



KILAUEA NEIGHBORHOOD ASSOCIATION

P.O. BOX 328 KILAUEA, HAWAII 96754

President: Meeting Minutes for: April 2, 2013
Yoshito L'Hote

Time: Meeting started 7:03 pm ended 9:30 pm

Vice President:
Mike Latif

Location: Kilauea Neighborhood Center classroom

Secretary:
Thomas Pickett

KNA Directors present: Yoshito L'Hote, Mike Latif, Thomas Pickett, Gary Pacheco, Scott Mijares, Nicki Pignoli, Bill Troutman, Tim Kalai, Rae Yadao-Butac, Alvin Castelo, Cherie Grousset, Charlie Martin, Carrie Souza, Jim Spencer

Treasurer:
Gary Pacheco

Community Attendance: Approx. 90

Sergeant-at-arms
Scott Mijares

I. Call to order Yoshi L'Hote called the regular meeting to order at 7:03 pm

Upon motion duly made and seconded the board voted unanimously and resolved to reverse the order of tonight's meeting and hear new business before old business.

Directors:

Nicki Pignoli
Bill Troutman
Tim Kalai

II. Treasurer's Report Gary Pacheco reported the KNA checking balance is 4598.52 with 100.00 from the Kong Lung Kiosk yet to be deposited

Rae Yadao-Butac
Alvin Castelo
Cherie Grousset
Charlie Martin
Carrie Souza
Jim Spencer

III. Committee/Community Reports

- a) KCOP Report: Rae reported KCOP was unable to have an Easter program this year. She hopes there will be some more help and interest to produce a Halloween and Christmas program later in 2013.
- b) Senior Report: No report
- c) PTSA Report: No report
- d) Communication Committee Report: Tom Pickett asked for help with the committee and received a pledge from Felicia Cowden to assist with the Facebook page.
- e) Drug Report: Nikki reported that April has been proclaimed Alcohol awareness month by the mayor.
- f) Agriculture Committee Report: Charlie reported that his committee is currently re-searching alternatives for water supply to the Kilauea Agricultural Park.

IV. New Business

a) LDS Church Property: Robert Mills representing the Architectural firm of PBR Hawaii & associates presented plans for the construction of a new meeting hall for the Church of Latter day Saints. Located on the Mauka side of the Kuhio highway across from the main entrance to Kilauea on tmk# 5-2-19:4. Mr. Mills described a 20,000 sq. ft. building on a 5-acre lot with parking for 250 cars. The meeting hall will be 28' high with a steeple of unspecified height. He stated the purpose of his presentation was to get feedback from the community before proceeding with a State special use permit, a county class 4 use permit, a height variance request, a county use permit and eventually building permits.

Questions from the community audience included; did they do a traffic study and would they consider donating an easement by the highway for a round-about intersection?

Would they consider locating the proposed AT&T cell phone tower there?

Did they have plans for the rain run off from the building and parking lot?

Would they consider rejecting a KIUC "smart" meter?

Would they consider getting a traffic light installed at the intersection of Kuhio Highway and Kolo road?

Would they consider installing underground utilities?

Jim Winkler questioned the visibility of the church at the entrance to Kilauea and it was asked if the community could negotiate for a low visual impact of the buildings.

A show of hands told for a majority against the plans as is and a need for further discussion/negotiation at future KNA meetings.

b) Kilauea Lighthouse Village: Paul Keeno representing the Hunt Development Group gave an update on progress with the Kilauea Lighthouse Village Shopping Center. He said that they will break ground for construction in the end of August 2013 and they hoped to finish by the end of October 2014. He said they would be using a temporary construction road to ease traffic on Kilauea rd. It will enter town across from the Mini Golf course.

Questions from the community included;

would the construction road be converted into a permanent bypass road? Paul said that the county department of transportation may include funds for this in the 2014 budget but stressed that the community has to get involved and work with the county to make the road happen.

Yoshi L'Hote asked if they had over 60% of the property committed to leases and by whom. Paul said they had good lease commitment activity. He mentioned that the development might include a health and fitness gym, supermarket, hardware store, one sit down and several small food service operations and two banks. He declined to be specific about who was moving in.

Had the building design been changed since the neighbors had last been shown the plans? Paul said there were minor design changes and that they could be seen on the Hunt website, <http://kilauealighthousevillage.com>.

Would the current driveway around the Dispensary Park be changed? Paul noted it was county property and that the most they would do would be to improve the parking area along it on the shopping center side. Would they include sidewalks, bike paths and green space? Paul said yes to all but the answer about green space was tentative as if the questioner meant park like space and Paul meant limited green space between buildings.

c) Somers Development: Max Graham, attorney for Charles Somers presented plans for new buildings and changes in his use permit. Yoshi prefaced his presentation by stating that because of the lack of sufficient notice from the developer regarding the scheduling of public hearings for these use permit changes the KNA had to expedite a letter and application for intervener status on the proposed development unusually fast. He also stated to the audience that Mr. Grahams time would be for presentation only and questions would be limited as the real negotiating and testimony would be handled at the next planning commission meeting on April 9th and at a contested case hearing to be scheduled after that.

c) Cont'd, Mr. Graham gave a brief history of the land and it's development. Of the 161 acre parcel Somers gave a conservation easement of 149 acres to the Hawaii Island lands trust. He built a house complex on the remaining 12 acres and is now re-applying to build a managers house and barn of about 2900 and 2800 sq. ft. respectively. Questions from the audience;

Will Mr. Somers give us access to the waterfall? Answer; no

Can we negotiate for access to the waterfall? Answer; you can try.

Does Mr. Somers own the road? Answer; No it is owned by Honu assoc. llc and preserved for the public with an easement by the county of Kauai.

Who is killing the trees on the dunes of the Hawaii land trust land between Mr. Somers house and the ocean?

Answer; Mr. Somers is not cutting down or poisoning those trees.

Why was the KNA not notified in a timely manner about this new development when it was explicitly promised that Mr. Somers would do so in his 49 page 2013 permit application to the Kauai county planning department?

Answer; Mr. Graham apologized and stated that the late notice was his unfortunate mistake.

The last comment on the subject was from Beryl Blaich. She counseled everyone to remember that access to the waterfall can be part of the negotiations and the approval of Mr. Somer's plans is not a done deal. She stressed that the determining factor for the community is the level of it's show of a forceful position on the subject. Participation, letter writing and personal testimony at public meetings is important.

A show of hands vote in the room revealed a near 100% opposition to the project as it was presented.

Upon motion duly made and seconded the board voted unanimously with Jim Spencer abstaining to file documents as interveners opposing Mr. Somers applications as presented in a contested case hearing held by the Kauai County Planning department.

d) AT&T 4G Cell Phone Tower: Keoni Fox, representing AT&T through his company Alii wireless specialists stood before the board and neighbors. Keoni gave a brief history of the plan and the reason they were applying for a use permit, a Class IV zoning permit and a height variance to place the tower on the land owned by the Lighthouse Christian fellowship church at 4150 Kilauea Road.

With photos and maps he explained the reasoning for choosing the location. After his presentation there was a brief question/comment period.

Angela Flynn stated numerous studies and sited personal reactions to Microwave radio frequency energy.

Laurie Patch, a close neighbor to the proposed site stated her opposition, strongly voicing concern with many aspects of the project.

Joanne Thompson, another close neighbor voiced her strong opposition to the project and being effected by the radio frequencies.

Keoni responded by saying the RF's emanated from the tower directionally. The RF's broadcasting out from the tower, not up or down.

Soleil La fete told the audience about a fight in opposition she and neighbors won to keep a tower from being placed on the old Mill warehouse. She donated an archive of written and video records and studies.

There was discussion on AT&T's motives, alternative sites further away from people and opposition against all forms of RF emitting technology including smart meters.

A show of hands vote revealed a large majority against the Cell Phone tower in the current proposed location.

Upon motion duly made and seconded the board voted unanimously and resolved to compose and deliver a letter of opinion from the KNA to the Kauai Planning Commission. Content of the letter is to reflect the concerns of the community regarding the proposed location of the AT&T cell phone tower.

V. Old Business

- a) Report on the Lighthouse Centennial field event: The event is on Sunday, May 5th in the Kilauea ballpark. Tamra Martin reported that the plans were coming together and that non-profit organizations could still reserve a space to operate a game booth as a fundraiser.
- b) Town Sign report: Scott Mijares and Jim Spencer reported the sign work has gone into the construction phase but the placement on a break away stand on State Highways land may be an obstacle that will prevent the sign from being finished by May 5th.
- c) 150 Kilauea town birthday report: Bino Castelo reported on the progress of his KNA committee with the plans to represent the town of Kilauea's history and age with the display of an original train locomotive from the Cane mills days of Kilauea, a table with displays of graphics and artifacts, a table with KNA t-shirts and cane for sale and a food truck serving lunches as a KNA fundraiser.
- d) KNA Bylaw progress: Bill Troutman reported that his committee is currently working on the KNA mission statement and that alternatives will be made available to the board members to consider.
- e) Common Grounds: Owner Chris Jaeb addressed his request to change the operating hours in his use permit at Common Grounds café. He described his long-term plan to use his land as a model of local, sustainable agriculture and the necessity of extending the hours to make Common Grounds fiscally viable. Part of his plan includes expanded commercial restaurant hours. His current use permit allows him to operate between 9am and 5pm. Mr. Jaeb is asking the county to allow him business hours between 7:30 am to 9:30 pm. Comments included supporters for Common Ground's services to the community and neighbors critical of the commercial use of the Ag. Parcel including the impact of increased traffic on the neighborhood street.

VI. Announcements

- a) Tom Pickett suggested that instead of an annual Kilauea town celebration that the community consider making it a Semi-annual event.
- b) Gary Pacheco announced the Lion's Pancake breakfast is being held April 7, 7-11 am. Tickets are 8.00 for adults and 5.00 for kids. This is their big fundraiser for the year. The money goes toward funding Lion's projects like educational scholarships, bus stops, etc.

VII. Approval of minutes

Upon motion duly made, seconded and carried unanimously, it was resolved to approve the March 5, 2013 minutes.

VIII. Adjournment

Upon motion duly made, seconded and carried unanimously, it was resolved to adjourn the April 2, 2013 KNA meeting at 9:30pm .

