



P.O. BOX 328 KĪLAUEA, KAUA'I, HAWAI'I 96754

**MEETING MINUTES
FEBRUARY 4, 2020**

Time: 7:00 PM

Location: Kilauea Neighborhood Center

KNA Directors Present: Yoshito L'Hote, Beryl Blaich, Jeremy Burns, Gary Pacheco, Bill Chase, Adam Hadley, ~~Stephenie Brown~~, Thomas Daubert, Mike Latif, Mike Lyons, Charlie Martin, Don McConnell, Jim O'Connor, Ron Paul

Community Attendance: 24

Call to Order: Yoshito called the meeting to order at 7:02 PM.

Committee Reports:

Beautification Committee: No report.

Planning Committee: No report.

Communications Committee: Thomas Daubert reported to please send an email to joekilauea@gmail.com to get on the mailing list. If any community members have any events they want to share please email and it will be posted on the website.

Fundraising Committee: There is a possibility of doing a big event to support the Asuncion family whose house burned in a fire.

Election Committee: No report.

Community Updates:

Seniors: Winnie Ushigome reported Doris asked her to bring nomination forms for Older Americans Recognition (Outstanding Senior, 65+ age). Anyone can nominate. Gary Pacheco represented Kilauea last year for this.

Treasurer's Report: Gary reported we paid reimbursement funds to Jeremy for Christmas Concert drinks, and we paid for insurance. Our bank balance is now \$7,682.01.

Gary reported we had 7 winners of a raffle. Ching Young and Kilauea Bakery donated gift certificates as prizes. Dress your home in bright lights reminiscent of the plantation days and you may win!

PTSA: Adam Hadley reported that there is a PTSA fundraiser with tickets ongoing that the kids are promoting, the winners will be drawn March 7 at the Frozen concert. There is a trip prize for anywhere you want to go up to \$5,000 which includes plane tickets, hotel and car rental.

The Frozen concert will be held March 6th and 7th.

Career day is on March 6th in the morning 8:15 – 9:55 am, you give a 1 minute presentation to the class about your career (or interesting hobby). Anyone interested in sharing with the kids please contact Adam.

There is a dance on February 21st at 5:45, “All you need is love – live Aloha” dance.

There is another fundraiser ongoing for a heart organization.

Ag Center: Yosh reported that the pavilions are now up. There are some drainage and parking stalls to complete as well as ongoing restrooms work.

The Ag Center is finalizing the landscape plans and that should be done and scheduled in within the next couple weeks.

Dry weather has really helped catch up on weed control and farm activities.

The Seacliff windbreak planting is nearly completed.

The Ag Center is hoping for the beginning of April for a grand opening with food and drinks and public invited!

Anaina Hou: Jill Lowry reported Melvin Seals and Jerry Garcia bands are upcoming for a perfect Valentine’s day night event.

Social Awareness Film Festival (SAFF): First annual film festival “Social Awareness Festival” will be February 17-23rd 2020. Tickets will go on sale in January. They are focusing on indigenous and native peoples. First night movie Monday is Kanaka Stand Tall, and the Hawaiian Legend of Eddie Aikau. A full schedule is posted on Anaina Hou website anainahou.org.

Kaua’i PD Chief Raybuck would like to do Coffee with a Cop at the end of February at Anaina Hou.

Feb 27th Anaina Hou will be hosting the Chamber of Commerce business after-hours. Texas Barbeque will be serving food and draft beer. You don’t need to be a member. Time is approximately 5-7 pm.

Hay Subdivision: Avery Yuen is here to answer outstanding questions about the Hay Subdivision. The topic is for the bypass road connector. Last August they received notice there will be a credit union built right next door. He was surprised that the ag land was suddenly transformed into Urban R6 zoning. Once you subdivide an Ag lot it cannot be resubdivided unless proper procedures are followed. Avery showed the Planning

Department that the map he procured on O'ahu shows that the land is agricultural zoned not residential or urban. The Planning Commission used public purpose to create the bypass road and walking path and a Kauapea Beach access, but they also improperly resubdivided adjacent lots. Avery challenged the action, and notes several issues: the property subdivided is not in an urban district and the lot for the credit union does not meet the acreage requirement to be allocated in the manner that it was; when 4 agricultural lots are created (in exchange for the public road use) these are not zero density lots because barns and other semi-residential structures can be built which creates an enforcement issue for the county. Avery suggests they subdivide the bypass only through the legal right of way and provide Hay a single lot with prescribed density as opposed to multiple small lots with zero density. The solution must comply with the law and proper procedures, and this can be fixed, but the subdivision needs to be amended. Avery is wondering what role the KNA has had through this process.

Yosh reported that Hay originally proposed a meandering bypass with 5 partners that would create multiple lots. The community was not in favor. Subsequently Hay bought out all the partners and become the sole owner, and the County began leading the push for the bypass road.

Avery stated he is in support of the bypass and the community, but it still needs to be done through proper process. Avery suggests using the area already designated as urban across from Anaina Hou along the Kuhio side of the bypass road in either the Bertsch or Hay property. It is easier to readjust urban boundaries within the same property than to come in with a brand new reclassification. The subdivision is not in final approval so it can still be adjusted. There has been a 6 month extension to approximately July which should be enough time to make the proper adjustments. For example rather than have the bypass split the two urban sections, it could be realigned along one section of the bypass road. Gather already has a use permit approved, so they can get a special permit to build on one 1 acre piece, or CPR it into a 0.5 acre piece.

Land use changes less than 15 acres can be done (~ 6 months) without having to go through the Land Use Commission (~ 18 months). Avery suggests all the urban end up along one side of the bypass road and the County could use their 15 acres in addition to whatever is already allocated along Kuhio Hwy.

The CPR needs to be amended anyway, because the land in question has already been CPR'd once previously and many lots on the plateau including 4 lots along Kauapea Road are part of that original CPR. Ron noted that this has already been done and the Hay subdivision is now separated per the CPR process. Avery added that this now also needs to be done through the subdivision process as well.

The urban density along Kuhio Hwy currently belongs to Hay.

The goal of this effort is to make sure things are done correctly so that there are not issues down the road, and to have the County review the entire 30 acres and make sure things are being done the best way for the benefit of the community.

National Fish and Wildlife Service – Jen Waipa introduced Officer Steve Case, he has been here as a detailee previously and knows the area. He will be monitoring Kahili, as part of his patrol. There is also a new Deputy Project Manager Brooke Burroughs from Minnesota who will be starting in April. They also have a detailee project manager who will be

helping in the interim. They have hired a new budget analyst from their regional office. They are now just about fully staffed.

Officer Case has 28 years in law enforcement. He is in charge of public safety on the 3 wildlife refuges. He spent the last 15 years in southeast Oklahoma, 5 years in Wyoming.

Lighthouse Shopping Center – Kirsten Hermstad reported that for the community room they are currently getting electrical permits. The room is completed, outlets and drywall are in, once they get the wiring and painting done that will be completed.

There are currently 3 tenants open: Kilauea Market grocery store, Animal Clinic, and Island Soap. They expect Java Kai will open in the next 30 days and when they do the makai side bathrooms will be opened. It will probably take a year or more for tenants on the mauka side to enter and restrooms on that side will only open once there are tenants there.

The public bathrooms will be open to the public during hours of operation. There will be a combo lock but it is not necessary to use, it is just for remote locking of the bathroom. The cleaning schedule will be 3 times per day to start.

Jill Lowry reported many businesses in the area are sending their customers to Anaina Hou as the public bathroom to use.

Kirsten and Jill both have concerns about other local establishments who make their restrooms private and send their customers to other locations who maintain open restrooms.

The Kilauea Market has had issues already with both overuse and vandalism. They have had to replace all of the hardware in all their restrooms already.

If you are serving alcohol for consumption on the property you must provide a bathroom within some amount of feet (200?). If not there is no requirement.

There will be a non-gated pass thru at the back of the Lighthouse Market area.

2020 KNA Calendar of Events – Yosh reported we are working on a calendar of events, still in process.

Announcements:

- David Kells reported that his project for a home build went to the Planning Commission, but Mr. Somers filed as a special interest intervening party and is blocking it. He will be in front of the planning committee on Tuesday March 10th to build a 3,000 sq. ft. manager's house and 2,500 sq. ft. accessory building. He has also acquired two lots adjacent to these folks across the Kilauea Stream. They are scheduled for a contested hearing care and are filing to grant that his petition be denied due to non-specific nature of the intervention, and they don't believe his filing was timely as they were never served. Mr. Somers was supposed to notify them by October 15th, and the meeting was October 22nd. No certified mail was ever received. Ultimately much later the lawyer from Mr. Somers apparently admitted that it was never sent. But then their attempt to have this overturned based on the

non-timely notification was past some deadline so that was denied. KNA should review the original Somers construction conditions and see if all have been met.

- Thomas Daubert reported the Kilauea Point Natural History Association has rebranded to Friends of Kaua'i Wildlife Refuges. This helps better indicate that they do support all 3 federal refuges. Also there is a new Friends of Hanalei group that specifically works on the Hanalei Refuge. They are partners.
- Kauai North Shore Lions golf tournament was very windy and rainy, but 100 golfers came out. They made a little over \$20K, and Mr. & Mrs. Hunt donated another \$20K in matching to give out as scholarships. They had 37 students from the north shore last year who received a scholarship. The application is easy: a picture, letter, two recommendations, transcripts, and a full-time school to attend. It can be used for adults too! Checks are made out to the school and the student so it must be used appropriately.
- Ron Chittenden reported the crosswalk at the Shell station across the highway is a deathtrap. Kids are in danger there. Felicia got a hold of Larry Dill who won't make changes. He also works as a parking ambassador at Ke'e Beach, and has made the mayor aware of the issue. This is a serious need and we've been very fortunate no pedestrians have been struck. There is some desire for at least a temporary stoplight. KNA will reach out to Larry Dill.

Old Business:

None.

New Business:

None.

Approval of Minutes:

Upon motion duly made by Ron Paul, seconded by Charlie Martin and carried unanimously, it was resolved to approve the minutes of the January 2020 Kilauea Neighborhood Association meeting.

Adjournment of Meeting:

Upon motion duly made by Gary Pacheco, seconded by Bill Chase and carried unanimously, it was resolved to adjourn the February 4, 2020 Kilauea Neighborhood Association meeting at 8:42 pm.