

PLANNING COMMISSION  
COUNTY OF HAWAI'I

HEARING TRANSCRIPT  
MARCH 6, 2009

A regularly advertised hearing on the application of **HQHQ, INC. dba PAHOA FEED AND FERTILIZER (SPP 08-68)** was called to order at 11:34 a.m. in the Aupuni Center Conference Room, 101 Pauahi Street, Hilo, Hawaii with Chairman Rodney Watanabe presiding.

PRESENT: Rodney Watanabe      ABSENT & EXCUSED: Lani Bowman  
C. Kimo Alameda  
Andrew Iwashita  
Takashi Domingo  
Frederic Housel  
Shelly Ogata  
Rell Woodward

Brandon Gonzalez, Deputy Corporation Counsel  
BJ Leithead Todd, Planning Director  
Norman Hayashi, Staff Planner  
Phyllis Fujimoto, Staff Planner  
Jeff Darrow, Staff Planner  
Maija Cottle, Staff Planner

And approximately 10 people from the public in attendance

HQHQ, INC. dba PAHOA FEED AND FERTILIZER (SPP 08-68)  
Special Permit to allow the establishment and expansion of a farm, feed and fertilizer supply store and the establishment of retail space, professional offices, and a certified kitchen on approximately 1.10 acres of land situated within the State Land Use Agricultural District. The property is located along the west side of Pahoa Village Road about 230 feet north of the Apa'a Street intersection, Keonepoko Homesteads, Pahoa, Puna, Hawaii,  
TMK: 1-5-007:076.

WATANABE:            Agenda Item No. 3, HQHQ, Inc.dba Pahoa Feed and Fertilizer. This is a Special Use Permit, well, 08-68. I think I'll turn it over to Maija.

COTTLE:              Thank you, Mr. Chair. Good morning everyone.

MEMBERS:            Morning.

COTTLE:              Let's see, the next request is for a special permit. The applicant HQHQ,

Inc. is doing business as Pahoia Feed and Fertilizer. And they're requesting to establish and expand a farm, feed and fertilizer supply store, as well as establish retail space, and professional offices, and a certified kitchen.

The property is located just outside of Pahoia Village, along the Pahoia Village Road. It is outlined on the slide in red and it's zoned Agricultural 1 acre. The Pahoia Bypass Road runs along the top of this slide here. There is also a commercially zoned area in the corner of Kahakai Boulevard, Pahoia Bypass and Pahoia Village Road, and a Mixed Commercial Industrial zoned area along the Bypass Road as well.

The surrounding properties are zoned mainly Agricultural 1 acre, as well as some Residential to the south. The applicant submitted a site plan. The buildings shown in green are existing buildings. The one on the left is the existing feed supply store. It has actually been operating on the site for about nine years, for ten years, I stand corrected. And the building on the right-hand side is an existing dwelling. The applicant is proposing to convert this existing dwelling into the professional offices, as well as a certified kitchen. And then the buildings shown in blue is in an area where they're requesting to expand the supply store business, as well as offer retail space for any tenant in the area to occupy.

This is a photograph of the existing farm supply building, as well as the driveway off of Pahoia Village Road. And the next picture is, just across the driveway is the existing dwelling. There is also parking along, mainly that side is, well, there are a few parking spaces on the farm supply building side as well.

Before I go into the Planning Director's recommendation, you should have received quite a few letters of support for the project this morning as well as a petition with about 200 plus names of people who are in support of a health clinic being established on the site.

But we were just given that petition this morning and became aware of the health clinic this morning. Prior to that we were under the impression that professional offices would go into the existing dwelling rather than a health clinic.

You also probably received, let's see, two other letters of support. One from Emily Naeole and from Virginia Aste. Aste?

PUBLIC:                   Aste.

COTTLE:                 Aste. Thank you. So with that the Planning Director is recommending approval of the request to establish the farm, feed and fertilizer supply store and is recommending denial of the request to expand the supply store and to establish retail space, professional offices and a certified kitchen. Are there any questions?

HOUSEL: Are you saying that the recommendation is to deny establishing a retail space? I want to be -.

COTTLE: Correct.

HOUSEL: Okay, okay.

WATANABE: Okay, Mr. Domingo.

DOMINGO: Could I ask what are the reasons for denial of the expansion of the farm, supply store and establish retail space, professional offices? I know it has to do with the provisions of a special permit, but could I have a specific answer to it.

COTTLE: Yes. We have two main reasons. One is that the requests are not consistent with the General Plan. The General Plan for that area is Low Density Urban which allows for convenience or neighborhood type of commercial uses; and we don't consider these requested uses -- the retail space, professional offices, and certified kitchen -- as a convenience or neighborhood type of commercial use. It's more of a regional commercial use.

DOMINGO: Where, we're weighing that which is to be considered under a special permit. And now are we also weighing this against a rezoning of a property and its uses?

COTTLE: Yes. The other reason, besides it not being consistent with the General Plan or the CDP, is that these uses are usually considered -- especially the retail space, is very general in nature, it's not well defined -- and usually we only issue special permits for a specific use, which is why we feel these three requested uses are better suited for a commercially zoned area.

DOMINGO: In the past we've entertained certain applications, I think, with regards to the bottling company that they would provide the, I think it was under a special permit, and that their intention was to further provide spaces for other commercial uses which was not specifically described.

COTTLE: Actually the Commission did approve one special permit for a bottling company and then they also considered a change of zone request for a different bottling company that also included industrial uses that weren't specified. So that was a change of zone, the one you were thinking about.

WATANABE: Any other questions of staff? Mr. Alameda?

ALAMEDA: I'm just making sure my good neighbor down there is pau.

WATANABE: I didn't cut you off, huh, Mr. Domingo?

DOMINGO: No, no, no.

WATANABE: Okay.

DOMINGO: I'm just quiet right now.

ALAMEDA: Okay. May I -. Just one question. So you did mention that this proposal is also inconsistent with the Community Development Plan. Is that true?

COTTLE: Yes, it's true.

PUBLIC: No.

ALAMEDA: Okay, well, I'm hearing some -. So we'll see as the testimony comes up and -.

COTTLE: Can I just explain on that a little further?

ALAMEDA: Sure.

COTTLE: Unfortunately I didn't include a slide of the CDP map for the Pahoia Regional Town Center. But if you have your CDPs with you, the map shows the town center. The village center boundary that was created by the CDP is shown in two separate areas. One is closer to Pahoia Village, and that is for community uses. And then there is another one closer to the area -. Let me refer to this map though. There's another area that goes kind of right along this road, drops down to cover that commercially zoned area, and then goes up back towards the Bypass; and that area is designated for regional uses. So there is a whole stretch in between these two village center boundaries along Pahoia Village Road that are not included in that village center boundary for commercial developments. So that's why this area is clearly outside of that boundary.

WATANABE: Okay. I think maybe we can pass this one around then.

IWASHITA: Mr. Chair?

WATANABE: Yes, Mr. Iwashita.

IWASHITA: Just to clarify, looking at the graphic that's being projected now, the RS-10, the yellow zoning area towards the bottom, and the lot is -. Maija, is that the Keaau most boundary of the Pahoia Village in the CDP, the boundary of the, what's it called, village center?

COTTLE: For the commercial -.

IWASHITA: No, the village center, the identi -.

COTTLE: The community use village center, that is the northern most boundary of

that one. It runs along Apa'a Street.

IWASHITA: Okay. And so this parcel is -?

COTTLE: It's about 230 feet to the north.

IWASHITA: Right. So it's basically one lot over, it's just one lot between the applicant's lot and the northern most boundary of the -?

COTTLE: That's correct.

IWASHITA: Okay, thank you.

WATANABE: Any further questions? Okay, well, we're not going to finish this before lunch, that's for sure. We have -.

ALAMEDA: The applicant.

WATANABE: Yeah. We also have 10 people that came in to testify. I'm sure we're going to argue about where the boundaries are now. So let's see, why don't we bring up the applicant. You can provide your initial discussions and -. We're not going to finish before lunch, obviously, so let's bring the applicants up. You can present whatever you have to present; and I'm going to warn you we're going to break for lunch.

Okay, may I swear you in then. Would you raise your right hand, please. Do you swear or affirm to tell the truth now before the Planning Commission?

QUINN: Yes, sir.

ROSTAU: Yes, we do.

HYATT: Yes.

WATANABE: And then starting from you Ma'am, would you state, you may lower your hand, state your name and address. And I don't know which one is going to present so maybe we can go right down the row and then we can start with your -.

ROSTAU: My name is Jennifer Rosau. I live at 12-7204 Makaunui Street in Pahoia; and I helped the applicants prepare their application.

WATANABE: Okay. So you're the representative.

QUINN: William S. Quinn, PO Box 1774, Pahoia, Hawaii 96778.

HYATT: Mona Lisa Hyatt, 15-2703 Kala Street, Pahoia, Hawaii.

WATANABE: Okay, thank you. So would you like to begin then, Ma'am, as a representative or -?

HYATT: What would you like me to give -?

WATANABE: Well, comment. I assume you're going to object so comment on the Director's recommendations. As you probably realize by now the Director is recommending that the current operation be allowed to continue on the special permit but is also recommending denial of the request for expansion of services. I believe that's concentrated to the request to allow expansion of existing farm, supply, establishment of retail uses, and establishment of professional offices and certified kitchen be denied, yeah. They're recommending denial on that. You want to -?

QUINN: Yes.

WATANABE: Oh, you wish to comment.

QUINN: Is that okay?

WATANABE: Okay.

QUINN: The denial, first of all, it was a concern of the Police Department, the traffic flow. That was one denial. The denial for the certified kitchen, I think the Board of Health had agreed with a kitchen going in there to help service the community. Those are the really only denials that I'm aware of. The land use, we've brought some people from the neighborhood here that could testify as to the land use that we're utilizing right now; and it is in compliance with the County Planning Director as far as I know, the Director. So that's the only thing I would have to say.

HYATT: I -.

WATANABE: Yes, Ma'am, Mona Lisa.

HYATT: It's just that, you know, we're kind of new at this. This is the first time that we had to come here so we don't know what the process is. All we're asking is that you folks take another look at the denial and the testimonies; and, hopefully, you folks might see it in our favor to grant us the retail spaces and the special certified kitchen.

WATANABE: Well, I guess you came up with a new use now, that health center.

HYATT: Yes. Well, the health center would be, they would be just like residents. I think it's holistic health, you know. It's not, I'm not too sure about it. I have my realtor, Mr. Erik Birkholm, who could help us in that area later. But I would like to just -.

WATANABE: Go head.

HYATT: Just get, you know, more direction. Cause I've already stated what we wanted to in the initial application.

WATANABE: Okay, okay, very good. Fellow Commissioners, do we have any -?

ALAMEDA: I have a question. Mr. Chair, just to clarify?

WATANABE: Yes. Okay, Mr. Alameda.

ALAMEDA: Okay. So who's the applicant and who's the applicant's representative?

QUINN: Mona Lisa and myself would be the applicant.

HYATT: We're the applicant.

QUINN: Yeah.

ALAMEDA: Oh, okay.

QUINN: Actually it's a corporation, sir. The corporation, there are four principals. It's Mona, and her husband, myself, and my wife. Those are the principal corporate owners.

ALAMEDA: Okay.

QUINN: And then we have hired Jennifer here to help us and assist us along this process because we are unfamiliar with how to go about this. So she has been gracious enough and kind enough to help our family pursue this. So if I'm talking too much just let me know.

WATANABE: No, no, no. You're doing fine.

QUINN: Nine, for ten years -. I have to bring it to your folks attention that for ten years we've been in business, not nine years. The business is run by Pahoa High School graduates that graduated in the area. It is a family owned and operated business. Our intentions were to just continue what we are doing now, expand our existing warehouse so we could have storage space. People had inquired with us if we were going to have commercial space. So we told them, well, we could try to get permission to do this. So the kitchen was something that people in the community had asked us to get, in helping them do fund-raising, packaging their produce in a certified kitchen, bringing their fish from the aquaculture markets to the kitchen to package and sell to the stores. So all those ideas were brought to us by the community. Now Erik Birkholm from Aina Hawaii Realty, he's the gentleman that helped us get to where we are now, and also he was going to try and help us with renting the residence which neither Mona or myself reside in right now. So the house just sits vacant.

ALAMEDA: Okay. Can I ask another question?

WATANABE: Sure, follow up.

ALAMEDA: Thank you. Thank you, Mr. Chair. Any oppositions in terms of community members; and if there were oppositions did you guys get a chance to mediate?

HYATT: We received no letters in opposition from the community.

HAYASHI: Can you speak into the mike, please.

HYATT: We sent out two sets of letters to surrounding property owners and received no opposition.

ALAMEDA: So you received no opposition to this application?

HYATT: That's correct.

WATANABE: Any further questions? Okay. So I think I kind of got where you're coming from. You'd like to see if the denial could be whatever, but it's going to rely a lot on the testimony, yeah. Well, that's what you're hoping, anyway.

HYATT: Yes. That's the idea.

WATANABE: Okay, okay. So then you all may be seated then.

HYATT: Okay.

WATANABE: And as I stated earlier, we're going to -. No, you may be seated. All of you may be seated, yeah.

QUINN: Could I at least thank all of you folks for your consideration.

HYATT: Yeah, thank you.

WATANABE: Okay. You'll have a chance to come up again later.

QUINN: Thank you, sir. Yes, sir.

WATANABE: Okay. As I stated earlier we are going to break for lunch; and then we do have ten members from the public signed up to testify. I'm going to call you up in the order that you signed up. Okay? So I did indicate that we were breaking for lunch. Maybe we can take two.

ALAMEDA: Mr. Chair?

WATANABE: Yes.

ALAMEDA: I just, you know, if we can take all, limit them to three minutes, then we could be out of here by 12:30 for lunch? No?

WATANABE: My general feeling, to be honest with you, is we're going to get into a long-winded discussion about what is law and what is not law with the CDP, where the boundary lines lie -.

ALAMEDA: Okay, that's fine.

WATANABE: Where boundary lines are exact, not exact -.

ALAMEDA: I'm just trying to be sensitive to those testifiers who may be thinking that they would leave. Yeah?

WATANABE: If I didn't think it was going to be that technical, I would tend to agree with you.

ALAMEDA: Okay.

IWASHITA: Mr. Chair?

WATANABE: Yes.

IWASHITA: I want to just follow Commissioner Alameda's train of thought. One, because I have a commitment this afternoon myself; and, you know, I may not -. Actually if this goes much beyond one, I'm not going to be here. And I think in deference to the public, you know, it might be worth a shot to stay here for like half an hour and see if we can get that done; and hopefully we can. That would be my preference.

WATANABE: Well, we'll see, okay.

HOUSEL: Mr. Chair, I'm sorry.

WATANABE: Yes, Mr. Housel.

HOUSEL: How many testifiers did you say there were?

WATANABE: Ten.

HOUSEL: Ten.

WATANABE: Ten, I assume, right now.

HOUSEL: Okay. I guess my preference would be to hear them, give them like you say a limited time to speak if they can, if they agree to that, so we don't have to hold them here.

WATANABE: Okay. Well, let's try then. Let's call up the first three, Erik Birkholm, Sarah Strong, Malia DeFay-Brown. Okay, would you raise your right hand please. Do you swear or affirm to tell the truth now before the Planning Commission?

TESTIFIERS: Yes.

WATANABE: Okay; and we'll start with you Erik.

BIRKHOLM: Erik Birkholm, 17-481 Luhi Road, Kurtistown, Hawaii.

WATANABE: Okay, thank you. You may begin your testimony, actually; and just to be consistent with everyone, max three minutes. Okay?

BIRKHOLM: Okay, very good. I'm a real estate broker in Keaau, Hawaii. I own Aina Hawaii Realty. I've been doing business in the Pahoia, Puna, and Keaau areas for 30 years. One of the initial objectives of this was to provide or to get a special use permit and create office space or, you know, rental space for professional offices. We were told by the Planning Department that we needed to go out into the community, solicit the community to see if there was interest for, you know, rental space, commercial space, which we have done; and those people will testify today.

One of the things in being in Puna and being in Keaau is my office is in the Keaau Town Center, so I have 10 to 20 people every month coming into my office looking for commercial space, which is not available. I send them to Pahoia. When I send them to Pahoia they come back and they say there's no parking in Pahoia. The downtown Pahoia area that you're talking about now, the old town of Pahoia, has no parking. And the only parking in Pahoia is either at the swimming pool or at the community center. Okay? So, you know, that is really not a viable option for, say, a doctor's office or a professional office. And that's why we felt that this home, this site is close enough to the northern corridor. It's on the Pahoia Village Road. You have 250 feet of frontage on the road. The property is fenced, and there is ample parking to support, you know, what we're asking you for. Thank you very much.

WATANABE: Okay, thank you. Hang on to the mike. Do we have any questions of Erik, Fellow Commissioners?

OGATA: I've got a question.

WATANABE: Yes, Shelly.

OGATA: Usually in the application we usually get a list of all the people that were contacted, or sent letters, or notified, or whatever. And I may have missed it but I didn't see it. Is there -?

WATANABE: Mr. Hayashi? Maybe it just wasn't included with our material but I assume that they did meet the notice requirement.

HAYASHI: I'm to blame for that. I indicated to the rest of the staff that perhaps we should leave out the surrounding property owners' notice from the list. I know that was a big issue in one of our applications by us providing that list to you, and people were going through the list and, you know, naming these people and -.

WATANABE: Yeah.

HAYASHI: But it's available for -. If you have questions specifically to the list and who's on the list, we can circulate the office copy, file copy, to you.

WATANABE: Okay. So I think the main question about the notification has been satisfied. Yeah? So do we have any further questions? Okay, then Erik you may pass on the mike. You may be seated also, yeah. Oh, no, I think you were Malia, yeah?

STRONG: I'm Sarah.

WATANABE: No, Sarah?

STRONG: Yes.

WATANABE: Oh, okay, okay. Name and address please.

STRONG: I'm Sarah Strong, PO Box 493723 in Keaau. I do live in Pahoa though. I am a naturopathic physician and certified primary care physician in Hawaii. My husband and I did move over from Oahu to the Big Island because I wanted to be in an area where health care was really needed. We have been over here for about a year and a half; and at this point have still not found a suitable place to have an office. I focus on preventive medicine but do provide primary care. I also work with a chiropractor and acupuncturist that you'll be hearing from. We were very excited to find out about this location because every other space we have looked at in the Pahoa and Keaau area does not have the ability to have wheelchair access. And if it does, the parking is, you know, a quarter mile away so anyone in a wheelchair would have a difficult time

getting there. We do have a lot of patients who do need that kind of a facility.

Since we see patients for a fairly long amount of time, we actually don't create much as far as traffic. Usually we have about three cars in our parking lot. So we're not in an area where we're doing retail business, we're not adding to congestion, and we're really just trying to find a space where we can provide better health care for the community in Pahoehoe.

WATANABE: That's it?

STRONG: Yes.

WATANABE: Okay. Do we have any questions of Sarah? Seeing none you may be seated then.

STRONG: Okay. Oh, and we would be trying to take over the entire building if that's possible.

WATANABE: Okay, thank you.

IWASHITA: Mr. Chair?

WATANABE: Yes, Mr. Iwashita.

IWASHITA: Sorry. The building that she's talking about is the existing dwelling?

STRONG: Yeah, the existing house. And they actually would need to do very little to make it up to Code for us to be able to take insurance. Where we are currently, we actually cannot take insurance because we do not have wheelchair access; and that's a big issue for the community in Pahoehoe, in Puna in general.

IWASHITA: Thank you.

WATANABE: Okay. Mr. House?

HOUSEL: Yeah, I think Maija said that there was a document requiring a health clinic at the site. Are you associated with that?

STRONG: That would be me, me and my colleague, yes.

HOUSEL: Okay, thank you.

STRONG: Yes, we're trying to find an entire building that we can take over and use.

HOUSEL: Okay, thank you.

OGATA: One question. Okay, so if you're taking over their existing building then there will not be a certified kitchen and all of the other stuff then?

STRONG: We do not need the certified kitchen for our use.

WATANABE: Okay, thank you. Other questions? You may be seated. Malia DeFay?

DEFAY-BROWN: Thank you. I, my name is Malia DeFay-Brown. My mailing address is PO Box 1971 and I own property within 500 feet of the proposed, of the feed store. And I don't live there, I rent the property out to a family that lives there. But I'm affiliated also with Pahoia Weed and Seed, which is concerned with weeding out the criminal element and seeding healthy community development. And I have also been involved in the Puna Community Development Plan as a facilitator and also as a community member putting in input. And I'm here today because we need what is being proposed there. We are sadly lacking, I mean as this woman said just now they've been trying to find a place that they can rent and they're having a very hard time. There is very little commercially zoned property. And we need all we can get out there. We're so grateful to have that new marketplace; and we need more medical care. The traffic should not be a major problem. There is plenty of space for parking there and the road is such that you can get out of the way quickly and get back out because the speed limit very slow so that it's not going to be a speed trap.

And the commercial kitchen is very much needed by our community because we're trying to encourage economic development; and this will enable people to have access to a commercial kitchen, which some of our restaurants have allowed people to come in late at night to do things like baking bread. But, you know, it's hard for an established restaurant to give up with space even for a little while at night because then they may have to clean up afterwards. So we really, really need this. And there should not be any of the expected problems that they're talking about. So that's all I have to say.

WATANABE: Do we have any questions for Malia? Doesn't look like it. You may be seated then. Okay, let me call up the next four people. We have Laura Powers, Jon Olson, Isaiah Justice and Rene' Siracusa. Okay, let me swear you in. Okay, yeah, do you swear or affirm to tell the truth now before the Planning Commission?

TESTIFIERS: I do.

WATANABE: Okay, thank you. Why don't we begin with you, Laura. Name and address, please.

POWERS: Laura Powers, PO Box 1646, Pahoia, 96778. And I'm the acupuncturist with Pahoia Natural Health; and we have been looking for somewhere commercial. We definitely need commercial properties so we can do insurance. I get many, many people asking me if I can take insurance, and I have to turn them away and say no. Our lease is up at the end of the month also. And there won't be a parking problem, just like Sarah said. We see patients maybe an hour, hour and a half, at a time. So at the most there would be three parked cars in the

parking lot.

WATANABE: Okay. So you would be along with Sarah?

POWERS: Yes, yes.

WATANABE: Yes, Mr. Alameda.

ALAMEDA: Quick question. Thank you. Did you say that in order to have insurance co-pay that your site needs to be on a commercial -?

POWERS: Yeah, we need to be commercially located.

ALAMEDA: Zoned?

POWERS: Uh huh.

ALAMEDA: Does that apply to all other -?

STRONG: A special use permit would be acceptable.

POWERS: Yeah.

ALAMEDA: Okay, all right. Thank you.

WATANABE: Wait, wait, I missed that. I'm sorry. It needs to be commercially zoned?

POWERS: Yeah, with the special use, but it has to be -.

STRONG: No, that's not the same thing.

WATANABE: Including special use or zoned?

POWERS: Yes, special use permit is good.

IWASHITA: I -.

WATANABE: Yes, Mr. Iwashita.

IWASHITA: Thank you, Mr. Chairman. My impression is that, you know, like the dentist's office down on Lanikaula Street, that's not commercially zoned. That's a special permit or a use permit under the old law. It's residentially zoned with a use permit allowing it. Basically they need to be legal under our land use laws.

WATANABE: Okay, okay.

OGATA: So, I have a question.

WATANABE: Shelly.

OGATA: I'm getting confused because people keep talking about the commercial kitchen. So is there still going to be a commercial kitchen or not?

PUBLIC: Yes.

WATANABE: Actually they don't know.

POWERS: Yeah, we don't need the commercial kitchen but they're also going to make it to where it wouldn't bother us either.

WATANABE: Cause Sarah Strong said she'd like the whole building, but that doesn't mean she's going to get the whole building. Right? So they don't know. Okay, any further questions? Mr. Woodward.

WOODWARD: Well, Mr. Chairman, my understanding was that this commercial kitchen would be in the new proposed structure. Isn't that correct, not in the existing dwelling?

WATANABE: No, I thought it was in the dwelling and I'm -.

QUINN: It is in the dwelling.

WOODWARD: It is?

WATANABE: Yeah, within the existing dwelling.

WOODWARD: All right.

WATANABE: Okay? Maija, you got up there yet?

COTTLE: Yes.

WATANABE: Any further questions? Okay, then you may be seated. Mr. Olson?

OLSON: Yes. Jon Olson, I reside at 13-631 Leilani Boulevard, Paho, 96778. I believe that the interpretation of the map is incorrect; and I would direct you to the verbiage that's contained on page 5-7. We changed the designation of Paho to a regional town center; and it's described there what a regional town center is to contain. The verbiage that is describing Paho on Section 5-9 is inconsistent with that change that was adopted. So there is a conflict there. There is a clear breakdown in communication there toward the end. The map does not correctly represent what we intended. And our intent was -.

WATANABE: Yeah, you were the Chair.

OLSON: I was the Chair, I should know.

ALAMEDA: Mr. Chair?

WATANABE: Yes, Mr. Alameda.

ALAMEDA: Just a quick question. Why didn't you make the change prior to making the final document?

OLSON: Because the final document was already printed and the County had already paid the contractor who did the work all the money they were going to pay him. And that was that for that.

ALAMEDA: Thank you.

IWASHITA: What, Mr. Chair? I'm sorry.

WATANABE: Yes.

IWASHITA: What page are you referring to?

OLSON: If you start with page -.

IWASHITA: No, at the bottom there's 4-, you know, the page number.

OLSON: The page number, there is no page in mine. Oh, mine is, it's 5-7; and that describes what is to be contained in a regional town center. And that verbiage is not consistent with what was printed as about the Pahoa regional town center. It says so at the header; but you read it and the two are not consistent with one another. The service area is much larger for a regional town center. A regional town center is to serve a population of 35,000 to 50,000 people, not just the people who live in Pahoa. So, you know, that's, it's clear right there, you can read it for yourself. And so it should be treated in that respect that it is a regional town center; and that was our intent for Pahoa as it was for Keaau. That's what was designated as regional town centers.

IWASHITA: Mr. Chair, if I can follow up?

WATANABE: Sure.

IWASHITA: Thank you. So basically what you're saying is that even though the map has a line that says this is community uses that that line does not define regional town center and that we need to look at the Plan's definition?

OLSON: Verbiage, you have to look at the verbiage. Don't follow the maps because the maps have inconsistencies in them.

IWASHITA: With the definitions?

OLSON: Yes.

IWASHITA: Thank you. Thank you, Mr. Chair.

WATANABE: Mr. Domingo.

DOMINGO: You know, this is where I'm perplexed because we adopted a plan, the stated goals and policies, the maps should all coincide; and based on the policy, the map should reflect what is stated. Now how in the world did this plan go through the Council and even through the scrutiny, through the scrutiny of the district, of the community?

WATANABE: Well, I -.

DOMINGO: No, even through us, too.

WATANABE: I don't mean to interrupt you but I'm the only one that voted no on this plan.

DOMINGO: Yeah, I know you did, I know you did. But, you know, based on the planner, what you call that, coordinator that was assigned to that community development plan, he should have caught this also and waived the flag; and the community should have also raised the flag when this as being considered on the Council level. You know, I perceived that there has been ample time for this to have been reviewed and to see that everything was intact. Now if this is reflective of what's going to happen with the other development plans, can you imagine what this Commission and other Commissions would have to go through when we consider applications for a rezoning, for special permits, and we have to decide where is the demarcation line between those various uses? It's, you know, it would have been -.

WATANABE: To be perfectly frank with you, I've been considering what will be going on for the last few months, ever since we passed it.

OLSON: In all due respect, Taka, I tend to disagree with you. I mean the fact of the matter is that on our side we went through a 2 ½ year process and the maps were continually being revised. The County had a limited amount of resources to spend on fixing a 55-year old fraud, because that's the birth of the current situation that you have in Puna. The Puna that you see today, land use wise, was born of an international fraud. You've read Land And Power In Hawaii, I've read Land and Power in Hawaii. We know why it is the mess that it is. And no one in the last 55 years has stepped up to make any attempt to fix that. And it took us out here 2 ½ years to get to where we got. You want to tell me that we've got a map that's wrong, we'll fix it. The verbiage is correct, the intent is clear, that this is where it's got to go. I circulated this document to all of you. This shows you how much commercial space we are short, versing population, based on population. Right? We've been held down out there for decades. We never get anything passed. This is the first thing in 55 years that comes anywhere close. Yeah, there are some things wrong with it. You want perfection, hire God. This is as close as we could get.

HOUSEL: Mr. Chair?

WATANABE: Yes.

HOUSEL: I have a question. Do I understand clearly when during the CDP process and when the CDP Plan was released, are you saying that this map error was a typographical error, that it was not intended that way?

OLSON: Yes.

HOUSEL: Okay. Can that be amended?

OLSON: Certainly.

HOUSEL: Okay.

OLSON: And we should have already moved into the amendment process; but the new Mayor has not appointed the people necessary to do that. I was very hopeful that we would in a rather seamless way, and just naivete on my part, move from this to implementation where we would have ironed all of this out before this got to your desk.

HOUSEL: Right. Are there other errors that need to be corrected also?

OLSON: Oh, I have my own little list. You know, it's this. There's emergency response corridors that were dropped even though, you know, we mentioned it. The one thing that I did do is I have saved all of the minutes and I've categorized all of the minutes; and I will promise you that when we go back to it we'll get them all.

HOUSEL: Okay. My suggestion to you is to document all those errors and submit those to the Planning Department to make the -.

OLSON: Well, see it's up to the Implementation Committee which is supposed to be appointed by the new Mayor to deal with that.

WATANABE: Okay, let's -.

OLSON: Yeah, thank you. I'm over my three minutes.

WATANABE: Yeah, we'll be here for another 2 ½ years if we discuss the process, I guarantee you that; and we still won't agree. Five years from now I guarantee you we still won't agree. Okay? So if -. Rene' Siracusa.

SIRACUSA: Good afternoon everybody. My name is Rene' Siracusa and I live on South Road in Kaohe Homesteads, Pahoa. My mailing address is PO Box 1520 in Pahoa, 96778. I was on the Planning Commission when we passed the Puna Community Development Plan. As a matter of fact, because I was the Puna Rep, I was the one who made the motion. We had had quite a bit of testimony about discrepancies in the maps. Certainly Bill Walters from Shipman raised the question about the maps of the Keaau area. The maps had not been labeled as to whether they were the current zoning situation or the recommended zoning situation. And so one of the conditions that were made in my motion to the passage of the Plan was that the Planning Department before passing the document on up to the County Council correct the maps. And Chris Yuen who was Director at the time said that he would do that. None of us got to see the maps before they went up. It was assumed that since he looked at them and said, oh, no, you're right, this is wrong, that he would take the time to make sure that those maps were corrected. It appears now that that did not happen and that we had relied on him when he probably had too much on his plate and it fell through the cracks. At any rate there is official records, documentation of that meeting in which the Commission voted to pass the Community Development Plan with the notice that, first of all, that all of the reports from the various committees and the steering committee recommendations that went to the Planning Department would be included as part and parcel of the Plan, so that if there were ever any questions it would be considered that they were part of the Plan. And the second one was that the maps, the Planning Department would correct the maps.

Now I would like to draw your attention to that zoning map up there because I'm looking at that page 5-9 in the Puna Community Development Plan; and it says that the areas straddling Pahoa Village Road from Apa'a Street to the intersection of Kapohoa Road and Pahoa-Kalapana Road is intended to contain uses that are oriented primarily to residents of the Pahoa community itself. So let's look at where that is in relationship to this parcel.

Okay, this is Apa'a Street right here. So Apa'a Street to those, this goes all the way to the end of town where it meets the bypass on the other end. This parcel that we're talking about is not within that area. As a matter of fact, there were other parcels in this block that are not noted here in the map. There is Sanford Cinder which is definitely a commercial operation. Sanford Cinder

is right about one of these over here. Okay? There is also Pahoia Auto Parts right over here; and that also contains an automotive repair place.

WATANABE: Okay. May I interrupt you, Ms. Siracusa?

SIRACUSA: Pardon me?

WATANABE: May I interrupt you. For clarification the verbiage you read was from the Community Development Plan?

SIRACUSA: Yes, it was.

WATANABE: And it didn't describe those areas that you're pointing out now in the green area? It didn't -? I don't need to see it.

SIRACUSA: Okay.

WATANABE: The verbiage you're reading from did not describe -?

SIRACUSA: No, no. It doesn't refer to those other uses that are in that area.

WATANABE: Uh huh.

SIRACUSA: Okay? As a matter of fact it says that the northern portion straddling Highway 130 at the intersection with the Bypass Road is intended for regional uses and services, e.g., areas already zoned for commercial and light industrial uses. And I'm pointing out what those uses are right now. There is Sanford Center. There is the Woodland Center which is right, in the pink over there. Then this is Pahoia Auto Parts, and there's an automotive repair place. Sanford Cinders is over here. And then there's the, when I was on the Commission we approved a storage facility that was over here. So this map is not accurate in terms of the uses that are currently happening over there. And what I'm saying is those are commercial and light industrial uses.

I would like to also point out that what we're talking about here is something that is most definitely an agricultural use. Certainly a feed and fertilizer store is very much an agricultural use. A certified kitchen that would help to convert agricultural products into value-added products is also a bonafide agricultural use because it supports agriculture. Let's look at it this way, I'll use my own example. I have a tangerine orchard. I raise tangerines, most of you have eaten them. I cannot do value-added products with my tangerines. Basically a couple of months a year my trees are in fruit, but I have to work the orchard all year round. The only way I could make a decent living out of it, and I can't now, is if there were a certified kitchen where I could convert my tangerines into a product such as preserves, tangerine wine, or, you know, some other things made with tangerines that I would be able to sell year round, and therefore garner much more money per pound of tangerines. And that's why they're called value-added products. A value-added product is a way to help agriculture in our community become viable again,

make a profit, and make it worthwhile for people to do agriculture, so that they can make a decent living out of it. A certified kitchen is the way to do that. I certainly can't afford to build a certified kitchen, nor would it be cost-productive for me to do so considering that my tangerines they're only in season a couple of times a year, a couple of months during the year. And it's a lot like that with many other crops. However, if you put in a certified kitchen, lots of different growers of different crops can use that throughout the year.

WATANABE: I think we get that point. I've been pointing to my watch about four times now. Okay, so -?

SIRACUSA: Okay. I would like then to also mention that the, what was my other point that I was going to make. Now you're getting me off the track, Rodney.

WATANABE: Well, I've had 3 1/2 years of experience with you, I know where this can go -. Okay, yeah, three minutes.

SIRACUSA: Okay. Basically I will then, you know, close out by saying that what is being promoted here and proposed here is very much in support of local agriculture; and it is also very much in support of the needs that the community has to create some more jobs in our community. It is not against the zoning, it is not against the -. Basically the plan, even though the map is wrong over here -. But if you look at the written part it is very much in line with that. And therefore I am asking you to allow these additional uses. Thank you.

WATANABE: Any questions?

IWASHITA: Mr. Chair, I'd just like to thank Ms. Siracusa for coming out and giving her testimony. And it's nice to see you again.

SIRACUSA: And good to see you all again.

IWASHITA: And I want to reiterate the Chair's concern about time because we do need to work within those time parameters. Thank you.

WATANABE: Mr. Justice, you already your stated your name so you can proceed.

JUSTICE: Okay, thank you. And this will be a test of my oratory skills to only have three minutes to do this; but I will try my best. Okay, it seems to me that the two issues here are the wordings "unusual" and "reasonable." And I seriously think that there's no dispute amongst you as to whether this is unusual. So then the issues that you are addressing would be reasonable, which would be Point A, and then Point B which would be not contrary to the effectives and objectives of Chapter 205. As far as the General Plan, and we've spent a lot of time on that, I'm not too really concerned with it because, No.1, the words on it are "General" and "Plan." So, I mean, if it's a General Plan it's just general. So we can, you know, it's general. And I'm glad that I was here to listen to your testimony or your hearing earlier because I see amongst the members that you will weigh the benefits and the uses, so that we need to do

that.

No. 1, this will directly service the agricultural community and the non-ag Puna community in that it is reasonable that as farms pick up feed for their livestock and fertilizer for their crops, we'll use some examples, that they may at the same time want to consult a vet, veterinarian. Let's say if there was a veterinarian that was a professional in the residence, that's reasonable and unusual. So it meets A. And it's not contrary to the effectiveness or the objectives of Chapter 105. Let's say, for example, it was an accountant. So the issue here is you really cannot separate commercial interest and agricultural interests because for the entirety of human kind agriculture is commercial. Without agriculture we have no commercial interests. So as far as the professional buildings go it is a convenience, and again they argued that it's not a convenience. I would argue that it would be because if you're picking up your feed, you're picking up food for your livestock, you're picking up your fertilizer for your crops, at the same time you're consulting with your accountant about hopefully the profits you're making to better the entire island.

No. 2 is that, again, the commercial interest and agricultural interests are tied together.

And then the next point would be that we are facing the worst economy since the Great Depression if not sliding into one. So I would hope that this Commission would, would support, especially on a close call like this when we're talking feet. We're talking from here to where my car is parked, as far as distances. So it's a really extremely close call on this. And the amount of jobs may not be hundreds but in this economy any time we can generate 5, 10, 15 jobs, and well-paying if they are in a professional building working for a vet, a doctor, an accountant, I think that we should encourage this at this time, in the country's economic crisis.

And then my fourth point would be at one time there was a farmer's market that was across the street and -- although I can see it clearly has an agricultural purpose because the farmers come to sell their products -- if any of you, and I know most of you have been to the farmers market, there's a lot of retail things going on there that they're not even proposing to do with this property. They're proposing to have a professional space and a certified kitchen. Then again I've already covered the convenience type of commercial activities that could go there.

And as far as on page 9, part (g), it's not, I would say that it's really, I don't know if it is contrary to the General Plan or the Community Development Plan because I don't know much about it. But it's a General Plan and it should encourage in this economic climate the creation of jobs.

And then finally as far as the certified kitchen goes, it does, as other people testified, have a direct agricultural benefit because the fishermen come off down from Pohoiki, they have their fish, they need somewhere to process it. Farmers have, there's no doubt that that has an agricultural benefit. So I'll take any of your questions. Thank you.

WATANABE: Any questions? Mr. Domingo.

DOMINGO: Mr. Chairman, I think perhaps to clarify the whole matter, could we have a re-explanation of what they're recommending with this application because, you know, we've had some strong concerns -.

WATANABE: Okay.

DOMINGO: Expressed with regards to a commercial kitchen; and that is permitted under a special permit, you see, not under commercial zoning. So I think we need to have that made clear, because I don't think we all understand what's being proposed.

WATANABE: Okay. But we also, okay, we have four more people to testify. I think after we get through the testimony, we should probably break for lunch. And when we reconvene we'll be able to then during deliberation talk about what it is exactly; and during lunch, although we may not because of the Sunshine Law deliberate, we certainly could individually look at the Puna Community Development Plan and, you know, make our own decisions about how this fits into that Plan, etc. Cause I'm sure none of you refreshed your memories prior to this agenda item coming up on the Puna Community Development Plan. Yeah? And it gives us a game plan, I think. Yeah?

DOMINGO: Yeah, thank you.

WATANABE: And, certainly, we'll address your issues. I think other people have issues, other Commissioners have issues, also, yeah, that they might want to address.

DOMINGO: Okay. Thank you, Mr. Chairman, for that suggestion. I only mentioned that because there might be other speakers who come up who may think that some of the uses may not be applicable in the special permit process, but actually may be acquired through a special, may be permitted under a special permit. But there are some uses which definitely are not permitted under that. And I think with that knowledge it'd be much easier for the people to understand, you know, what we're really looking at.

WATANABE: Okay, thank you. So do we have any questions for Mr. Justice though? Doesn't look like it. Okay, I've got four more people, yeah, to testify -- Cat Wingate, Rob Rostau, Madie Greene and Keaka Nelson, I believe. That's right?

NELSON: Yeah.

WATANABE: Will the four of you come up, please.

ALAMEDA: Three minutes.

WATANABE: Okay, three minutes, now, yeah. So raise your right hand, please. Do you swear or affirm to tell the truth now before the Planning Commission?

TESTIFIERS: I do.

WATANABE: Yeah, okay. Why don't we start with you on this end? Sir, name and address.

NELSON: Keaka Nelson, PO Box, well, my address is 14-3499 Mauna Kea Road in Pahoa. I would just like to make a brief statement. I'm not going to argue semantics. I'm going to merely comment on the proposal here, and specifically the medical clinic that is planning to go in. We are in a crisis of sorts and we do need doctors. We need a facility. These doctors have been trying for the past year to find a place that's suitable and that they can accept insurance. The other struggle is finding a place that is willing to fund the necessary improvements to make this facility usable for insurance purposes. Business loans are hard to get these days, as you all know. What we have here is a landlord who is willing to build to suit and make a facility that is rentable and usable for these purposes. The door is, the opportunity is knocking on the door. We have the doctors, we have the space, we have the people. All we need is the necessary, the letter of the law of what can be done there and what can't. So, you know, if we have a facility, this might be able to treat up to 6,000 patients a year. I say we take this. So that's all I have to say. Thank you.

WATANABE: Thank you. Any questions? Doesn't look like it. Thank you. You may be seated.

ROSTAU: Rob Rostau.

WATANABE: Oh, Rob, I'm sorry.

ROSTAU: Yeah, it's okay.

WATANABE: Go ahead.

ROSTAU: So my name Rob Rostau. My address is 17-7849 North Kulani Road in Mt. View, Hawaii 96771. And so I am a chiropractor involved with Pahoa Natural Health that's looking at renting the space. And I myself am not involved in so much of the process as the other doctors cause I'm newer here. I've been here about two months. And, but what I've seen and what I've heard going around and giving testimony also, the people that we had, there is a great need in this place. And I know from what the doctors have gone through that the commercial space is very limited. And in my limited looking around the island, I've been all over the island since I've been here, looking at spaces myself, it is very limited, and, especially, again, like Keaka just said, someone who is willing to work with us on trying to move in and meet the community's needs. There seems to be a great need down there. There's a great lack of insurance providers. Again, we need at least a special use permit to get on most insurance plans. Especially for myself Chiro Plan which treats County workers, there's nobody down there providing in that whole area which is quite a large group of people. So this would be an ideal location again for our uses. As far as I know if that's not, you know, a viable option we're going to have to start looking in Hilo. And, again, that's a large percentage of the population down there that's not getting care that they could really use. I think that's about the main points I have

to say. Any questions?

WATANABE: Questions? Doesn't look like it.

ROSTAU: Thanks much.

WATANABE: Thank you. You may be seated.

GREENE: My name is Madie Greene; and I reside at RR4, Box 223, Pahoia, Hawaii. I am currently the president of Nanawale Association, Vice President of Main Street Pahoia Association, and currently the Chairperson for Pahoia Weed and Seed. And being in all of these organizations, there is a great need for fund-raising and a certified kitchen, cause I'm constantly asked if there was one around where they could, you know, get out there and cook their stuff for selling purposes for fund-raising. And that's why I'm here to support Pahoia Weed and Seed and ask you to please kokua, not only that but William Quinn and Mona Hyatt are my son and daughter-in-law. Thank you.

WATANABE: Thank you. Any questions of Madie? Okay, Ma'am, you are the last one. Oh, Mr. Iwashita?

IWASHITA: I'd just like to thank you for coming and bringing the community manao for this meeting. Thank you.

GREENE: You're welcome. I would do it all the time, any time. Thank you.

WATANABE: Okay, Ms. Wingate.

WINGATE: Yes, my name is Cat Wingate. I reside in Mt. View, PO Box 711466. And I have kind of a unique perspective in that I am acupuncture student that is getting ready to graduate next year. And this process is very interesting to me. I come as a Puna community member supporting this store in trying to do this and also the doctors here, trying to support them in their endeavor.

I'm very frightened that I have put out so much of my own money and my husband's money to follow in this career and my desires to support the community with what I can do now, and I look and see there is no commercial space; and to get a special use permit is the way to go. And I hope that you folks will do this for them so that when I am ready to start my business that I can also find this kind of support, because all we want to do is help. And it's all contingent on what you folks can do for us so that we can do for you. Thank you.

WATANABE: Mr. Iwashita, you had some questions?

IWASHITA: No.

WATANABE: Anyone else have any questions? Doesn't look like it -.

WINGATE: Thank you very much, thank you.

WATANABE: So thank you for your testimony. You may be seated. I will entertain a motion to close the public hearing.

WOODWARD: So move.

ALAMEDA: Second.

WATANABE: Thank you. It has been moved and seconded. All those in favor of closing the public hearing, not the deliberations, the public hearing -.

IWASHITA: No need that, huh? It's not a contested case.

GONZALEZ: It doesn't matter. This is a public hearing with public testimony.

WATANABE: Well, yeah.

ALAMEDA: Well, let's do it anyway.

WATANABE: Yeah. All those in favor say aye.

MEMBERS: Aye.

WATANABE: Is there anyone opposed? No. Okay, so then the public hearing for this is officially closed for this. We shall break for lunch and, like I said, we're not breaking to deliberate. But, you know, if you want to I believe there's a copy of the Puna Community Development Plan here that you could review.

IWASHITA: Mr. Chair?

WATANABE: Yes, Mr. Iwashita.

IWASHITA: If it pleases the Chair, and it's 20 to one, I do have some time constraints myself but, you know, I don't know what the other members of the Commission feel. I would like to make an effort to just start the discussion and see where we go. I'm prepared to make a motion to approve this application as presented, without the limitations by the Director. And if we need more time after lunch, fine; but I would like to make an attempt to try and address this at this point.

WOODWARD: Second.

WATANABE: Okay.

ALAMEDA: I have a real quick suggestion. What if Commissioner Iwashita put his manao for the record, one statement basically, and then we can break, rather than get into a deliberation.

IWASHITA: Well, if it, my suggestion, what I'm trying to suggest, Mr. Chair, is that, you know, -.

WATANABE: I know, you're trying to force a vote right now.

IWASHITA: Huh?

WATANABE: You want a vote now, yeah, if can?

IWASHITA: Well, no, I'm prepared to make the motion as to Item No. 3, HQHQ dba Pahoia Feed and Fertilizer, SPP 08-68, Special Permit to allow the establishment and expansion of a farm, feed and fertilizer supply store and the establishment of retail space, professional offices, and a certified kitchen on approximately 1.10 acres of land, etc. as listed on our Item No. 3 on the agenda today, and move that it be approved as presented with the additional conditions, I guess, as to the proposed medical chiropractic, that facility, including conditions that conform to a similar kind of use that we have here in town, because that's not specified in the recommendation of the Department. And that would be my motion.

WATANABE: Okay. To clarify though, your motion would also delete, I forget what paragraph it was because there was one that talked about, page 8, I believe, delete the recommendation to deny the request for expansion of existing farm supply store, the establishment of retail uses and establishment of professional offices and certified kitchen. Right?

IWASHITA: That's correct, that's correct.

WOODWARD: Second.

WATANABE: Okay.

WOODWARD: And if I might, Mr. Chairman, I think this is a slam-dunk. You know, I think we ought to just deliberate. I don't think there's much deliberation necessary. We've heard nothing but positive response from the community. We've heard from the chairperson of the Community Development Plan that this is not adverse to the Community Development Plan. Everybody in the community wants it, let's do it.

WATANABE: Okay, we have a motion. Any further discussion on the matter?

ALAMEDA: Yeah, I have, real quick -.

WATANABE: Yes.

ALAMEDA: Just that, for me, the discussion points are just, I'm a little bit confused about, you know, just like it's mixed usage. I mean you get the latest testifier saying it's going to be like a veterinarian service, and I'm over here looking at the doctor and saying, you're a doctor or you're a vet? But, you know, and then you get Commissioner Siracusa talking about the real agricultural usages. I mean I'm hearing strong agricultural usages from Commissioner Siracusa. They're not even talking about commercial uses. You know, so, I mean, I don't want to rush the issue and then this be like a whole hodgepodge of usages. I mean what is the Planning Commission for? The Planning Commission is for looking out for the best interest of the community. So I'm a little bit, I have some reservations on the hodgepodge gunshot approach of usages. And so that's why I don't want to rush the vote yet. I think I like eat lunch first, okay?

WATANABE: Okay, any further comments?

IWASHITA: Mr. Chair?

WATANABE: Yes.

IWASHITA: Thank you. As the maker of the motion I appreciate Commissioner Alameda's concern. And my perspective on that concern is that everybody knows I am or I would consider myself the biggest proponent of community development plans in this body. I thought they all should have been done all at once; but no more money for do that, so -. But Puna has it; and we've, you know, it's there. The language pointed out, you know, as far as regional center and so forth, it's all there. You know, this proposed, the proposed uses of this property would fit within the commercial, regional commercial center; and yes, there is a, you know, the reason why we really can't do this as a zoning change is because the General Plan designation is Low Density Urban. Right? And unless you, never mind, I can talk historically about some other things that went on, but, about trying to resolve that otherwise. But this is the correct way to go about it; and, you know, we have a clear example here in town under the old law where the dentist down there on Lanikaula and Kilauea has residential zoning but runs a doctor's office based on the permit issued by this body. So, you know, I, given the unanimous support from the community to do this, you know, I guess my druthers would be and my inclination is that the Director and the Department can work with the owner. I guess my only concern for the owner is that, you know, there are requirements in here to put in infrastructure along the street, there are limitations on hours of operation, 8 to 5:30, those kinds of things. If that's okay, if they need to be expanded, let us know now and then we can make an amendment as to those conditions. Otherwise, I really don't, you know, the whole thing about a certified kitchen, with my opposition this body allowed a certified kitchen in the middle of the Mt. View forest about three or four months ago. And so having one in the regional center in Pahoia seems to make a whole lot of sense. That, I agree with Commissioner Woodward it's a slam dunk. You know, we ought to do that. So, you know, those would be my reflections on your concerns, Commissioner Alameda.

WATANABE: Mr. Housel, you had something earlier, it seemed.

HOUSEL: Yeah. I wanted to get a clarification if I could. I'm not sure who should be the person to answer this. Maybe you can help me with it. One of the statements in the application was that this use does not conflict with the General Plan, although there is a conflict with the CDP. Is that true? Is that on the General Plan? Is its use consistent with the General Plan?

WATANABE: I think I would refer to the, defer to the Director.

IWASHITA: Mr. Chair, if I can -. My perspective on that concern from Commissioner Housel is that, you know, General Plan has multiple statements about all the different things that it wants to accomplish. The LUPAG Map would be the most relevant part of all of this, which is Low Density Urban. That's why we have to have this proceeding, right, in order to have the permit. So, to me, I really looked at the Community Development Plan as a process where the community gets involved; and you'll make it, frankly, you'll make my job easier because the community looks at this, they say this is what we want. If they need to come to us, they came to us like today unanimous saying this is what we'd like, who are we to stand in the way is basically how I look at it. So that would be how I would address the General Plan concerns, because CDP is to implement what the General Plan, the general nice words in the General Plan. So it's more specific and controlled.

SIRACUSA: Point of order. You're discussing it and the motion before -.

WATANABE: But it's closed.

SIRACUSA: But your motion, you're discussing the motion before you call the applicant back. That's out of order. Point of order.

WATANABE: Well, in a sense, yeah, because I was really anticipating going to lunch and then I got bushwacked along the way; and about one hour later, from the time we anticipated going to lunch, now we're here. Do you have comments since you're up? You're the applicants.

QUINN: Yeah, Mona? I really don't have any comments.

HYATT: Well, looking at it it's agricultural based. And like they wanted to deny the, on what we were requesting as professional and retail space will accommodate something that they might want to do. Having the certified kitchen will accommodate the agricultural community. And I'm asking for, I asked for all of those things in the initial application.

WATANABE: Well, any further questions?

IWASHITA: So I just, you're okay with the 8 o'clock to 5:30 p.m. operation? You don't have to in, go 7 o'clock to get things going?

HYATT: We operate our store hours from 8 a.m. to 5:30; but our employees come in at 7 o'clock to start up the store.

IWASHITA: Right.

HYATT: So if -.

IWASHITA: And how long take for clean up?

HYATT: Yeah, about an hour.

IWASHITA: So should be 7 o'clock -.

HYATT: So we start at 8.

IWASHITA: Should be 7 -?

HYATT: Yeah. What time?

IWASHITA: No act like my wife.

HYATT: But, you know, what I'm asking, the only thing that I did leave out, the only thing that I did leave out was our summer hours, our summer hours. Because we have more daylight, we would just like to open on Saturday and Sunday at 8 o'clock and close -. We close at 3 o'clock but we open one hour early on Saturday and Sunday. Saturday and Sunday is usually from 9 to 3. But because of the summer hours, the spring hours are coming, the people that normally commute to Hilo to work and that live in our community -.

IWASHITA: Okay, not in, okay. Not -.

HYATT: They can -.

IWASHITA: Okay, so the hour -.

HYATT: Okay?

IWASHITA: The only words about hours of operation, No. 6, is hours of operation, not limited to what day of the week it is, is 8 to 5:30. So sounds like it should be 7 o'clock to 6:30.

HYATT: Yes, yes. It should be 7 o'clock to 6:30 or 7:00 p.m., yeah, yeah.

ALAMEDA: Question?

WATANABE: Yes, Mr. Alameda.

ALAMEDA: I just have a question. So, okay, like for me I don't have a problem with the approval of the request to establish farm, feed and all. But this whole sliding in the professional services getting me a little bit nervous, from what I understand. So, who owns that building? You guys own that building, right?

HYATT: We own it, yes.

QUINN: It's a corporation.

HYATT: The corporation.

ALAMEDA: Right. And then later on if you get this professional situation it sounds like maybe the doctors are going to like purchase this building from this corporation. Is that correct or no?

IWASHITA: Cannot.

HYATT: No.

QUINN: That will never happen.

ALAMEDA: Okay, that will never happen?

HYATT: No.

ALAMEDA: So the ownership of what I heard the doctors suggest that they wanted to, they don't mind being owners of the building -.

HYATT: Rent.

ALAMEDA: Rent?

HYATT: Rent.

QUINN: Yes.

HYATT: Yes, rent.

ALAMEDA: Rent, oh, rent.

QUINN: Yes.

ALAMEDA: Okay, that's different from being owners of the building.

HYATT: Professional, no. It's just to have that -.

QUINN: Yeah, that will always be in the family.

ALAMEDA: All right. So as you guys expand, the proposal is also, conditions suggest that you might have to give back and, not give back, but, you know, add some structural infrastructure, if you will.

QUINN: Infrastructure.

HYATT: Yeah.

ALAMEDA: And you guys are okay with that?

QUINN: We're okay with that.

ALAMEDA: And you guys got the money for that?

QUINN: No, sir, not right now.

HYATT: Not right now, yeah.

QUINN: We could do the extensive infrastructure that you folks are talking with sidewalks, so on and so forth, but we don't feel that the area that we're in would require it. It's not like the Pahoia town center where you do have a lot of traffic going in and out. Sidewalks -.

ALAMEDA: Well, not yet. But when you start getting infrastructure like that, commercial and all that, you guys are willing to add -? So what you're saying is you don't have the money yet but you like add the service, you like add -?

QUINN: First of all, Mr. Alameda, if you look at the demographics and the geographics of doing business in Hawaii you first look at 185,000 people on this island, and then you go east and west. So you cut that in half to 90,000, and then you trickle it all down to into lower Puna. You're dealing with 30,000 to 40,000. So these numbers, this population, the explosion is stopped already. I don't think it would create too much traffic coming in because we're not dealing with too many people. Our target area is a 13-mile radius. We're not targeting outside that area. We're trying to take care of people in the lower Puna with the feed and fertilizer store. So you're not really dealing with large volumes of traffic, plus the growth has considerably stopped. It has really slowed down now. And a lot of people have moved back to the mainland because they're not making money here as they were in the past, speculating.

ALAMEDA: Well, the only thing, well, you're going to add, you're going to get growth, you're going to get traffic action when you get a doctor's office over there, one chiropractor and everything like that.

QUINN: In the event -.

ALAMEDA: So, I mean, you cannot be naive now.

QUINN: If we could turn the maps back, the plot map, okay. So as things go along -. Okay, the one where it shows the whole neighborhood, okay, those concerns with traffic could be addressed because -.

IWASHITA: Can you stay on the mike, and -?

QUINN: This particular parcel -.

IWASHITA: Can you stay on the mike and use the pointer?

QUINN: Okay. If we're going to start dealing with traffic problems, this particular lot right here is next door to ours. This is a flag pole drive to Apa'a Street. This is already legalized with the County. It has already been set up by Mr. and Mrs. Kuwahara. So these are legal roads to Apa'a Street. So if traffic was a real concern we could route them through that lot out to Apa'a Street on the Rubbish Road which would eliminate this whole road right here, first of all. Second of all, I'm sorry to speak so much, it takes months for us to make a customer, seconds to lose it. All the employees, which are family and the people that we hire from outside the family, are well aware of the parking situation. So we train them to keep attentive watch on our customers when they come in. If our lot starts to get big, we control the parking going in and out; and it's never reached a point where we were really concerned. But realizing that it takes months to make a customer, you don't want a customer come in, not have parking and have a hard time getting in and out. This is one of the secrets to the success of Pahoia Feed and Fertilizer. So we are aware of that, sir.

ALAMEDA: Okay, all right.

WATANABE: Okay, thank you. Thank you. Okay, any further questions of the applicant? Doesn't look like it. So now we're back in order, so you may be seated. Okay, here's where I have the issue -. You know, I have the issue because, not so much because of the fertilizer, or the expansion, or the 220 feet in the map that's the difference. I have the issue where we're not taking staff's considerations and we're just sweeping everything under the carpet. We just created one new Public Works Department because they solve all the traffic problems in Pahoia, yeah, and then never mind. See? Because right now the people that came here all agree. And then later on somebody comes out and says I never agreed, I never get notice. That's where I'm having an issue with just pushing this thing through. I don't particularly have an issue with the potential uses; but I don't particularly care to just rush ahead with it without really staff's consideration, their input, and things of that nature. I think, you know, to that end we could deliberate a little bit more. Yes, Mr. Woodward.

WOODWARD: Mr. Chairman, as with all of these recommendations there's all the boiler plate that says this is, you know, without review and community input, so on and so forth. Since our Director has been here for this community input, has heard from the Chairman of the group

that put together the Puna Community Development Plan in the community, maybe we ought to ask her what her feelings are, has she changed her feelings on the recommendation that she made.

WATANABE: Ms. Leithead?

LEITHEAD-TODD: I have not changed my position on the recommendations. And the reason is that in order for me to adopt Mr. Olson's and Ms. Siracusa's view of the Puna Regional Plan, I have to not only disregard the map, I have to disregard the verbiage. The verbiage says that the area for the region oriented uses covers about 78 acres; and the verbiage says that the area for the community-oriented use is about 280 acres. As I look at the areas that are outlined with the little black dots on the map, the area for the regional uses is approximately 78 acres. To move that line all the way over to Apa'a Street pretty much doubles the acreage; and you're starting to look at more like about 140 acres. So in that case then I have to both disregard the map and disregard the verbiage. And, frankly, they would have made a whole lot more sense to me to have picked Apa'a Street as kind of a middle line and say on this side we want to do, you know, the village community stuff and on this side we want to do regional. But when I read the verbiage and combined that with what the map seems to be showing, it looks like there was intended to be this break between those two areas.

Furthermore, the other concern I have is that because this is a special permit I think that going beyond the uses of the agricultural components, which was the feed store, and then opening it up to other commercial stuff -. And, you know, when this came to us it said retail. And the thing is with the way it is set up, it does not necessarily determine who the tenant is. So you have to kind of disregard who the proposed tenant is. You have to look at what the proposed uses are. And I had some difficulty in that it didn't seem appropriate for, or consistent with, the Ag designation or Chapter 205. Now this is early days for me. I'm tending to be fairly conservative in my interpretation; and I was conservative. And we discussed this with staff in our interpretation of the Community Development Plan, too. Personally, part of the Plan on the map doesn't make sense to me. Because if you're going to have regional and you're going to have community center, to me they should abut up against each other. But when I read the description of the acreage, the acreage is, to me, fairly accurately represented in the map. And so I think that for me there's a disconnect between what I consider good planning and what the map and the verbiage reflect. But I'm stuck with the verbiage which says 78 acres. And looking at the map, that area that they've encircled is approximate.

Now if you want to be more flexible than the map, more flexible than the verbiage, and say that this is kind of not intended to be set in stone, that it's a guideline, you know, the Commission can take that position. But it means that on future applications that come forward we're going to have to look at them that way, not based on whether the community supports the specific tenant of a proposed use but whether that use is consistent with the General Plan and the Community Development Plan. I personally like the proposed tenants, I personally like some of the proposed uses. I recognize that many of these uses are lacking in that area. My problem is, is that in trying to implement the parameters of what my decision or recommendation is supposed to be and trying to look at the General Plan and trying to live with what is in the Puna

Community Development Plan, I did not think that the proposal was consistent with those. But, you know, my word is not law. You folks are free to look at that and to disagree with me; and if you feel that this is consistent, then you can vote accordingly.

WATANABE: Okay, thank you. Mr. Domingo, you have something to add?

DOMINGO: To the Planning Director. You are not giving us the option to be flexible in considering this as something that is allowable or not? It depends on the Commission's views or their feelings?

LEITHEAD-TODD: I'm telling you that I do not believe that the expansion of the uses there is consistent with the language of the General Plan and the language of the Puna Community Development Plan. But that is my interpretation, okay? I think it's consistent with the discussions I had with staff. Now I recognize that this is a somewhat narrow interpretation because I'm trying to look at the verbiage which says, you know, 78 acres, and I'm trying to look at the map which looks like it's outlining approximately 78 acres. And so the question is in order to be flexible and kind of push that line out then you have to not only disregard the map you have to disregard the verbiage and assume that they made a mistake, not only on the map but that they made a mistake in describing the amount of acreage that would go into those areas. And that's kind of a push for me to go that far.

DOMINGO: Thank you.

OLSON: Would you entertain a point of information.

WATANABE: Sorry hearing is closed.

IWASHITA: Mr. Chair?

WATANABE: Yes.

IWASHITA: Thank you, Mr. Chair. I guess the reason I went to law school is cause these numbers sort of puzzle me. I'm looking at the reference to the 280 acres and the 78 acres that the Director is talking about. And I guess I'm a little confused because the 280 acres I'm not sure is really shown on the map. And then so the reference to the area for region oriented uses covering 78 acres I guess, you know, if that's, if I understand the Director she's saying that that would be the dotted lines which include most of Pahoia Village and maybe that other smaller piece which is Keaau side of that. But if that's it, then, you know, the language says the area designated for community-oriented use is 280 acres. And so if the dotted line is 78 acres, then the 280 acres is not represented by this map. You know, and maybe I'm confused but that confusion aside, you know, I guess really what I, as far as process is concerned my -. I guess I want to just reemphasize that in the absence of the action committee which should be there, you know, we have defacto the people that had actually worked on this who are telling us that this area that uses are being proposed for should be or was included and was erroneously omitted from the final verbiage and mapping, whatever, however it's done, and that needs to be worked

on. I don't see any reason for us to question that at this point. And given the unanimous community support for this, you know -. I assume that, I assume that the proper signage was put up, everybody who drove by this place had an opportunity to come here today or call the Department, figured out that this was going to be heard today, that all -. We were told two mailings were made to the people required by Statute. I don't have any issue with, you know, nobody has raised an issue that there's any kind of improper notice under the law. And, you know, given the unanimous testimony, I, you know, I just, I really don't see a, I don't have concerns that we're missing anything here and that we should proceed.

WATANABE: Any further comments? Maija, you're going to call for the vote?

COTTLE: Yes. So, just to clarify, the motion was to approve the special permit for establishing the farm, feed and fertilizer supply store, expanding the store, establishing retail space, professional offices, and a certified kitchen. Is that correct?

IWASHITA: Yes, and appropriately amending the conditions so that they don't conflict with that.

COTTLE: Okay, thank you.

IWASHITA: And the 7 o'clock to 7 o'clock hours of operation, if there's no objection.

COTTLE: Condition No. 6?

IWASHITA: Yes.

COTTLE: So 7 a.m. to 7 p.m.?

IWASHITA: If there is no objection.

COTTLE: Okay. Commissioner Iwashita?

IWASHITA: Yes.

COTTLE: Commissioner Domingo?

DOMINGO: No.

COTTLE: Commissioner Housel?

HOUSEL: Aye.

COTTLE: Commissioner Alameda?

ALAMEDA: No.

COTTLE: Commissioner Ogata?

OGATA: No.

COTTLE: Commissioner Woodward?

WOODWARD: Aye.

COTTLE: And Mr. Chair?

WATANABE: Nay.

COTTLE: Motion does not pass, four to three.

ALAMEDA: Mr. Chair?

WATANABE: Yes.

ALAMEDA: If somebody is willing to enter -, make a motion approving the request to establish a farm, feed and fertilizer supply store and the certified kitchen, I would second that.

WATANABE: Actually you could even make the motion if you wanted to.

WOODWARD: You're a short timer but you've still got a good time.

WATANABE: Is there -? Mr. Domingo?

DOMINGO: Yes, I would move to that effect.

WATANABE: Okay, so you're saying you make a motion to approve the existing operation with the farm, feed and fertilizer supply store and deny the other uses, the request to expand -?

DOMINGO: Commercial uses.

WATANABE: Right -?

ALAMEDA: Except the certified, I would put the certified kitchen with that.

DOMINGO: Yes.

ALAMEDA: Because the fund-raising issue is a big deal for me. I coach a lot of sports and it's very difficult to fund-raising, you've got to drive all the way into Hilo for cook the musubi.

WATANABE: Oh, wait, wait, wait. Now I'm getting really confused.

ALAMEDA: Let me try make the motion then, and then-.

WATANABE: Well, he made the motion and then you guys can agree to, what you call, amend that motion.

ALAMEDA: Okay.

DOMINGO: Yes.

WATANABE: So, for clarification, right now your motion is to approve based on all of the Director's recommendations, is that true?

DOMINGO: Yes.

WATANABE: Okay.

DOMINGO: And to include the certified kitchen.

GONZALEZ: In the existing structure?

DOMINGO: In the existing structure.

WATANABE: And to include the, okay, now I'm really -.

DOMINGO: You know, okay, wait, wait, wait. If it would require the expansion of that feed supply to enable them to do a certified kitchen I'll go with that. The only reason, the only reason that I would not go with the total intent of the application is because we're involving a rezoning to commercial uses. And that, you know, Mr. Chairman, that is where I have the concerns. Now -.

WATANABE: Okay. Wait now. On page 8 of the Director's recommendations, yeah, it says "Planning Director also recommends that the request to allow the expansion of the existing farm supply store, the establishment of retail uses and establishment of professional offices and a certified kitchen be denied." Now you're bringing in the certified kitchen. But what I'm trying to clarify is do you want to remove, you see what I'm getting at? We need to be kind of clear about what we're actually trying to do here.

HAYASHI: Mr. Chair, maybe I can make it easy. I think the motion is to approve the Director's recommendation to grant the special permit for the existing feed and fertilizer store.

WATANABE: Right.

HAYASHI: And also to allow the certified kitchen. The certified kitchen -.

WATANABE: Within the existing -?

HAYASHI: The certified kitchen is within the, proposed within the existing single-family dwelling.

WATANABE: Right.

HAYASHI: That's how the application was submitted.

WATANABE: Oh, okay.

ALAMEDA: That's correct.

HAYASHI: So I think that's clear.

WATANABE: Okay, okay.

WOODWARD: What about the question of the expansion of the existing feed store? Was that part of the motion?

WATANABE: I don't know. That's what I was trying to clarify.

COTTLE: The expansion is proposed in a separate structure that's not yet built.

WOODWARD: All right.

DOMINGO: I think, Mr. Chairman, if I may.

WATANABE: Yes, Mr. Domingo.

DOMINGO: I think the intent of the expansion is to allow for commercial, retail uses.

WATANABE: No. I thought, when I read the application my understanding was the expansion to the feed store was for storage. But I'm not absolutely certain on that. Mr. Hayashi?

HAYASHI: Okay. The expansion would be in a separate building adjacent to the existing feed store. And the way they had proposed it was to have the expansion of the feed store, as well as some retail uses. So -.

WATANABE: So it did include some retail uses.

HAYASHI: Yes.

WATANABE: Which was not really -. Okay.

HAYASHI: So it all depends on how the, if that is the intent of the Planning Commission to also allow the expansion of the feed store, fertilizer and feed store, but removing the retail aspect of that building, then, you know, I mean that's what your motion would be.

WATANABE: Yeah, okay. Now, I think we've agreed now the existing plus the certified kitchen in the existing home. The question now is, to the people that made the motion, are you interested in amending that to include the expansion? And then you need to be specific for what purposes, for feed store purposes, or retail, or both. Mr. Domingo?

DOMINGO: Mr. Chairman, it's not my perception that retail activity should be taken in that place because in actuality then it'd be opening for commercial uses.

WATANABE: Well, yes. So, you know, but if you want to -.

DOMINGO: No, I'm -.

WATANABE: I guess what I'm saying, yeah, but what I'm saying is are you willing to include the expansion and limit it to the feed store operations?

DOMINGO: Yes.

WATANABE: You are. Mr. Alameda, is that beyond what you're willing to -? I'm just trying to find one -.

ALAMEDA: I would second that.

WATANABE: Okay. So then that would be with -. Okay, now, to be clear, current operations plus the proposed expansion, but limited to feed store operations, no retail, and a certified kitchen in the existing dwelling. Right?

ALAMEDA: Yes.

DOMINGO: Yeah.

WATANABE: Is that correct?

ALAMEDA: Yes. And the reason, let me just explain. Yes, I'm not ready, I don't feel comfortable with the whole doctor's office/retail action yet. I think if you guys are really interested in it and you want to pursue that, come back, come back again. Because you're trying to throw like six or seven, you know, it's catching us off guard. Cause that still can happen. But come back, like come back, make that one a separate issue. Cause to me I feel real nervous trying to put everything into one, you know. So come back for that if you want that. Even the certified kitchen, you guys got to come back for that, too, you know what I mean -- you guys are trying to throw three or four things in one -- but since it's there, that's fine. I'm ready to vote.

WATANABE: Yeah, yeah, no change the motion.

ALAMEDA: Yeah.

WATANABE: Okay, we're all clear on the motion then, right? Any discussion?

IWASHITA: Mr. Chair?

WATANABE: Mr. Woodward, you have anything to add?

WOODWARD: No, sir.

WATANABE: Mr. Iwashita?

IWASHITA: I appreciate Commissioner Alameda's comments. I guess, you know, and I'll support this. They need to get what they need done. But, you know, the application did include professional use, the Director recommended against professional use. And it's just, to me there's, I apologize if I offend anybody by my next comments. But, you know, there seems to be a bias. You know, if this was in Downtown Hilo I don't think anybody would have a problem.

GONZALEZ: Well, I would -.

IWASHITA: You know, if this was, if this was -.

GONZALEZ: Mr. Chair -.

IWASHITA: No, I, look, my point is -. We got all of this stuff all at once, yeah. It's a lot, I agree with you. It's a mixed plate. Right? My real concern is that, and the reason why I really support the community development process, and there really should be an action committee and all of that, is because we're sitting here in Hilo and most of us not even -. I hardly ever go to Pahoā. Right? But I'd like to think that I have some sense of what the needs are, especially given the unanimous testimony of today. But, you know, if this, if there was an action committee, I guess my point is if there was an action committee down in Puna and it was presented with this, I doubt that anybody over there would grumble about this, that there was too much all at once. You know, I don't think so. You know, they need doctors, everybody. I mean we need doctors in Hilo but they need them more down there. And who are we to say, tell these guys, you know, little bit too much for us to think about all at once, nah, we get 'um some other time. I get real problems with that. I'm sorry. And if I offend anybody, I'm sorry. But that is, you know, to me it's like why are we holding this up? What extra step, why do they cause they come from Puna have to make one extra step? Why? You know, it is -.

GONZALEZ: Well, that's what -.

IWASHITA: It is the whole, the whole reason -.

GONZALEZ: That's your impression.

IWASHITA: The whole reason -.

GONZALEZ: Mr. Iwashita -.

IWASHITA: The whole reason -.

GONZALEZ: If we can get back to the matter at hand.

IWASHITA: I have the -.

GONZALEZ: Well, as a matter -.

IWASHITA: I have the -.

GONZALEZ: As an advisor to the Commission, wait -.

IWASHITA: I have -. Mr. Chair, do I have the floor?

WATANABE: That's all right. Go ahead.

GONZALEZ: I'm sorry.

WATANABE: Go ahead. Go ahead, finish up.

IWASHITA: And I apologize again, I really don't mean to offend anybody. But, you know, I have very strong feelings about this. I need to put it on the record and, you know -. So I really think that it's an injustice to the Pahoia community and the whole area that we don't substantively -. If there are concerns, you know, about conditions and so forth, but the conditions are all the standard conditions. They have to comply with whatever Public Works says, all these other kinds of stuff that we all normally do. There's nothing different from what we do under these kinds of, you know, applications before. And we've done in Ag areas this kind of a situation, special permit -.

WATANABE: Okay, so you -.

IWASHITA: Full-on shopping centers, full, you know, I mean -.

WATANABE: I think we, I think we get the point though.

IWASHITA: Okay. So, thank you.

WATANABE: Is there an additional point to that?

IWASHITA: I'm almost done. Thank you, Mr. Chair, I'm almost done. So I'm going to be supporting this motion; and it's just that I really feel that it should be addressed totally. Thank you.

WATANABE: Okay.

IWASHITA: Thank you, Mr. Chair. I -.

WATANABE: Point, point of clarification, yeah. The way this application is written, yeah, there is no guarantee that a doctor's office goes in. You know, you're assuming that a doctor's office is going in. There is no guarantee that a doctor's office is a blank check.

IWASHITA: Point, point well taken, Mr. Chair. And if, if the rest of the Commission wants to limit it to a medical office like the one down Lanikaula Street is limited to a dental office, I have no problem with that. We can limit it to medical, naturopathic, chiropractic, whatever those kind of similar uses, right, to that dwelling, on the existing dwelling on their property. I've got no problems with that. That's what the community needs, we want to limit it to that, fine. But to say, you know, and I appreciate the concern, that is a legitimate concern, to

say it's retail, professional, whatever. Right? That's a legitimate concern. So if you want to limit it to that, that's fine.

WATANABE: Yeah. And then when you do that then the certified kitchen is out cause they testified that they have, they would take all the space and then the people that made the motion -.

IWASHITA: Well.

WATANABE: This is why, this why, yeah, I have problems with just running it right through.

IWASHITA: Well, I don't see that as an issue, Mr. Chair, because the certified kitchen can fit in that expanded area.

HOUSEL: Mr. Chair, could I ask a question, please, -?

WATANABE: Okay. Yes, Mr. Housel.

HOUSEL: Make a suggestion. It seems like we're jumping around a lot and there's a mixed bag here; and some of us are uncomfortable with parts of it, but maybe the other parts are okay. My suggestion to the Board is to maybe give us some more time to think about this. Could we continue this to our next meeting?

WATANABE: My original suggestion was as least to deliberate after lunch. But as I recall I was forced to play this hand. Right?

HOUSEL: Yeah, right, right.

WATANABE: Now we've pretty much played the hand.

ALAMEDA: Yeah.

WATANABE: We may as well vote. Okay? I didn't want to do this. Okay?

HOUSEL: Okay, you want to go forward now?

WATANABE: I had suggested that we think about this.

HOUSEL: Okay.

WATANABE: Okay. But, you know, I was railroaded into this. So we may as well play this hand. If I have to wait this long we're going to play it.

DOMINGO: Mr. Chairman, I call for the question.

WATANABE: Yes. Maija.

COTTLE: Okay. The motion before us is to approve the supply store, expansion of the supply store and the certified kitchen within the existing dwelling -.

IWASHITA: Point of order.

COTTLE: And to deny the retail and office use.

WATANABE: Yeah, previous question, what is that?

IWASHITA: No, it's not previous question. It's point of order.

WATANABE: What's that?

IWASHITA: I think the applicants are entitled to comment whether he agrees to the current motion or not?

WATANABE: Okay. That's fair.

IWASHITA: Thank you, Mr. Chair.

QUINN: First of all I want to thank all of you very much. Mr. Alameda has probably hit the nail on the head. I want to thank all of you for taking the time in giving us all the considerations, the Planning Department, everybody. And that's what we're really looking for, Mr. Alameda, and everybody here. And thank you so much, sir.

WATANABE: Are you, Mr., just for clarification, yeah. So, Mr. Quinn, you're saying that you're comfortable with the motion to allow your feed business to continue, also to allow expansion, but restrict that to your feed business, yeah, not retail, and also allow you to place a certified kitchen in the existing dwelling that's there? You're comfortable with that, along with -?

QUINN: That is correct with, as Mr. Alameda expressed, a come back. He says, hey, you know, if you go the route with the kitchen, expanding the warehouse and getting our feed store going, and come back, you know, the door is open, I'm very comfortable with that.

WATANABE: Okay, thank you.

QUINN: Yes, sir.

WATANABE: Thank you. Okay, so I believe we, I believe now -. You have comments?

WOODWARD: No, no, no. I'm just getting ready to vote.

WATANABE: Okay, I believe now we can call for the question. Maija.

COTTLE: Commissioner Domingo?

DOMINGO: Aye.

COTTLE: Commissioner Alameda?

ALAMEDA: Aye.

COTTLE: Commissioner Housel?

HOUSEL: Aye.

COTTLE: Commissioner Iwashita?

IWASHITA: Yes.

COTTLE: Commissioner Ogata?

OGATA: Aye.

COTTLE: Commissioner Woodward?

WOODWARD: Aye.

COTTLE: And Mr. Chair?

WATANABE: Aye. By the way, congratulations, yeah; and you'll be notified in writing.

The discussion ended at 1:26 p.m.

Respectfully submitted,

Sharon M. Nomura, East Hawai'i Secretary