WINDWARD PLANNING COMMISSION
COUNTY OF HAWAIʻI

MINUTES
JANUARY 8, 2026

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Timestamps are provided for reference in accordance with the provisions of Chapter 92, Hawaiʻi Revised Statutes. In the event the video recording becomes unavailable at the above-mentioned URL address, the public can contact the Planning Department for assistance.

The Windward Planning Commission met in regular session on Thursday, January 8, 2026, at 9:08 a.m., in the County of Hawaiʻi, Council Chambers, located at 25 Aupuni Street, Hilo, Hawaiʻi, with Chairman Louis Daniele III presiding. This meeting was streamed live on YouTube.

COMMISSIONERS PRESENT: Louis Daniele III (Chairperson), Lauren Balog (from 9:16 a.m.),Wayne De Luz (left at 10:14 a.m.), Thomas E. Fratinardo, JoNelle Fukushima and Chantel Perrin (Vice Chair).

ALSO PRESENT: William Jarrett, Esq. (Counsel to the Commission), Jeffrey Darrow (Planning Director), Jean Campbell, Esq. (Counsel to the Planning Department), and Planning Department staff.

Approximately five members of the public were in the audience.

The meeting was called to order at 9:08 a.m. by Chairman Daniele, with a quorum present. Chairman Daniele made housekeeping announcements, including reminders to silence cell phones, the location of the public restrooms, and the process for signing up for public testimony. Commissioners and staff were introduced. *[SEE YOUTUBE TIMESTAMP 02:02]*

ELECTION OF OFFICERS

Chairman Daniele announced that the Election of Officers would be conducted later, once upon the arrival of Commissioner Lauren Balog. *[SEE YOUTUBE TIMESTAMP 03:58]*

MEETING MATERIALS

At 9:11 a.m. Chairman Daniele asked the Commissioners to confirm that they had reviewed all materials, including written public testimony related to the applications. Each Commissioner verbally confirmed. *[SEE YOUTUBE TIMESTAMP 05:07]*

APPROVAL OF MINUTES

At 9:12 a.m., the Commission addressed the minutes of November 6, 2025, and December 4, 2025, meetings, including executive session minutes. No corrections were offered. Vice Chair Chantel Perrin moved to approve the minutes as circulated, Commissioner JoNelle Fukushima seconded the motion, and it was carried unanimously by voice vote. *[SEE YOUTUBE TIMESTAMP 05:28]*

STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS

At 9:13 a.m., the Commission addressed this item, with approximately five members of the public present in the Council Chambers. Chairman Daniele explained that in-person speakers would be heard first, followed by Zoom participants, and that testifiers could speak at that time or when the agenda item was called. He reminded everyone to keep comments respectful, stated that personal attacks would not be permitted, and noted that individual testimony would be limited to three minutes per agenda item. *[SEE YOUTUBE TIMESTAMP 06:37]*

Two individuals provided in-person testimony **for Item #1Thomas L. Schager and Joseph B. Swick (PL-SPP-2025-000103):**

1. Martha Edwards *[SEE YOUTUBE TIMESTAMP 08:23]*
2. John Kocol *[SEE YOUTUBE TIMESTAMP 09:06]*

There were no Zoom testifiers for this agenda item.

NEW BUSINESS

1. **APPLICANT: THOMAS L. SCHAGER AND JOSEPH B. SWICK (PL-SPP-2025-000103)**
   Application for a Special Permit to operate a 1-bedroom bed and breakfast operation within an existing farm dwelling on an approximately 1.8-acre parcel of land in the State Land Use Agricultural District. The subject property is located at 31-190 Hawai‘i Belt Road, approximately 50-feet east of its intersection with Leopolino Road, Hakalau, North Hilo, Hawai‘i, TMK: (3) 3-1-001:051.

The Commission considered this item at 9:16 a.m., with approximately five members of the public in attendance. *[SEE YOUTUBE TIMESTAMP 09:59]*

Commissioner Lauren Balog arrived at the meeting. [SEE YOUTUBE TIMESTAMP 10:33]

The staff presentation was given by Moses “Moke” Ramos-Kia Tupua. *[SEE YOUTUBE TIMESTAMP 11:23]*

Chairman Daniele opened the floor for Commissioners’ questions to staff. Commissioner Thomas Fratinardo noted that in the Background Report, under Number 31, it states that the nearest police station is in Hilo. He clarified that the nearest police station is approximately eight miles away at the North Hilo Police Station, which also houses a fire station there. He expressed that it was an excellent report and conveyed his appreciation. *[SEE YOUTUBE TIMESTAMP 15:16]*

Applicant Representative John Pipan, Land Planning Hawaiʻi, along with Applicants Thomas Schager and Joseph Swick, provided a presentation. *[SEE YOUTUBE TIMESTAMP 17:43]*

Chairman Daniele opened the floor for questions from the Commissioners to the Applicant. He asked what type of produce is being grown. Mr. Pipan responded that the produce includes bananas, soursop, dragon fruit, a variety of citrus fruits, pineapples and papayas. Commissioner Fratinardo noted a typographical error in the report on Page 26, where the word “usual” should read “unusual”. *[SEE YOUTUBE TIMESTAMP 19:24]*

Chairman Daniele opened the floor for public testimony when the agenda item was called. There were no testifiers, either in person or via Zoom. *[SEE YOUTUBE TIMESTAMP 20:20]*

Action: Vice Chair Perrin moved to approve Special Permit Application PL-SPP-2025-000103 to operate a one-bedroom bed and breakfast operation within an existing farm dwelling on an approximately 1.8-acre parcel of land in the State Land Use Agricultural District, based on the Planning Director’s findings, recommendation, and conditions, with an update to the location of the nearest police station. Commissioner Fukushima seconded the motion. *[SEE YOUTUBE TIMESTAMP 20:53]*

Chairman Daniele opened the floor for discussion and comments. Commissioner Fratinardo noted that the road sign on Leopolino Road is missing and stated that he had contacted the State Highways office, which will be placing a new sign on the pole. *[SEE YOUTUBE TIMESTAMP 21:44]*

With no comments or discussion, a roll call vote was taken. The motion carried with six ayes (Perrin, Fukushima, Balog, De Luz, Fratinardo, Daniele) and no noes. *[SEE YOUTUBE TIMESTAMP 22:16*]

The hearing on this item concluded at 9:29 a.m.

2. Discussion of proposed amendment to Planning Commission’s Rules of Practice and Procedure, Rule 1 regarding General Rules of the Commission. The Commission will discuss adding commissioner attendance standards to Rule 1.

The Commission began consideration of this item at 9:29 a.m., with no members of the public in attendance. *[SEE YOUTUBE TIMESTAMP 23:26]*

Chairman Daniele opened the floor for public testimony when the agenda item was called. There were no testifiers, either in person or via Zoom. *[SEE YOUTUBE TIMESTAMP 23:43]*

Prior to the start of discussion, Planning Program Manager Maija Jackson provided information on staff's current practices regarding meeting attendance for the Commission's awareness. It was noted that there are currently no attendance standards in the Planning Commission Rules. Ms. Jackson stated that the secretary sends the meeting agenda to the Commissioners approximately 20 to 30 days prior to a meeting and requests confirmation of attendance by email. A follow-up email is then sent to the Chair and Vice Chair about one week prior to the meeting with the Commissioners' attendance status, at which point the Chair is aware of whether a quorum will be present. The secretary continues to notify the Chair of any changes in attendance up to the date of the meeting. In the event a quorum is lost at the last minute, notification is provided via email, text, or phone call.

Ms. Jackson noted that Commissioners' contact information is confidential and is not provided to the public, as Commissioners serve as volunteers, nor is it shared among the Commissioners. She stated that if the Commission wished to communicate attendance information among its members, staff would be willing to share contact information upon the Commission's consent. She added that this reflects current staff practice and invited the Commission to provide feedback should there be any suggested improvements. *[SEE YOUTUBE TIMESTAMP 24:16]*

Commissioner Balog asked whether other County commissions have attendance standards, noting that, given the number of commissions, some likely do. In response, Ms. Jackson stated that she believed some commissions have attendance standards but was not aware of which ones specifically. She added that she had reviewed Planning Commission rules from other counties and found that some do include attendance standards. Commissioner Balog requested examples from those other County commissions, noting that such information would be helpful since the commissions operate under the same framework. Ms. Jackson responded that she would provide examples prior to the next meeting. *[SEE YOUTUBE TIMESTAMP 26:03]*

Chairman Daniele asked for a motion to open discussion on the agenda item. Commissioner Balog moved to open discussion on the item. [*SEE YOUTUBE TIMESTAMP 27:00]* Chairman Daniele informed the Commission that the discussion was a continuation of the prior meeting and that no motion was required.

Vice Chair Perrin asked whether any proposed attendance standards would apply to all commissions or be specific to the Windward Planning Commission, and whether they would also include the Leeward Planning Commission. In response, Ms. Jackson stated that the Windward and Leeward Planning Commissions operate under the same rules. Vice Chair Perrin then asked why attendance standards could not be applied to all commissions. Ms. Jackson responded that the Planning Commission does not have the authority to impose attendance standards on other commissions and that such authority applies only to its own commission. *[SEE YOUTUBE TIMESTAMP 27:25]*

Commissioner Wayne De Luz, who was absent from the prior meeting, asked for a summary of the discussion. Chairman Daniele explained that the Commission had held a joint Zoom meeting with the Leeward Planning Commission to discuss attendance matters, including whether attendance standards should be imposed, given that Commissioners serve as volunteers. He noted that additional discussion focused on the terminology of “absent” versus “excused,” with the discussion leaning toward eliminating the term “excused.” Chairman Daniele also stated that there was consensus that an in-person joint meeting with the Leeward Planning Commission would be beneficial, as conducting the discussion via Zoom made meaningful dialogue more difficult. *[SEE YOUTUBE TIMESTAMP 28:24]*

Commissioner Fukushima added that the prior discussion was robust, reflecting both more conservative and more lenient perspectives. She noted that a consistent theme was agreement that some form of attendance standard should be established, with the primary focus being what that standard should be. She stated that several Commissioners expressed concern that, as volunteers, attendance standards should not be punitive, as absences are not intentional or malicious. Examples were discussed, such as whether missing half or more of the approximately 12 annual meetings would be reasonable for continued service. Commissioner Fukushima also noted that staff provided examples of attendance standards adopted by other commissions for guidance. She stated that it was ultimately decided that each commission would hold its own discussion, and that the current meeting was intended to address what the Windward Planning Commission believes to be reasonable and appropriate attendance standards. *[SEE YOUTUBE TIMESTAMP 30:04]* Chairman Daniele informed Commissioner De Luz that, if he wished to be briefed on the executive session matters discussed with the Deputy Corporation Counsel at the prior meeting, the Commission could do so upon request and, if necessary, convene an executive session. *[SEE YOUTUBE TIMESTAMP 31:40]*

Commissioner De Luz responded that he was interested but expressed concern about potential conflicts given that his term had expired. He commented that the primary issue underlying attendance concerns relates to maintaining a quorum. He noted that the Planning Commission is unique in that failure to act may result in automatic approval of an application. Based on his experience serving on other boards and on the Planning Commission, he stated that quorum has at times been difficult to achieve. Commissioner De Luz suggested that attendance standards should focus on ensuring quorum rather than being punitive, and that mechanisms encouraging attendance to maintain quorum may be more effective than removal based on the number of missed meetings. *[SEE YOUTUBE TIMESTAMP 32:04]*

Commissioner Fukushima stated that she agreed and noted that the underlying issue is the need to fill vacant Commission seats, which she believes is not discussed enough. She stated that having all seats filled could help avoid some of the current issues. Chairman Daniele responded that this concern was raised at the prior meeting and noted that the Commission has not had a full membership in some time. He stated that the Commission is authorized to have seven members and added that the current composition is the most complete it has been in a long time. Commissioner Fukushima acknowledged this and noted that the Commission will have two vacancies due to outgoing members. She reiterated the importance of filling the seats with qualified individuals willing to serve the community. *[SEE YOUTUBE TIMESTAMP 34:04]*

Chairman Daniele asked staff to explain the process for becoming a Planning Commissioner. Planning Program Manager Maija Jackson stated that anyone may apply through an online application on the mayor's website. She explained that the Mayor's Office, through Executive Assistant Micah Alameda, is responsible for filling commission vacancies and emphasized the importance of appointing qualified individuals due to the impact of Planning Commission decisions. She added that staff regularly communicate with the Mayor's Office regarding upcoming vacancies and resignations to assist with recruitment. Commissioner Fukushima asked questions regarding the recruitment process. Ms. Jackson stated that she was not familiar with the specific process used by Mr. Alameda and would follow up with him. Vice Chair Perrin shared that she had met with Mr. Alameda along with other Chairs and Vice Chairs from various commissions. She stated that applicants are vetted and that a range of individuals is considered; however, the application and approval process, including appearing before the County Council, can be overwhelming. Vice Chair Perrin noted that the primary challenge is encouraging members of the public to apply and participate in the process. *[SEE YOUTUBE TIMESTAMP 35:13]*

Commissioner De Luz stated that he agreed with the comments made and noted that the employment and recruitment environment has changed significantly. He said that the current recruitment process for commissions needs improvement and commented that the Charter's limitation on recalling prior commissioners results in a loss of valuable institutional knowledge. He explained that commissioners who have served for one to two years gain substantial expertise, and that new commissioners often require significant time to become fully acclimated, despite orientation and staff support. Commissioner De Luz further compared County and State commission appointment processes, noting that the State allows for greater continuity through consecutive terms, whereas the County requires a waiting period before reapplication. He suggested that improved continuity could lead to smoother meetings and fewer attendance challenges. Commissioner Fukushima responded that she agreed and stated that the recruitment process should be reviewed and potentially revised, echoing Commissioner De Luz's comments regarding the need for changes in how commissioners are recruited. *[SEE YOUTUBE TIMESTAMP 39:01]*

Chairman Daniele stated that he did not support overly punitive or "draconian" measures. He shared his experience of being approached to serve as a commissioner and noted that his prior community involvement made the opportunity to serve appealing. He commented that appearing before the County Council was not intimidating and served as an indicator of a candidate's ability to communicate and actively participate as a commissioner. Chairman Daniele noted that while recruitment and board continuity are important topics, it takes approximately a year for commissioners to fully understand the responsibilities, terminology, and workload associated with the role. He emphasized that continuity is important, particularly as commissioners gain experience over time, and expressed that individuals who apply generally wish to serve. He concluded by stating that attendance issues are difficult to address through punitive measures. *[SEE YOUTUBE TIMESTAMP 42:25]*

Commissioner Fratinardo stated that attendance should be mandatory, noting that commissioners take an oath and make a commitment to serve. He acknowledged that excused absences are appropriate and expressed that it is within the Chair's responsibility to reach out to absent commissioners to discuss their attendance. He further noted that commissioners should notify the Chair in advance when they are unable to attend a meeting. Chairman Daniele stated that unforeseen circumstances do arise and emphasized the importance of maintaining a full Commission. He noted that absences due to illness would not affect the overall flow of business; however, when attendance impacts quorum, it becomes an issue. He concluded that commissioners who commit to serving are expected to attend meetings. *[SEE YOUTUBE TIMESTAMP 44:46]*

Vice Chair Perrin agreed that attendance should be mandatory but stated there should be a clear threshold for when an absence may be considered excusable. She shared a personal experience from March 2024 to illustrate that unforeseen life events can affect a commissioner's ability to be fully present. She emphasized that such situations are unplanned and that flexibility should be considered. Vice Chair Perrin reiterated that commissioners apply with the intent to serve and shared that she accepted the appointment to contribute to her community. *[SEE YOUTUBE TIMESTAMP 46:04]*

Commissioner Balog noted that the Maui example aligns with the discussion and includes a process in which the Chairperson recommends individuals to the Mayor's Office, which she stated is consistent with the Commission's recruitment process and oversight of boards and commissions. Commissioner Fukushima explained that she cited the Maui example as a potential model and suggested it could serve as a good starting point for consideration. Vice Chair Perrin concurred. *[SEE YOUTUBE TIMESTAMP 47:33]*

Chairman Daniele asked whether there was any further discussion on the agenda item. Commissioner Fukushima responded that distinguishing between excused and unexcused absences could complicate matters. She stated that an absence remains an absence and that creating such distinctions could imply consequences and raise questions about who would determine whether an absence is excused. She noted that commissioners take an oath with the understanding that attendance is mandatory and expressed concern that establishing detailed criteria and procedures for excused versus unexcused absences may not be the preferred approach. *[SEE YOUTUBE TIMESTAMP 48:11]*

Chairman Daniele stated that the issue of excused versus unexcused absences had been raised and reiterated his view that an absence is an absence. He emphasized that the key issue is communication, noting that commissioners should notify the Commission if they know they will be absent. He inquired whether there was currently a standard timeframe for reporting an absence. Staff Maija Jackson responded that there are no standards regarding absences in the Commission's current rules. Chairman Daniele suggested that the Commission may wish to consider establishing a standard, such as providing notice within 24 hours when possible. *[SEE YOUTUBE TIMESTAMP 49:21]*

Commissioner Fukushima shared a recent experience involving an unforeseen car accident to illustrate that absences are not always predictable. She cautioned that establishing rigid parameters, such as specific notice timeframes, could lead to numerous exceptions and complicated enforcement. Commissioner Fukushima expressed concern that creating such distinctions may not be the desired direction, noting that commissioners generally want to attend meetings. She suggested that the focus should instead be on how an absence affects quorum and the Commission's flexibility in adjusting meeting logistics, rather than on prescriptive notice requirements. *[SEE YOUTUBE TIMESTAMP 50:15]*

Commissioner Balog referenced a recent absence from the November meeting due to an unexpected medical issue that prevented her from attending. She stated that she supports the Maui example, noting that it does not set a specific limit on absences and instead allows the Chairperson to address repeated absences over time by recommending removal to ensure quorum and effective Commission operations. Commissioner Fukushima confirmed that was the approach she was referring to. *[SEE YOUTUBE TIMESTAMP 51:32]*

Staff Maija Jackson noted that the Maui example is largely consistent with the Hawaiʻi County Charter. She explained that the Charter outlines the process for nominating and appointing commissioners and specifies that removal of a commissioner must be done through the County Council at the Mayor's request. She stated that, among the examples discussed, the Maui approach aligns most closely with the current Charter framework. In response to Commissioner De Luz's suggestion regarding continuous commission terms, she added that the Charter requires each commissioner to serve a five-year term with a break before serving another term. Any change to allow consecutive terms for the Planning Commission would require a Charter amendment, which must be approved by voters and is not a simple process. *[SEE YOUTUBE TIMESTAMP 52:55]*

Commissioner De Luz asked whether suggested changes would require a Charter amendment or could be enacted as a policy. Staff Maija Jackson replied that any rules added by the Commission must be consistent with the Charter. She explained that term limits, such as the five-year term, cannot be changed without a Charter amendment. However, the Commission has flexibility to establish attendance standards, including setting the number of absences allowed before referring the matter to the mayor for action. De Luz asked whether a Charter amendment would need to be approved by the County Council level. Staff Maija Jackson stated that she believes a Charter amendment would need approval, though she was not certain. She added that amendments are typically initiated by either the Charter Commission or the County Council and are then submitted to the voters for approval. *[SEE YOUTUBE TIMESTAMP 54:22]*

Commissioner Fratinardo referenced his experience on the Salary Commission in 2018, noting that because salary increases had not been addressed for an extended period, a significant pay adjustment was required. He stated that this led to concerns from the County Council and ultimately resulted in a Charter amendment. He explained that the amendment allowed County Council involvement when proposed salary increases exceeded a specified threshold, demonstrating that Charter changes can be initiated by the County Council. *[SEE YOUTUBE TIMESTAMP 56:02]*

Commissioner Fukushima stated that the Commission should refocus on whether to apply an attendance standard. She said the Maui example would be a good and cautious starting point, noting that it allows flexibility and the ability to make changes later if needed. She emphasized the importance of finding common ground and making an effort to move forward and expressed her preference for using the Maui standard as a model for the Windward Planning Commission.

Vice Chair Perrin agreed with using the Maui standard example and Chairman Daniele asked for the standard example to be recited: ***Maui County Planning Commission Rules (§12-201-28):*** *No member shall be absent for the service of the commission, unless the member is sick or otherwise unable to attend and has so advised the chairperson prior to the meeting. In accordance with subsection 13-2.5 of the revised charter of the County of Maui (1983), as amended, the chairperson shall request that the mayor recommend to the council the removal of any member who misses 50 percent or more of the commission's regular meetings over any 120-day period. [SEE YOUTUBE TIMESTAMP 57:20]*

Vice Chair Perrin followed up by asking whether Commission members should share email addresses directly with one another for communication regarding absences or continue using the current process of routing communications through the Commission Secretary. Vice Chair Perrin, Chairman Daniele, Commissioner Fratinardo, and Commissioner Fukushima stated they were agreeable to sharing their email contact information. Commissioner Fratinardo also stated his support for the Maui process example. *[SEE YOUTUBE TIMESTAMP 59:09]*

Chairman Daniele stated that Deputy Corporation Counsel advised that sharing email addresses among commissioners could potentially violate the Sunshine Law, as it may lead to discussions outside of noticed meetings; therefore, communications should continue to be routed through the department. Commissioner Balog asked whether this would change the process for notifying the Secretary versus the Chair of an absence. Commissioner Fratinardo stated that communications should come from either staff or the Chair when reaching out to commissioners. Chairman Daniele clarified that the department would contact him and stated that the current communication process is appropriate. Staff Maija Jackson clarified that any communication regarding attendance should be directed to Melissa, the Commission Secretary, who would then relay the information to the Chair. She also noted that the Maui attendance standard had been uploaded for the Commission's review. *[SEE YOUTUBE TIMESTAMP 01:00:22]*

With no further discussion, Chairman Daniele asked for a motion to continue discussion on Commission attendance standards to the next Windward Planning Commission meeting. *[SEE YOUTUBE TIMESTAMP 01:02:20]*

Action: Vice Chair Perrin moved, and Commissioner Fratinardo seconded to continue the discussion on Commission attendance standards to the next Windward Planning Commission meeting. The motion was carried unanimously by voice vote. *[SEE YOUTUBE TIMESTAMP 01:02:29]*

The hearing on this item concluded at 10:09 a.m.

At 10:09 a.m. the Chairman called for a recess [SEE YOUTUBE TIMESTAMP 01:02:56], and the hearing reconvened at 10:25 a.m. [SEE YOUTUBE TIMESTAMP 01:18:23]

Chairman Daniele noted Commissioner De Luz, was excused and left the meeting. *[SEE YOUTUBE TIMESTAMP 01:18:26]*

3. Discussion of Planning Commissioners' suggestions for future amendments to the Planning Commission Rules of Practice and Procedure.

The Commission began consideration of this item at 10:25 a.m., with no members of the public present. *[SEE YOUTUBE TIMESTAMP 01:18:37]*

Chairman Daniele opened the floor for public testimony when the agenda item was called. There were no testifiers, either in person or via Zoom. *[SEE YOUTUBE TIMESTAMP 01:18:50]*

Staff Maija Jackson provided a presentation giving an overview of the rule amendment process. She then walked the Commission through the contents of the Planning Commission Rules of Practice and Procedure. It was noted that the Planning Commission rules have not undergone a comprehensive update, and some current processes may not fully align with the existing rules, and she also highlighted examples of changes that could be made through the rule amendment process within the rules. Staff Maija Jackson asked the Commission to provide feedback on desired rule changes, including any suggestions, draft language, or ideas, and noted that commissioners could contact her or Deputy Corporation Counsel William Jarrett, who are available to work with the Commission on potential amendments. *[SEE YOUTUBE TIMESTAMP 01:19:12 and SEE EXHIBIT A – Power Point Planning Commission Rule Making]*

Chairman Daniele asked how often Rules 11 and 12 (Geothermal Resource Permits) are used. Staff Maija Jackson responded that Rules 11 and 12 are very old and date back to the time when Puna Geothermal Resources received its permit. She noted that the operation continues under that permit despite significant changes in the geothermal permitting process since then and stated that it would be appropriate to consider whether the rules remain relevant or should be deleted. Chairman Daniele asked whether rules could be deleted, and Maija Jackson responded "yes", stating that the commission may amend, add, or delete rules. *[SEE YOUTUBE TIMESTAMP 01:35:12]*

Chairman Daniele opened the floor for Commissioners' questions to Planning staff; there were none. He noted that the discussion was a continuation from the prior meeting and did not require a motion. *[SEE YOUTUBE TIMESTAMP 01:36:13]*

Commissioner Fratinardo asked whether the Commission needed to establish a working group, such as a Permitted Interaction Group (PIG). *[SEE YOUTUBE TIMESTAMP 01:36:44]*

Chairman Daniele asked for a motion to enter executive session. *[SEE YOUTUBE TIMESTAMP 01:37:24]*

At 10:44 a.m. Vice Chair Perrin moved, and Commissioner Balog seconded that the Commission enter executive session to consult with its attorney regarding questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities pursuant to Hawaiʻi Revised Statute § 92-5. *[SEE YOUTUBE TIMESTAMP 01:37:54*] A roll call vote was taken, and the motion carried with five ayes (Perrin, Balog, Fratinardo, Fukushima, and Daniele), no noes and one excused (De Luz). *[SEE YOUTUBE TIMESTAMP 01:38:30*]

The Commission entered executive session at 10:46 a.m.

At 10:53 a.m. Chairman Daniele called the meeting back to order and noted that the Commission had entered executive session, during which legal matters pertaining to rule changes and policy were discussed. *[SEE YOUTUBE TIMESTAMP 01:47:10]*

Chairman Daniele stated that the Commission would re-engage the discussion on Agenda Item No. 3 regarding Planning Commissioners' suggestions for future amendments to the Planning Commission Rules of Practice and Procedure. With no further discussion, Chair Daniele asked for a motion to continue the agenda item. *[SEE YOUTUBE TIMESTAMP 01:47:34]*

Action: Vice Chair Perrin moved, and Commissioner Fukushima seconded to continue the discussion to the next Windward Planning Commission meeting. The motion was carried unanimously by voice vote. *[SEE YOUTUBE TIMESTAMP 01:47:56]*

This hearing item concluded at 10:55 a.m.

PLANNING DIRECTOR'S REPORT

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

At 10:55 a.m., Chairman Daniele introduced this item, noting that the Special Management Area (SMA) determination and minor permits for December 2025 reports had been emailed to the Commissioners. There were no questions regarding the report. *[SEE YOUTUBE TIMESTAMP 01:48:41]*

AGENDA ITEMS FOR THE NEXT MEETING

At 10:55 a.m. Chairman Daniele requested Commissioners' suggested agenda items, there were no comments or matters for consideration from the Commissioners. *[SEE YOUTUBE TIMESTAMP 01:49:03]*

ELECTION OF OFFICERS

At 10:56 a.m., Chairman Daniele opened the floor for nominations for the position of Chairperson for 2026. Vice Chair Perrin moved, and Commissioner Fratinardo seconded, to open nominations for the position of Chairperson for 2026. A voice vote was taken, and the motion carried. The floor was open for nominations. *[SEE YOUTUBE TIMESTAMP 01:50:03]*

Commissioner Fratinardo nominated himself for Chairperson. *[SEE YOUTUBE TIMESTAMP 01:50:39]*

Chairman Daniele nominated himself for Chairperson. *[SEE YOUTUBE TIMESTAMP 01:50:52]*

Commissioner Fukushima nominated Commissioner Balog for Chairperson. *[SEE YOUTUBE TIMESTAMP 01:50:58]*

Vice Chair Perrin nominated Chairman Daniele to continue as Chairperson for 2026. *[SEE YOUTUBE TIMESTAMP 01:51:21]*

Chair Daniele asked for a motion to close nominations for the position of Chairperson for 2026.
[SEE YOUTUBE TIMESTAMP 01:51:53]

Commissioner Fratinardo rescinded his self-nomination for Chairperson for 2026. Chairman Daniele noted that the nomination was withdrawn. *[SEE YOUTUBE TIMESTAMP 01:51:59]*

Vice Chair Perrin moved to close nominations for the position of Chairperson for 2026, and Commissioner Balog seconded the motion. A voice vote was taken, and the motion carried. Nominations were closed. *[SEE YOUTUBE TIMESTAMP 01:52:33]*

Planning staff member Maija Jackson explained the roll call voting process and, prior to beginning, asked Commissioner Balog whether she was willing to serve as Chairperson. *[SEE YOUTUBE TIMESTAMP 01:53:09]* Commissioner Balog declined the nomination. *[SEE YOUTUBE TIMESTAMP 01:53:25]* A roll call vote was taken, and the motion carried with four for Daniele's and one yes (Daniele, Balog, Fratinardo, Fukushima, and Perrin), no noes and one excused (De Luz). *[SEE YOUTUBE TIMESTAMP 01:54:08]*

At 11:01 a.m., Chairman Daniele opened the floor for nominations for the position of Vice Chairperson for 2026. Vice Chair Perrin moved, and Commissioner Fratinardo seconded, to open nominations for the position of Vice Chairperson for 2026. A voice vote was taken, and the motion carried. The floor was open for nominations. *[SEE YOUTUBE TIMESTAMP 01:54:54]*

Chairman Daniele nominated Vice Chair Perrin for Vice Chairperson, and the nomination was seconded by Commissioner Fratinardo. Vice Chair Perrin accepted the nomination. *[SEE YOUTUBE TIMESTAMP 01:55:15]* There being no other nominations, a roll call vote was taken. The motion carried with five for Perrin, and one accepted (Daniele, Fukushima, Balog, Fratinardo, Fukushima, and Perrin), no noes and one excused (De Luz). *[SEE YOUTUBE TIMESTAMP 01:55:55]*

This hearing item concluded at 11:03 a.m.

ANNOUNCEMENTS

Chairman Daniele announced that the next regular meeting of the Windward Planning Commission was tentatively scheduled for Thursday, February 5, 2026. *[SEE YOUTUBE TIMESTAMP 01:56:34]* Planning Program Manager Maija Jackson announced that the agenda would include one application, along with the continued discussions on rulemaking. *[SEE YOUTUBE TIMESTAMP 01:56:52]*

ADJOURNMENT

With no further business, Commissioner Fukushima moved, and Vice Chair Perrin seconded, to adjourn the meeting. *[SEE YOUTUBE TIMESTAMP 01:57:07]* A voice vote was taken, and the motion carried with five ayes (Fukushima, Perrin, Balog, Fratinardo, and Daniele), no noes, and one excused (De Luz). *[SEE YOUTUBE TIMESTAMP 01:57:21]*

Chairman Daniele adjourned the meeting at 11:04 a.m.

Respectfully submitted,

Melissa Dacayanan-Salvador
Melissa Dacayanan-Salvador (Feb 5, 2026 13:34:04 HST)

Melissa Dacayanan-Salvador
Secretary

ATTEST:

Louis V. Daniele III
Louis V. Daniele III (Feb 9, 2026 13:40:53 HST)

Louis Daniele III, Chairman
Windward Planning Commission

Planning Commission Rulemaking 2026

Rule Amendment Process

The process is divided into five phases over six months.

Each phase builds on the previous one, so we're not trying to do everything at once.

- Orientation
- Review Current Rules and Identify Issues
- Draft Proposed Amendments & Review
- Commission Review and Refinement
- Adoption of Rule Amendments

Orientation- Schedule and Scope

January - February

- Staff will walk through the existing rules and what is required by law versus what the Commission can amend
- Commissioners and staff will review the current rules and note anything unclear, outdated, or difficult to apply.
- This phase is about understanding the framework and identifying initial concerns.

Review Current Rules and Identify Issues

February - April

- The Commission will discuss problem areas and confirm which sections should be considered for amendment.
- Staff will compile commissioner feedback and identify legal or procedural issues.
- By the end of this phase, the Commission will have a clear list of topics to address.

Draft Proposed Amendments & Review

April – May

- Staff, with legal review as needed, will prepare draft amendments.
- Commissioners will review the draft carefully and provide feedback—this is still a working document.

Commission Review and Refinement

May

- The Commission will review the draft in detail and suggest refinements.
- Staff and the Commission will look for unintended consequences and make sure the rules match how meetings and decisions actually occur.
- Revisions may go back and forth between staff, legal counsel, and the Commission to reach consensus.

Adoption of Rule Amendments

- The Commission will take formal action to adopt the amended rules
- This meeting is tentatively scheduled for June 25, 2026

The public is encouraged to provide suggestions and feedback on the proposed rule amendments by sending an email to:

WPCtestimony@hawaiicounty.gov

OR

LPCtestimony@hawaiicounty.gov

Testimony will be provided to both commissions, so you do not need to send it to both emails.

Questions? Call 808-961-8288 to speak with staff.