-Meetings>

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. APPROVAL OF AGENDA**

**D. MINUTES of the meeting(s) of the Planning Commission**

1. January 12, 2021

**E. RECEIPT OF ITEMS FOR THE RECORD**

- F. HEARINGS AND PUBLIC COMMENT** The Planning Commission will accept written testimony for any agenda item herein. Written testimony indicating your 1) name, and if applicable, your position/title and organization you are representing, and 2) the agenda item that you are providing comment on, may be submitted in writing to [planningdepartment@kauai.gov](mailto:planningdepartment@kauai.gov) or mailed to the County of Kaua'i Planning Department, 4444 Rice Street, Suite 473, Līhu'e, Hawai'i 96766. Written testimony received by the Planning Department before 9:00 a.m. on Monday, September 27, 2021, will be distributed to all Planning Commissioners prior to the meeting. Written testimony received after 9:00 a.m. on Monday, September 27, 2021, will be summarized by the Clerk of the Commission during the meeting and added to the record thereafter.

Oral testimony will be taken at the beginning of the meeting on any agenda item via the Zoom remote technology platform and it shall be the responsibility of the testifier to ensure that the Zoom software is downloaded prior to the meeting. Requests to provide oral testimony must be made at least 24 hours prior to the meeting by emailing [planningdepartment@kauai.gov](mailto:planningdepartment@kauai.gov) or by calling (808) 241-4050. Any request shall include your name, telephone number, E-mail address, and the specific agenda item(s) that you will be testifying on. Requests will not be allowed after that time. After oral testimony has been taken, members of the public should continue watching the meeting via the live stream link found at [www.kauai.gov/webcastmeetings](http://www.kauai.gov/webcastmeetings).

**1. Continued Agency Hearing**



## **2. New Agency Hearing**

- a. CLASS IV ZONING PERMIT (Z-IV-2022-2) and USE PERMIT (U-2022-2) to allow renovations to the existing building to convert commercial retail and office spaces into residential units on a parcel in Hanapepe Town, situated on the mauka side of Hanapepe Road, approximately 550 feet north of the Hanapepe Road/Hana Road intersection, further identified as 3731 Hanapepe Road, Tax Map Key: (4) 1-9-004:015 and containing a total area of 6,808 square feet = *John & Elizabeth Von Krusensteirn* [Director's Report Received, 9/14/2021.]

## **3. Continued Public Hearing**

## **4. New Public Hearing**

## **5. All remaining public testimony pursuant to HRS 92 (Sunshine Law)**

# **G. CONSENT CALENDAR**

## **1. Status Reports**

- a. 2021 status report regarding Class IV Zoning Permit Z-IV-2015-8, Project Development Use Permit PDU-2015-7, Variance Permit V-2015-1, and Special Management Area Use Permit SMA(U)-2015-6 at Tax Map Key 4-1-003:004 (por.), 005, 007, 011, and 017 and 4-1-005:014 and 017 (the "permits"), with approval conditions as set forth in letter dated December 31, 2018 from the Planning Commission of the County of Kauai (the "Conditions") with Coco Palms Hui LLC, as Applicant ("Applicant").
  1. Letter (9/7/2021) from Jaelyn Decena.
  2. Letter (9/7/2021) from Peleke Flores.
  3. Letter (9/7/2021) from Alfonso Murillo.
  4. Letter (9/7/2021) from Regina Gregory.
  5. Letter (9/7/2021) from Dr. Robert Zelkovsky.
  6. Letter (9/7/2021) from S. Kuualoha Hoomanawanui.
  7. Letter (9/7/2021) from Ruta Jordans
  8. Letter (9/7/2021) from Cere Buntin.
  9. Letter (9/7/2021) from Wayne Williams.
  10. Letter (9/7/2021) from B.A. McClintock.
  11. Letter (9/7/2021) from Jennifer Stevens.
  12. Letter (9/7/2021) from Rich Waxman.
  13. Letter (9/7/2021) from Malia Locey.
  14. Letter (9/7/2021) from Alisen Celestyn.
  15. Letter (9/7/2021) from Alicia Morrier.
  16. Letter (9/7/2021) from Thomas Nooney.
  17. Letter (9/7/2021) from Amber.
  18. Letter (9/7/2021) from Nicole Hyde.
  19. Letter (9/7/2021) from Danielle Guion.
  20. Letter (9/7/2021) from Mira Walker.
  21. Letter (9/7/2021) from Holly Kuester.

22. Letter (9/7/2021) from Dana Keawe.
23. Letter (9/7/2021) from Toni Auld Yardley.
24. Letter (9/7/2021) from Leslie Larsen.
25. Letter (9/7/2021) from Joan Lander.
26. Letter (9/8/2021) from David Jones.
27. Letter (9/8/2021) from Barbara Guiliano.
28. Letter (9/8/2021) from Terry Lilley.
29. Letter (9/8/2021) from Kathy Ingols.
30. Letter (9/8/2021) from Roger Harris.
31. Letter (9/8/2021) from Valerie Weiss.
32. Letter (9/8/2021) from Joan Levy.
33. Letter (9/8/2021) from Judith C. White.
34. Letter (9/8/2021) from Ed Altman.
35. Letter (9/8/2021) from Kit Furderer.
36. Letter (9/8/2021) from Marisa Plemer.
37. Letter (9/8/2021) from John C. Ferry.
38. Letter (9/8/2021) from Glenn Choy.
39. Letter (9/8/2021) from Evelyn de Buhr.
40. Letter (9/8/2021) from Robin Pearl Selfe.
41. Letter (9/8/2021) from Patrica Fallbeck.
42. Letter (9/8/2021) from May Lu Kelley.
43. Letter (9/8/2021) from Edward Everette Pualani Kaleiohi Goias.
44. Letter (9/8/2021) from Rachel Nelson.
45. Letter (9/9/2021) from Terri.
46. Letter (9/9/2021) from Keoki Raymond.
47. Letter (9/9/2021) from Bob and Rosemary Lehardy.
48. Letter (9/9/2021) from Dorothy Bekeart.
49. Letter (9/9/2021) from Dana Bekeart.
50. Letter (9/9/2021) from Peggy Kemp.
51. Letter (9/9/2021) from Diane Fairclough.
52. Letter (9/9/2021) from Cherie Kinchloe.
53. Letter (9/9/2021) from Christyn Alcones.
54. Letter (9/9/2021) from Malia Everette.
55. Letter (9/9/2021) from Bill Parker.
56. Letter (9/10/2021) from Barry Snyder.
57. Letter (9/10/2021) from Karen Anderson.
58. Letter (9/10/2021) from Fred Dente.
59. Letter (9/10/2021) from Sylvia Partridge.
60. Letter (9/10/2021) to Fred Dente from Sandra Herndon.
61. Letter (9/12/2021) to Fred Dente from Fern Holland.
62. Letter (9/12/2021) from Diane Koerner.
63. Letter (9/12/2021) from Laura Ramirez and the Bettencourt Family.
64. Letter (9/12/2021) from Emmaleah Stauber.
65. Letter (9/12/2021) from Patti Valentine.
66. Letter (9/13/2021) from Jodi Matsumoto.
67. Letter (9/14/2021) from Irena.
68. Letter (9/14/2021) from John W. Kaohelaulii.
69. Letter (9/14/2021) from Meredith Cross.

70. Letter (9/15/2021) from Bonnie Rassmussen.
71. Letter (9/15/2021) from Laurel Brier.
72. Letter (9/17/2021) from Gary Hudson.
73. Letter (9/17/2021) from Michal Stover.
74. Letter (9/18/2021) from E.J. Hands.
75. Director's Report pertaining to this matter.

#### **H. EXECUTIVE SESSION**

EXECUTIVE SESSION: The Commission may go into executive session on an agenda item for one of the permitted purposes listed in Section 92-5(a) Hawai'i Revised Statutes ("H.R.S."), without noticing the executive session on the agenda where the executive session was not anticipated in advance. HRS Section 92-7(a). The executive session may only be held, however, upon an affirmative vote of two-thirds of the members present, which must also be the majority of the members to which the board is entitled. HRS Section 92-4. The reason for holding the executive session shall be publicly announced.

#### **I. GENERAL BUSINESS MATTERS**

#### **J. COMMUNICATION**

#### **K. COMMITTEE REPORTS**

#### **L. UNFINISHED BUSINESS (For Action)**

#### **M. NEW BUSINESS**

##### **1. For Action – See Agenda F for Project Descriptions**

#### **N. ANNOUNCEMENTS**

1. Topics for Future Meetings
2. The following regularly scheduled Planning Commission meeting will be held at 9:00 a.m., or shortly thereafter, on October 26, 2021. The Planning Commission anticipates meeting via teleconference, but will announce its intended meeting method via an agenda electronically posted at least six days prior to the meeting date.

#### **O. ADJOURNMENT**

**NOTE: 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 & COMMISSIONS AT (808) 241-4917 OR [ASEGRETI@KAUAI.GOV](mailto:ASEGRETI@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 ALTERNATE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.**



Pursuant to Section 8-27.8 (6) of the Kaua‘i County Code (1987), as amended, the following shoreline setback determinations by the Director are disclosed for purposes of public notification.

September 28, 2021

SHORELINE SETBACK DETERMINATIONS

<b>Application No.</b>	<b>Name of Applicant(s)</b>	<b>Property I.D. (Tax Map Key)</b>	<b>Location</b>	<b>Development/Reasons</b>
SSD-2022-4	Scot and Lynn Johnson	(4) 5-6-004:014	Hanalei	Roof and roof rafter repair/ Unsubstantial improvement
SSD-2022-5	Jay Leopold	(4) 5-8-009:053	Hanalei	Interior renovation, bathroom. / Unsubstantial improvement
SSD-2022-6	Greg and Denise Safko	(4) 5-2-007:002 CPR Unit 2	Kīlauea	Deck additions/ Rocky shore. Elevated cliff, required shoreline setback 100ft., 195 ft. setback proposed
SSD-2022-7	Steve J. and Peggy R. Palazzola	(4) 5-4-012:011 CPR Unit 29	Princeville	Kitchen, bathroom renovations, interior renovations (interior closet)/ High elevated cliff, required shoreline setback 100ft. , proposed setback more than 230 ft.
SSD-2022-8	Deborah Manoogian, REV. TR	(4) 5-5-005:018	Hanalei	Demo and rebuilding of a single family dwelling / Accreting shoreline, required setback 91 ft, proposed setback 163 ft.