

PLANNING COMMISSION
COUNTY OF HAWAI'I

HEARING TRANSCRIPT
JANUARY 15, 2009

A regularly advertised hearing on the application of **T-MOBILE WEST CORPORATION (USE 08-000014)** was called to order at 1:36 p.m. in the Aupuni Center Conference Room, 101 Pauahi Street, Hilo, Hawaii with Chairman Rodney Watanabe presiding.

PRESENT: Rodney Watanabe
Lani Bowman
Takashi Domingo
Frederic Housel
Shelly Ogata
Rell Woodward

ABSENT & EXCUSED: C. Kimo Alameda
Andrew Iwashita

Ivan Torigoe, Deputy Corporation Counsel
Daryn S. Arai, Acting Planning Director
Norman Hayashi, Staff Planner
Phyllis Fujimoto, Staff Planner
Jeff Darrow, Staff Planner

And five people from the public in attendance

APPLICANT: T-MOBILE WEST CORPORATION (USE 08-000014)

Use Permit to allow the construction of a 150-foot monopole telecommunication tower and associated equipment on approximately 900 square feet of land situated within the Single-Family Residential 20,000 square feet (RS-20) zoned district. The property is the site of the Kurtistown Assembly of God Church, which is located on the mauka (northeast) side of Highway 11 directly across the Highway 11- Kuauli Road Junction, Kurtistown, Puna, Hawaii, TMK: 1-7-6: portion of 31.

WATANABE: Okay, moving along, we're on Agenda Item No. 5. The applicant is T-Mobile West Corporation. This once again is a Use Permit to construct a 150-foot monopole telecommunication tower, Use Permit 08-000014. Mr. Darrow.

DARROW: Thank you, Mr. Chairman. Again, if I can direct your attention to the power point presentation. Our applicant is T-Mobile West Corporation. Originally it was WFI Inc. WFI Inc. has been, was actually the representative for T-Mobile; and currently now we have Avalon representing them. We do have a letter that has been passed out to the Commission informing them that they are authorized by T-Mobile to represent them. Their request is to allow a use permit for a 150-foot monopole telecommunication tower and associated equipment on 900 square feet of land.

This particular property is located in Kurtistown, in the Kurtistown area. We do have Volcano Highway kind of running through the middle of the map. There are all kinds of different colors which represent different types of zoning. The yellow in this particular area represents Residential uses. The blue, the dark blue, dark green, light green, pretty much the remaining uses except for the purple are all Agriculture. The purple that you see up there is the area where they have the 7-Eleven Store and the gas station, the post office. That's right in this particular area, right at the intersection of Huina Road and the Highway. So just up from there we have the subject property identified with the black outline. This is a property that is, excuse me – I can't believe I don't have, I believe it's 1 – the property is 1.8 acres in size. It's a long skinny piece of property; and currently you'll see that there are existing structures. This is a church, an Assembly of God Church, that's actually on the property. The proposed area for the permit, for the tower, is located in the rear of the property. And, again, it's only a 900-square foot area which is approximately 30 by 30. Access will be from the highway.

The applicant is requesting the special permit for the 150-foot monopole, associated equipment consisting of 12 six-foot panel high antennas, a whip antenna, backup generator, four outdoor equipment cabinets and a chain-link security fence that will go around the 900-square foot area.

This is a site plan that was submitted. It doesn't show the actual structures in the area but it identifies them. But access will be from the highway to the back of the lot; and you'll see the actual 30 by 30 area identified on the site plan.

The Planning Director is recommending approval with conditions. I'd like to bring to your attention that we have had several pieces of correspondence submitted to the Planning Department recently. Two of these were from, in fact, all three of them were from Avalon Group, which is the representative for the applicant. One of them was an actual petition for standing in a contested case form that was filled out by a surrounding property owner that had submitted it to the applicant's representative. We had contacted them and found out that they were actually not filing a petition for standing, they just wanted to show support for the tower. And they had written down that they had wanted to see a better communication signal for cell phones and that Kurtistown has a weak signal in the area. So we had contacted her and she said that was not her intention.

Additionally, we received this morning, we had requested originally that the applicant provide additional photo simulations of the tower from areas along the Highway; and so they submitted that to you this morning. You'll see that, on the top picture you'll see a current photo and then on the bottom picture you'll see a little addition of a little tower that has been drawn in. So that's the difference between the top and the bottom pictures. If you have a problem finding out where that particular tower is, just let me know and I can show it to you on the two photos. So they took photos from two different areas. Are there any questions?

WATANABE: Yes, Mr. Woodward.

WOODWARD: Since this is built in the back of a church, is this for a better communication with God? I don't expect you to answer that.

DARROW: Okay, thank you.

WOODWARD: I was just being facetious.

WATANABE: We'll defer to the applicant. Any further questions of staff? Mr. Housel, any questions?

HOUSEL: The photos show a, looks like to me, it's hard to tell for sure, that the tower will be a silver or aluminum color, or white, or something. What color is it?

DARROW: It's my understanding it's going to be galvanized. But the applicant has that information and is going to present that. We had asked her to present that information. In the review of the report, it identified it as being galvanized, but it wasn't really clear on the exact color. I would gather it would be, you know, a light gray or medium gray non-reflective type color. But we'll clarify that with the applicant.

HOUSEL: Okay, okay. Thank you.

WATANABE: Okay. If there are no further questions, then -.

BOWMAN: I have a question.

WATANABE: Yes, Ms. Bowman.

BOWMAN: Just out of curiosity, are there any other cell towers in that area, I mean Kurtistown area in general?

DARROW: Not in Kurtistown. There is one in Mt. View, Glenwood area, that is a connection to this one. And I believe there's one in Shipman. There are several that are in there. So this is kind of the one that's going to bring connection to these particular signals in the area.

BOWMAN: Just enlighten me a little bit cause I think we'll have more of these. So it's T-Mobile, so that's the only cell phone that can pick up signals from this tower, right?

DARROW: No, that will be incorrect. There will be, what we want to do is encourage -. Because there were no other towers in this area, T-Mobile could not co-locate on existing towers. So they are proposing to build a new tower, at which time other cell phone companies would be able to co-locate on this tower.

BOWMAN: Okay, that clarifies it for me. Thank you.

WATANABE: Okay. Then let's call the applicant's representative up. I believe that's Laurie Chan. Is that correct?

CHAN: Yes.

WATANABE: Okay. Thank you for being so patient. Let me swear you in please. Do you swear or affirm to tell truth now before the Planning Commission?

CHAN: I do.

WATANABE: Okay. Thank you. And then we would need your name and address.

CHAN: Laurie Ann Chan for Avalon Development, 841 Bishop Street, Honolulu, Hawaii.

WATANABE: Okay. Ms. Chan, have you had an opportunity to review the recommendations by the staff?

CHAN: Yes, I have.

WATANABE: And those you're agreeable to the conditions as proposed?

CHAN: Yes, T-Mobile is.

WATANABE: Okay. So no issues with any of these, everything seems fine to you?

CHAN: Yes.

WATANABE: Okay. Maybe this is the right time to ask Ms. Chan of the color that you were speaking of.

HOUSEL: What will be the color of the tower?

CHAN: The color will be galvanized, non-reflective; and it will be painted probably a light gray or something to kind of match and blend in with the surroundings.

HOUSEL: Okay. The thing I noted in here, I don't maybe if you've seen it or not, but from the letter from the Department of Transportation, their suggestion was a non-, flat, non-reflective dark paint.

CHAN: Okay.

HOUSEL: Is there a reason for having gray or -?

CHAN: No. You know, T-Mobile is always willing to work with the community or any agency as to, you know, what would be the best for it.

HOUSEL: Okay. It seems, are there other testifiers today?

WATANABE: There is one individual that signed up to testify, yes.

HOUSEL: Is that the person that submitted the letter?

WATANABE: Avis Nomura is the person that -.

HOUSEL: Okay, good. We can hear about that. So thank you very much.

WATANABE: If there are no other questions of the applicant's representative then you may be seated; and I'll call up the testifier. Thank you. Ms. Nomura, you signed up to testify on this agenda item. May I swear you in please. Okay, do you swear or affirm to tell the truth now before the Planning Commission?

NOMURA: Yes, I do.

WATANABE: Thank you. Could you speak into the mike and provide your name and address, please.

NOMURA: My name is Avis Nomura and I live at 17-536 Volcano Road in Kurtistown, which is a few lots away from the Assembly of God Church. I'd like to say good afternoon to the Planning Commission because this is the first time I've been here, Mr. Watanabe, Ms. Bowman, Mr. Housel, Mr. Woodward, Ms. Ogata and Mr. Domingo, as well as Mr. Arai and Mr. Torigoe.

You'll have to bear with me because I've never been to one like this. I'm somewhat nervous, okay. So if I don't follow procedure, protocol, just let me know and I'll stop. Okay, I'm just going to read off my letter. I was hesitant to come actually because I've never been to a session like this. And we're just, you know, old timers that just kind of believe that, okay, the Department has the responsibilities, they'll take of business. But this concerns me a lot so I decided I should at least come and satisfy myself and speak before the Commission. Okay, now I'm submitting this testimony on my own behalf, okay. I'm not representing anyone. I am not in favor of granting or approving this Use Permit and I hope that the Commission will deny it.

And my reasons are: I'm taking the opposite on the basic zoning policy that you have. The area is zoned residential and the proposed use is not consistent with the purpose of the zoning district nor the intent and purpose of the Zoning Code, which is residential to begin with. That is the pure basic zoning for that area.

We as residents, and I speak for myself and my husband, we abide by the Zoning Code in good faith and expect that the county will abide by it also as it is good for all of us in the area and community. I do not feel that it is justified to go as far as to make an exception for this particular company to erect this structure which is not supposed to be in this zoning area to begin with. It is more appropriate in another area such as the industrial district or commercial district where it would not have an adverse effect and it would not need to get a special permit to be erected.

No. 2, granting of this permit will be materially detrimental to the public welfare and cause substantial adverse impact to the community's character or to surrounding properties.

I understand there's, you know, pros and cons to this opinion, okay. I understand that it is not good for the community where it is going to be built now, okay.

Have you seen these towers on the landscape -- I was passing Mauna Kea the other weekend and asked my husband what was that on Mauna Kea, and there was this big silver thing, you know, whatever -- with all these microwave dishes sticking out from the mountain on the side? And he just mentioned that that's what's going to be put in our neighborhood, okay. Just looking at it, you know that you're saleable value of your property will surely go down, not to mention the

consequences that we have not begun to study or look at. Do we have to wait until something happens before we prove to be wiser than in the past history? Let us study the impact on the people who live in the area before you erect the tower. Because you know that once it goes up, it will never come down --- and it will be the residents that will have to live with all the residual effects once you make decision if it is to approve it, okay.

On a more personal note there are other human and social factors to consider, like we're not just living there and then the towers are our only concern. We're going through tough economic times and the people are the ones affected the most, they have lost jobs, finances are declining, property values are affected, we are battling situations that we do not have any control over. Don't forget, we in this area also have nature to contend with---problems with, you all have it, coqui frogs, we have the wild pigs damaging our property constantly, noting we can do about it, we just have to repair the property and such. We have flooding in the area, storms, insects, acid rain, vog that we need to contend with, there are produce and things. As average working citizens and, you know, a lot of us are in the country, (we don't have fancy houses or lots of valuable material things, we don't have professional jobs, we don't even own another piece of property, well, we don't, okay), we sacrificed to build our home in that residential area and educate our children just like every other person in that area. We've had to deal with the social problems in the area also and we've adjusted our lives when times are hard. Now approving this permit will surely disrupt the balance that we've strived to achieve regardless of the past and current problems facing us at this time. Why add an artificial/man-made structure to compound our problems and lives – the consequences of which cannot be guaranteed not to affect us negatively? It will only add to the detriment of our welfare as residents and therefore to the community's public welfare.

I ask that the Commission consider my request to deny this permit and allow the residential area to remain as it should be and was intended to be – residential with no towers. I am sorry but I am not able to afford court fees and additional expenses to prevent the construction of the tower in our residential areas and I can only appeal to you as the deciding authority to consider my request as a resident. Please do not approve the application.

I also ask that the company show sensitivity and understanding, and they have answered my questions and I'm still in contact with them, asking them questions about the tower and all that. And I started that from the time I was notified in October. That was the first we found out about the tower, okay. And we dealt with first that other company, and then of course there was a time that between companies, you know, there wasn't an answer, whatever. But Laurie has been helpful, and she has tried her best to answer my questions. But I ask that the company show sensitivity and understanding and be more considerate of the community and people and build the tower away from our homes and residential areas. That may be the best solution to satisfy all concerned and would surely prove that big business has a heart and is aware and concerned for the people of the community.

As I feel very strongly about this as a concerned citizen, I would like to request to be notified of the Commission's decision and the reasons for your decision and if there will be any conditions or terms based on your decision. Thank you very much for your time and your patience.

WATANABE: Okay. Do we have any questions for -? Mr. Domingo.

DOMINGO: Ms. Nomura -.

NOMURA: Yes.

DOMINGO: Since it's older residential area, there are other residents within that total general area that have similar concerns as you do?

NOMURA: I asked people and I've gotten replies, but some people are not willing to come forward. You know, like I said, the old style is they leave it up to their leaders to make the right decision for their community. Now there are probably pros and cons because I've heard somebody say that they fully support it because they want the cell signals and everything in that area. You know, I'm all for that. But can't they find some place that's not in a residential area to begin with? Like down the street he pointed out on the map they're developing the 7-Eleven, The Fire Place, there's a big sign that says Makai Development down there. So I'm assuming that area is going to be commercially developed somehow. Can't they go there? Or can't they go further up away from the residences? You know, there's lots of vacant land, pasture land, or whatever, you know. Why does it have to be right next door to where we're living? You know, there's lots of other options or alternatives that they can consider, okay. And that's all I'm asking.

DOMINGO: Your -?

WATANABE: Follow-up? I'm sorry.

DOMINGO: Okay, just a short while. Thank you, Mr. Chairman. So essentially you're against it because -?

NOMURA: It's in a residential area.

DOMINGO: It's a residential area?

NOMURA: Yeah.

DOMINGO: And that the size of it and the height -?

NOMURA: It's 150-foot tall. I'm going to see it from my, you know, my bedroom window, like I see the church everyday from my window, whatever. But the thing is, the basic thing is that place is zoned residential so it should be kept residential. I mean this is what, you know, the Zoning Code said. And to ask for an exception to it, why ask for an exception, you know, when it was basically residential? There are other areas that you can move to.

DOMINGO: Okay. Mr. Chairman, as a follow-up -.

WATANABE: Yes.

DOMINGO: To the statement she just made, may I ask the staff a question?

WATANABE: Sure.

DOMINGO: Jeff, in a residential area, a cellular tower is permitted, only that it has to be granted through a use permit?

DARROW: Correct.

DOMINGO: Okay. And that, and the granting of that permit should be based on what kind of criteria? Is it specified in the Zoning Code?

DARROW: Yes. Those are the criteria that we had addressed in our recommendation. There are three criteria and those are listed on page 1 and page 2 of the recommendation for approval for any use permit.

WATANABE: Mr. Domingo, can I move on to Mr. Housel for right now?

DOMINGO: Yes, yes, go ahead.

WATANABE: And then we can come back.

DOMINGO: I'm done. Thank you.

WATANABE: Mr. Housel?

HOUSEL: Thank you for coming in, Ms. Nomura. Could you show me on that map approximately where your house is?

DARROW: Here's the church, here's this, right here. Okay. This is where the church is right here.

NOMURA: Right.

DARROW: And so -.

NOMURA: And our house is right, right there, right there.

DARROW: This one?

NOMURA: Yes,

DARROW: Okay.

NOMURA: That's the one.

HOUSEL: That one, that one right there?

NOMURA: Yes.

HOUSEL: Now, let's see, looking at the location of the tower, that's going to be on the -?

NOMURA: Back end.

HOUSEL: That end, right?

NOMURA: Uh huh.

HOUSEL: Okay. So you believe that you'll see the tower if you look out your window?

NOMURA: Hundred fifty foot up -.

HOUSEL: Yeah.

NOMURA: My bedroom window, yes, I would think so. Cause I have a clear view to the church, you know, with the lights on and when they have services and everything else. Cause there are no houses between us.

HOUSEL: If the tower were painted a darker color would that help, you think?

NOMURA: The reason why I'm here is because I don't feel it should be put in a residential area, that there are better zoning areas that a tower belongs in and not in a residential, or you wouldn't have that exception to begin with.

HOUSEL: I see. Okay.

NOMURA: You know, and that's my main thing. Of course, if they want to camouflage it, you know, to make it appeal to the surrounding environment and stuff, that's fine. But the basic thing is I don't want the tower in my residential area because it shouldn't be there based on their zoning. But sorry -.

HOUSEL: Well, we're trying to find a solution that would help you, you know.

NOMURA: Yeah, yeah. Can they move it to somewhere else, you know, like, like I said down the street, just down the street? They're starting to develop that area by the Hara Store. The 7-Eleven is now there, the post office, and the store, the auto care center is there, there's a service station and there's a big sign that says some kind of a development, and there's talk about other things coming there. Can't they put it there or can they move it further back toward the mountain so it's not by the residential area or, you know, so close to us? I mean, you know, that's a consideration. There's lots of land there, you know.

HOUSEL: Well, one possible reason why they want to put it there is because of the signal area. I guess I need to ask our representative here if there would be another area that would be suitable signal wise.

WATANABE: Okay. You care to respond?

NOMURA: No. I was going to ask if that was all. I did have questions for the Commission itself.

WATANABE: Questions -?

NOMURA: Just because I'm not familiar with your procedures.

WATANABE: Oh, okay.

NOMURA: So I was just wondering, you know, like -.

WATANABE: Can you speak into the mike.

NOMURA: Do you make the decisions today, whether to approve or not?

WATANABE: Yes, yes -.

NOMURA: Okay. I did -.

WATANABE: Likely.

NOMURA: When I read the recommendation thing when I came in -.

WATANABE: Yes.

NOMURA: It said something about not receiving certain reports and things. So will you be waiting for certain studies or reports to come in before you make a final -?

WATANABE: No, this -.

NOMURA: Okay.

WATANABE: Generally speaking if, I wasn't aware of any particular report, but generally speaking we would make the decision today. There are times when there are some reports that are still pending; but typically if a recommendation is made that that report would not weigh so heavily on the decision as to -.

NOMURA: Okay, and that recommendation also said -.

WATANABE: To recommend or not.

NOMURA: Something about not hearing any feedback from the residents in the area, that whoever it was recommended it.

WATANABE: Oh, if we're not getting a negative response, yeah, we're not going to wait -.

NOMURA: Okay.

WATANABE: Until we get one -.

NOMURA: You have one.

WATANABE: Because we can't assume -.

NOMURA: You have at least one.

WATANABE: Yes. Yeah, yeah, right -.

NOMURA: And, you know, there may be others but they're not going to come forward. So I, you know, that's why I'm asking.

WATANABE: Yeah, we realize that.

NOMURA: Okay.

WATANABE: Okay. So if there are no other questions for Ms. Nomura, then thank you for your testimony; and you may be seated.

And maybe I'll call up Laurie, yeah. So that will provide you with an opportunity to respond. I think we're kind -.

NOMURA: And I can also ask a question? No?

WATANABE: I beg your pardon?

NOMURA: Can I also ask a question, too, if I want to?

WATANABE: Oh, oh, no.

NOMURA: No, okay.

WATANABE: You're here to provide testimony, yeah.

NOMURA: Okay.

WATANABE: Okay. Well, I'm sure you've been working with Ms. Nomura for a while now; and we have two issues, I think, right now. One is, okay, can we disguise this tower to some degree? And I think it seems Avalon is agreeable to that, working with the public to, you know, maybe camouflage the appearance to some degree. But, well, Mr. Housel also had something with regard to, is this the best possible location -.

CHAN: Right, right.

WATANABE: Or are there alternative locations. And I assume you had probably done some studies on that.

CHAN: Right.

WATANABE: Typically they do. So maybe you can enlighten us with the, you know, share your studies with us.

CHAN: Right. I think you may all have the background report that was provided?

WATANABE: Yes.

CHAN: There is a map in there that T-Mobile had provided regarding existing coverage within the Keaau area. And, if you can see, the proposed site is right in between the two, the two areas. And that's why as Mr. Darrow had mentioned it's kind of helping to continue that coverage. The reason it, you know, towers are located in residential areas is that's where the people are; and that's where you would use your phones. Therefore, you know, that's the reason. You know, we try to locate it as much as possible in commercial/industrial areas; but in this case, and it also provides coverage along Volcano Road which is heavily traveled.

WATANABE: Okay. Ms. Bowman, do you have a question?

BOWMAN: Well, could we see that other photo of the zoning? The area that Ms. Nomura was talking about, is that like near the purple at the end?

DARROW: Correct.

BOWMAN: Have you, and that's about how far away, couple of miles, a mile or two?

DARROW: I believe it's approximately one mile.

BOWMAN: Have you looked at any of those areas and -? I mean that's more, it seems like it's a little bit more urbanized.

CHAN: Right. The previous company to Avalon, WFI, had contacted numerous, you know, people in the area to see, you know, what would be the most viable; and this is the candidate that came up as the most viable. I would assume that they had, they may have gone to that site, although it is getting quite close to the next site that's right down the street.

BOWMAN: And that would be -?

CHAN: The Shipman parcel.

BOWMAN: Shipman?

CHAN: Uh huh.

BOWMAN: Okay. I'm looking at your, just so I see, I'm looking at your site coverage.

CHAN: The existing coverage.

BOWMAN: Keaau, okay, and then the proposed site. Okay, if you move down you'd be going more towards the Enos Road?

CHAN: Correct.

BOWMAN: And the other way, there's no other alternative. So if you go, I don't know what direction that is, on that map up there, it's kind of down. There's nothing -.

DARROW: In this particular area?

BOWMAN: Yeah.

CHAN: That one would be getting closer to the Enos Road site, I believe.

BOWMAN: Oh, okay, wait. So if you go the other way, then you're going towards -.

CHAN: Towards Shipman, correct.

BOWMAN: And that doesn't look, I mean, I'm just saying, it looks, right now it looks closer to the Enos Road than it does the Shipman. So if you move up towards the urbanized area you'd be about half way in between.

CHAN: Possibly.

BOWMAN: And my question, how do you, do you go to the landowner and say this is what we're proposing?

CHAN: Right.

BOWMAN: And then you provide compensation for them?

CHAN: Right. There is a monthly fee.

BOWMAN: Okay. And no other -? I mean I'm just looking, like she said, the other area towards the top of the map, sorry, I don't know my directions, it seems more urbanized and you haven't talked, or have you talked to any of those?

CHAN: The previous company, WFI, may have talked to them.

BOWMAN: Okay. But you don't know?

CHAN: I'm not too sure.

BOWMAN: Okay, thank you.

WATANABE: Okay, do we have any further questions? Okay, then you may be seated, Laurie.

CHAN: Thank you.

DARROW: Mr. Chairman?

WATANABE: Yes.

DARROW: The Planning Director was going to just clarify with the applicant regarding their experience with previous towers in regards to the color, if there was a, you know, if they do paint it in a dark non-reflective or if it's a light non-reflective, just so that -.

WATANABE: Sure. We'll certainly welcome those comments. Mr. Arai?

ARAI: Thank you, Mr. Chairman. Laurie, I just needed an understanding. I mean the State Department of Transportation recommended the use of a dark colored paint, flat, too.

CHAN: Right.

ARAI: But then one would think that if you painted a dark color and you masked it up against the sky, it probably has a greater contrast.

CHAN: Right.

ARAI: In your experiences, what would you recommend to help, what color would you recommend to help minimize the visual impacts?

CHAN: I would recommend a more gray, not as dark, so as to blend in with the, you know, the clouds and the sky, the natural, natural color.

ARAI: Gray meaning galvanized? Or do you think galvanized is still too shiny or something?

CHAN: You know, I'd have to double check with the construction.

ARAI: Okay, that's fine. Thank you.

WATANABE: Actually I, not to provide testimony or anything, but galvanized does not have a sheen, so it's pretty flat. It's a chemical coating. Okay, so -.

BOWMAN: I have a question.

WATANABE: Yes.

BOWMAN: What is your timeline for this construction?

CHAN: The actual timeline for construction would be three to four weeks. Now first we would need to, you know, get this approval, then to have building permits and however long that would take, and then go into construction.

BOWMAN: Okay. I guess my concern is that, you said that the previous company may have negotiated other sites; and I'm just concerned that maybe you should, too. I mean, I know it's just one person but I think if you can come and say this is the best site, there is nowhere else, you know, I would feel better about it. And looking at it, if the site was more towards the urbanized area, it would be more in the middle between the Shipman and the Enos Road site. As it appears now it's closer to the Enos Road site, and in that way it would be in the middle. So, and maybe you have some input on that, if the company is willing to do that or you have a, you know, down-pact agreement with the church.

CHAN: They have entered into an agreement with the church.

BOWMAN: Okay. And you have no record that your company has looked at other sites?

CHAN: We have not because this one was already going forward and, you know, this permit has already, we have gone, they have gone in for the application. So we are following it through.

BOWMAN: And, I'm sorry, you took this over from another company?

CHAN: Yes, WFI, Mark Bullard.

BOWMAN: And you don't have any of that information that -?

CHAN: I know there were a couple of other sites that were contacted; but for some reason or another, maybe it's the landlord did not want it on their property, maybe the terms of the agreement weren't, you know, weren't agreeable to each -.

BOWMAN: Okay, thank you.

WATANABE: Okay. You may be seated then. Thanks, Laurie.

CHAN: Thank you very much. Okay, is there anyone that cares to propose a motion, or do we need further discussion on this?

BOWMAN: I just have a question maybe of -.

WATANABE: Yes.

BOWMAN: I am very concerned. I mean, I think if the applicant came and said we personally have contacted x, y, z owners in a more urbanized area, I certainly would feel a lot better about approving this. And it's not necessarily Ms. Nomura's, I mean I'm glad that she stepped up as a citizen and I think we need to listen to her even if it's one citizen, because I know that there are many people who will not come out and speak. So I would feel better if your

company would contact, you know, and come back to us, you know, with something specific that said, yes, we did contact whomever, like, you know, more in that urbanized area. And that's just my opinion. Thank you.

WATANABE: Mr. Domingo.

DOMINGO: You know, my concerns are along that same line. And I always felt that having a tower of this size is not appropriate in a zoning district such as this, for residential districts. I just feel that way. And I've been a part of, not a part, but I knew some individuals who had towers next to them and the impact and the reaction it caused them. And, you know, I certainly wouldn't like to have a tower next to me always looking down on my residence. And on top of that, you know, though we have only one individual coming before the Planning Commission, I'm wondering if, and my concern was if other residents have expressed similar concerns as hers, and I guess she indicated that she doesn't know. You know, it would be better to know that the applicant had gone through the community and just explained the purpose of what they're trying to do, and they would come before us and say, yes, the community is in total favor of this or a majority of the people in the community is in total favor. It would be hard for these individuals after the tower is up to then react to that tower being there because it has already been built, the permit has already been given them. And, you know, I just don't want to see any of these residents go through that.

WATANABE: Okay. Do we have any -. Mr. Housel?

HOUSEL: I tend to agree. I have concern about the other neighbors and if they're worried about this. And I think especially in a small community it's important to be good neighbors; and so I think it would be very good for you to try to verify if you can, you know, if there are alternative locations for this, and, also, maybe talk to some more of the neighbors and see what their concerns are, too, just to make sure everything is covered, you know, before you go ahead.

WATANABE: Mr. Woodward?

WOODWARD: Mr. Chairman, it seems that we're kind of at an impasse here; and I think there are two things. Obviously with six members, three of whom have already stated their objections, it seems they're going to be voted down or continued. And I might suggest that we consider continuing this to get more information to allow T-Mobile to pursue the questions that have been brought up, rather than just to vote it down.

WATANABE: I would tend to agree. Let me express my personal opinion. I would have a tendency to approve this because I think cellular communications are important, you know, from both the public safety standpoint -. And let's assume you had an accident on Volcano Highway you would certainly want to be able to contact emergency services, etc. On the other hand, Laurie, if I'm hearing Ms. Bowman correctly then she'd be more comfortable approving this if you could demonstrate that there were attempts to find alternate sites and for whatever reasons those attempts were not successful. I understand that you took over this process later on, but possibly you could dig up some of that documentation. And maybe, because certainly we don't have the votes today, maybe we could continue this shall we say, I don't think it will take that long, to the next Hilo meeting. And, hopefully, we'll have sufficient documentation then as

to why this site is preferable or the only remaining alternative; and let's try and see. Cause I realize that if, you know, there are some people that maybe you wanted to locate there but they weren't agreeable to it. What are you going to do, yeah? Maybe that's the approach we need to take to secure five votes. Mr. Woodward?

WOODWARD: Mr. Chairman, the other thing I would suggest would be, we've heard from one resident. I don't know if, it would be probably helpful to hear from some other residents that are, you know, in close proximity if this project is going to go forward, in addition to what you've already suggested.

WATANABE: Is that clear, that one? So, you know, in other words, if you indeed have neighbors who are for it that would help also, right?

DARROW: Mr. Chairman?

WATANABE: Yes.

DARROW: Just as a reminder we did receive one letter of support. That was -.

WATANABE: I remember you indicating that, that you did have one. And I think that was for emergency services that they pointed it out, yeah?

DARROW: Cell phone coverage, just that.

WATANABE: Cell phone coverage.

DARROW: They wanted better cell phone coverage.

WATANABE: Yeah. And so maybe polling a broader spectrum, maybe that would help. Because either way we're going to need five votes one way or the other; and we obviously don't have it today. Okay?

BOWMAN: Could I add -?

WATANABE: Yes, Ms. Bowman.

BOWMAN: And I think we did, that there would be documentation from either the applicant, from the landowner, saying we're not interested, or the letter that you sent them, so we can have the documentation for our files, just so we know that they were located, that they were surveyed or asked -- alternative sites, I guess that's what I'm trying to say. Thank you.

WATANABE: Okay. So is it agreeable to all that we continue this to the next Hilo meeting?

DOMINGO: Yes.

WATANABE: Okay, okay, so then let's do that; and, hopefully, we'll have enough information to make an informed decision the next time around. Okay?

DARROW: Mr. Chairman?

WATANABE: Yes.

DARROW: For your information, the next Hilo Planning Commission meeting was -.

WATANABE: Oh, was -.

DARROW: March, will be in March.

WATANABE: That's right. That's was, February we didn't have, yeah -. It's going to be in March, you know. Okay, early March. Thank you. I'm sorry we couldn't arrive at a decision today.

The discussion ended at 2:17 p.m.

Respectfully submitted,

Noriko Sauer, West Hawaii Secretary

A T T E S T:

Norman Hayashi, Planning Program Manager