

WINDWARD PLANNING COMMISSION
COUNTY OF HAWAI'I

MINUTES
JANUARY 6, 2023

The Windward Planning Commission met in regular session at 9:00 a.m., in the County of Hawai'i, Council Chambers, 25 Aupuni Street, Hilo, Hawai'i, with Chairman Dennis Lin presiding with a live stream video for the public to observe the meeting.

COMMISSIONERS PRESENT: Dennis Lin, Gilbert Aguinaldo, John Cross, Louis Daniele III, and Wayne De Luz.

ABSENT AND EXCUSED: Lauren Balog.

ALSO PRESENT: Sinclair Salas-Ferguson, Esq. (Attorney for the Commission), Jean Campbell, Esq. (Attorney for the Planning Department till 9:07 a.m.), Suzanna Tiapula (Attorney for the Planning Department), Jeffrey Darrow (Deputy Planning Director), Tracie-Lee Camero (Planner), Christian Kay (Planner), Janice Hata (Zoom Host), Maija Jackson (Planning Program Manager) and Melissa Dacayanan-Salvador (Windward Planning Commission Secretary).

Five public members were in the audience.

A quorum was present. Chairman Lin called the meeting to order and introduced Commissioners and staff.

APPROVAL OF MINUTES

At 9:03 a.m. the Commission took up the minutes of the December 1, 2022, Windward Planning Commission meeting. No corrections were offered. It was moved by Commissioner Daniele and seconded by Commissioner Aguinaldo that the minutes be approved as submitted. A voice vote was taken, and the motion carried with all in favor.

STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS

At 9:03 a.m. Chairman Lin explained the procedure and Planning Commission Rule 1-5 regarding decorum.

There were no in-person and Zoom testifiers for this agenda item.

NEW BUSINESS

1. **APPLICANT: ROBERT J. SILBER (PL-SPP-2022-000016)**
Application for a Special Permit to legitimize the operation of a holistic education center on approximately 8.134 acres of land in the State Land Use Agricultural District. The subject property is located at 13-2060 Lolua Place, approximately 0.3 miles northwest

(mauka) of its intersection with Kalapana-Kapoho Beach Road, Pohoiki, Puna, Hawai‘i, TMK: (3) 1-3-002:140.

The Commission took up this item at 9:05 a.m. with five public members in the audience.

Chair Lin stated the applicant requested to defer the application until the next meeting.

There were no in-person and Zoom testifiers for this agenda item.

2. **APPLICANT: ACADEMIA SINICA INSTITUTE OF ASTRONOMY AND ASTROPHYSICS (PL-SPP-2022-000025)**

Application for a Special Permit for the temporary operation of an array of ten (10) satellite dishes and a 50-foot x 50-foot dipole antenna array and related improvements to conduct research on Fast Radio Bursts (FRBs) on an approximately 2.0-acre portion of a larger 10.7-acre property in the State Land Use Agricultural District. The subject property is located approximately 1,375 feet southeast (makai) of the Wood Valley Road/ Makakupu Road intersection, Ka‘ala‘ala-Kapalapala, Ka‘ū, Hawai‘i, TMK: (3) 9-6-011:007 (por.).

The Commission took up this item at 9:05 a.m. with five public members in the audience.

Chair Lin stated two Commissioners of the five Commissioners in attendance had a conflict of interest on the agenda item and were recused. Therefore, due to the lack of quorum to hear or act on the matter the application was deferred to the Commission’s February 2, 2023, hearing.

There were no in-person and Zoom testifiers for this agenda item.

3. **APPLICANT: DOUGLAS KERR (PL-SMA-2022-000023)**

Application for a Special Management Area (SMA) Use Permit to construct a two-story, 2,212 square foot, 3-bedroom, 2.5-bath single-family residence, garage, and related improvements on a 0.49-acre parcel situated within the SMA. The subject property is located within the Hawaiian Paradise Park Subdivision at 15-853 Paradise Ala Kai Drive, approximately 155 feet south of its intersection with Kilika Road, Kea‘au, Puna, Hawai‘i, TMK: (3) 1-5-058:053.

The Commission took up this item at 9:07 a.m. with five public members in the audience.

There were no in-person and Zoom testifiers for this agenda item.

Action: It was moved by Commissioner Daniele and seconded by Commissioner Aguinaldo that the application for Special Management Area Use Permit, Docket No. 2022-000023, be approved based on the Planning Director’s recommendation. A roll call vote was taken, and the motion carried with five ayes (Daniele, Aguinaldo, Cross, De Luz, Lin) and one excused (Balog).

This hearing item ended at 9:20 a.m. *[SEE HEARING TRANSCRIPT – EXHIBIT A]*

4. **APPLICANT: MATTHEW AND ERIC WUNG (PL-REZ-2022-000030)**

Application for a Change of Zone from an Agricultural-3 acre (A-3a) zoning district to a Single Family Residential-15,000 square feet (RS-15) zoning district for 3.1285 acres of land. The subject property is located at 862 West Kawaihine Street, approximately 1,000 feet west of its intersection with Komohana Street, Waiākea, South Hilo, Hawai‘i, TMK: (3) 2-4-003:035.

The Commission took up this item at 9:20 a.m. with three public members in the audience.

There were no in-person and Zoom testifiers for this agenda item.

Action: It was moved by Commissioner De Luz and seconded by Commissioner Aguinaldo that a favorable recommendation be forwarded to the County Council on the application for Change of Zone, Docket No. 2022-000030, based on the Planning Director’s recommendation. A roll call vote was taken, and the motion carried with five ayes (De Luz, Aguinaldo, Cross, Daniele, Lin) and one excused (Balog).

This hearing item ended at 9:33 a.m. *[SEE HEARING TRANSCRIPT – EXHIBIT B]*

PLANNING DIRECTOR’S REPORT

Report on Special Management Area (SMA) determinations, minor permits action issued by the Planning Director.

At 9:34 a.m. Chairman Lin introduced this item. Planning Program Manager, Maija Jackson stated the Short-Form Assessment Log and the SMA Assessment Log were emailed to the Commissioners. There were no questions about the log from Commissioners.

AGENDA ITEMS FOR NEXT MEETING

At 9:35 a.m. Chairman Lin introduced this item. Program Planning Manager, Maija Jackson stated there are two (2) agenda items for February 2023. Planner Christian Kay clarified the Chair’s earlier statement on the deferral of the Robert Silber application on the next meeting agenda. He clarified the applicant did not ask for the application to be placed on the next agenda and it would be placed on a future agenda.

ANNOUNCEMENTS

The Windward Planning Commission’s next monthly meeting is tentatively scheduled for Thursday, February 2, 2023, at the County of Hawai‘i County Council Chambers and the public may provide verbal testimony by interactive video conference via Zoom or at the physical location.

ADJOURNMENT

There being no further business, it was moved by Commissioner Aguinaldo and seconded by Commissioner Daniele that the meeting be adjourned. A voice vote was taken, and the motion carried by unanimous vote of those present. Chairman Lin adjourned the meeting at 9:36 a.m.

Respectfully submitted,

Melissa Dacayanan-Salvador
Melissa Dacayanan-Salvador (Feb 2, 2023 14:05 HST)

Melissa Dacayanan-Salvador
Secretary

ATTEST:



Dennis Lin, Chairman
Windward Planning Commission