

WINDWARD PLANNING COMMISSION
COUNTY OF HAWAI'I

WRITTEN SUMMARY MINUTES
MAY 14, 2026

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The Special Windward Planning Commission met in session on Thursday, May 14, 2026, at 9:06 a.m., in the County of Hawai'i, Council Chambers, located at 25 Aupuni Street, Hilo, Hawai'i, with Chairman Louis Daniele III presiding. This meeting was streamed live on YouTube. *[SEE YOUTUBE TIMESTAMP 07:20]*

COMMISSIONERS PRESENT: Louis Daniele III (Chairperson), Lauren Balog, Thomas E. Fratinardo, JoNelle Fukushima, and Chantel Perrin (Vice Chair).

COMMISSIONERS ABSENT AND EXCUSED: Paul Montz and Kanoe Wilson.

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.

The meeting was called to order at 9:06 a.m. by Chairman Louis Daniele III with a quorum present. Approximately eighteen members of the public were in the audience.

OLD BUSINESS

1. APPLICANT: TEPPEY MOUNTAIN, LLC (PL-SPP-2024-000075)

[SEE YOUTUBE TIMESTAMP 09:37]

Consideration and adoption of Hearing Officer's proposed Finding of Fact, Conclusion of Law, Decision and Order (FOF/COL/D&O), and hearing parties' oral argument on requested exceptions to the FOF/COL/D&O report related to the application for a Special Permit to allow an annual, multi-day festival event with overnight camping for up to 500 attendees and to legitimize the storage of commercial vehicles on a 14.7-acre portion of a larger 1,419.17-acre property in the State Land Use Agricultural District. The subject property is located at 27-476 Indian Tree Road, approximately 0.7 miles west (mauka) of its intersection with Hawai'i Belt Road, Alemai to Kawainui, Pāpa'ikou, South Hilo, Hawai'i, TMK: (3) 2-7-007:001 (por.).

At 9:08 a.m., the Commission considered this item with approximately eighteen members of the public present.

OVERVIEW OF PROCESS *[SEE YOUTUBE TIMESTAMP 11:04]*

STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS *[SEE YOUTUBE TIMESTAMP 11:46]*

At 9:10 a.m., the Commission addressed this item with approximately seventeen members of the public present. Six individuals provided in-person testimony, and two individuals testified via Zoom.

ORAL ARGUMENTS *[SEE YOUTUBE TIMESTAMP 43:30]*

Chairman Daniele noted that the applicant had filed exceptions to the Hearing Officer's Report and requested oral argument before the Commission. He further noted that Intervenor Jim McMahon and Lichun Huang, as well as the Planning Department, had not filed exceptions or requested oral argument.

For the record, Chairman Daniele asked Mr. McMahon and Ms. Huang whether they wished to provide oral argument, and they indicated that they did. Chairman Daniele then asked the Planning Department whether they wished to provide oral argument, and the Department indicated that it did.

Action: Vice Chair Perrin moved that the intervenor and the Planning Department be permitted to present oral argument to the Planning Commission regarding Contested Case Hearing PL-SPP-2025-000025. Commissioner Fukushima seconded the motion. *[SEE YOUTUBE TIMESTAMP 45:15]* With no comments or discussion, it was carried unanimously by voice vote. *[SEE YOUTUBE TIMESTAMP 46:22]*

Chairman Daniele announced that oral arguments would begin with the Planning Department, followed by the applicant and then the intervenor. *[SEE YOUTUBE TIMESTAMP 46:41]*

At 9:46 a.m. the Chairman called for a recess [SEE YOUTUBE TIMESTAMP 47:55], and the hearing reconvened at 10:03 a.m. [SEE YOUTUBE TIMESTAMP 01:04:29]

Before oral arguments began, Chairman Daniele asked Planning Department staff whether there were any additional in-person or Zoom testifiers. Hearing there was none, he stated for the record that public testimony on this item had concluded. *[SEE YOUTUBE TIMESTAMP 01:04:31]*

Oral Argument - Planning Department *[SEE YOUTUBE TIMESTAMP 01:05:01]*

At 10:03 a.m., the Planning Department provided a PowerPoint Presentation, with approximately twenty-one members of the public present. Chairman Daniele then opened

the floor for questions from the Commissioners to the Planning Department and staff. *[SEE YOUTUBE TIMESTAMP 01:15:04]*

Oral Argument – Applicant Teppy Mountain LLC: Applicant representatives Cal Chipchase and Jake Honigman of Cades Schutte LLP *[SEE YOUTUBE TIMESTAMP 01:36:21]*

Mr. Chipchase mentioned and discussed the two exceptions to the Hearing Officer's report relating to Condition No. 6 and No. 11, and he also addressed the Commission's concerns and comments made by the Planning Department and Deputy Corporation Counsel for the Planning Department. Chairman Daniele opened the floor for questions from the Commissioners to the applicant's representatives, Cal Chipchase and Jake Honigman. *[SEE YOUTUBE TIMESTAMP 02:01:14]*

At 11:22 a.m. the Chairman called for a recess [SEE YOUTUBE TIMESTAMP 02:23:30], and the hearing reconvened at 11:43 a.m. [SEE YOUTUBE TIMESTAMP 02:44:35]

At 11:43 a.m. the hearing reconvened with approximately eighteen members of the public present in the audience. The Commission continued questioning the applicant's representatives, Cal Chipchase and Jake Honigman. *[SEE YOUTUBE TIMESTAMP 02:44:54]*

Oral Argument – Intervenor Jim McMahon and Lichun Huang *[SEE YOUTUBE TIMESTAMP 02:47:16]*

At 11:45 a.m., Intervenor Jim McMahon and Lichun Huang, appeared at the testifiers' table, with approximately sixteen members of the public present in the audience. The Intervenor presented their oral argument, and the Commissioners subsequently asked questions of the Intervenor. *[SEE YOUTUBE TIMESTAMP 03:34:48]*

At 12:58 p.m. the Chairman called for a lunch recess [SEE YOUTUBE TIMESTAMP 03:59:58], and the hearing reconvened at 2:01 p.m. [SEE YOUTUBE TIMESTAMP 05:02:47]

At 2:01 p.m. Chairman Daniele resumed the hearing with approximately fourteen members of the public present. The Commission continued questioning the Intervenor, Jim McMahon and Lichun Huang *[SEE YOUTUBE TIMESTAMP 05:03:22]*, followed by questions to the Planning Department *[SEE YOUTUBE TIMESTAMP 05:04:44]*, and then to the applicant's representatives, Cal Chipchase and Jake Honigman. *[SEE YOUTUBE TIMESTAMP 05:23:07]*

Action: Vice Chair Perrin moved to close the hearing, seconded by Commissioner Fratinardo. *[SEE YOUTUBE TIMESTAMP 05:34:42]* With no comments or discussion staff then conducted a roll call vote, and the motion carried with five ayes (Perrin, Fratinardo, Balog, Fukushima, and Daniele), no noes, and two excused and absent (Montz and Wilson). *[SEE YOUTUBE TIMESTAMP 05:35:14]*

Chairman Daniele explained the options available to the Commission for acting on the Special Permit application. *[SEE YOUTUBE TIMESTAMP 05:35:38]*

Vice Chair Perrin motioned for an executive session. *[SEE YOUTUBE TIMESTAMP 05:36:46]* Deputy Corporation Counsel William Jarrett advised that executive session may only be held for the purpose of obtaining legal advice from Corporation Counsel. He explained that a specific legal reason must be identified and noted that procedural or record clarification questions may be addressed in open session if appropriate. Mr. Jarrett further explained that the Commission may discuss conditions or other substantive matters only after a motion has been made and seconded. He added that the Chair may call a recess, provided commissioners do not discuss the merits of the application during the break. *[SEE YOUTUBE TIMESTAMP 05:36:51]*

Vice Chair Perrin motioned for a recess. *[SEE YOUTUBE TIMESTAMP 05:39:31]* Mr. Jarrett explained that granting a recess is at the discretion of the Chair and does not require a motion by the Commission.

At 2:47 p.m. the Chairman called for a recess [SEE YOUTUBE TIMESTAMP 05:39:48], and the hearing reconvened at 2:54 p.m. [SEE YOUTUBE TIMESTAMP 05:47:19]

Vice Chair Perrin stated that, as a Native Hawaiian with deep ties to the land, it is difficult to remain impartial while considering matters affecting the land and community. She expressed her love for the land and people and emphasized the importance of stewardship and doing what is right. *[SEE YOUTUBE TIMESTAMP 05:47:41]*

Action: Vice Chair Perrin moved to approve Special Permit Application No. PL-SPP-2024-000075 to allow an annual four-day long festival event with overnight camping and the storage of up to six commercial vehicles on 14.7 acres of a larger 1,419-acre parcel in the State Land Use Agricultural District. The motion included adoption of the Hearing Officer's Findings of Fact, Conclusions of Law, Decision and Order in Contested Case Hearing PL-SPP-2025-00025 including the conditions and including the following amendments from the applicant on easement amendment to Condition No. 6, addition of a sound barrier, consultation with an established cultural practitioner prior to hosting the event, proof of special event liability insurance and amount, and a height restriction on the Burning Man statue. Commissioner Fratinardo seconded the motion. *[SEE YOUTUBE TIMESTAMP 05:48:32]* Chairman Daniele opened the floor for discussion. *[SEE YOUTUBE TIMESTAMP 05:50:13]*

With no further comments or discussion prior to the roll call vote, Planning Department staff Maija Jackson requested clarification on the proposed height restriction for the Burning Man statue, noting that no height had been identified. Vice Chair Perrin asked whether guidance could be obtained from Fire Department staff or other appropriate agencies to determine an acceptable height limitation. Deputy Corporation Counsel William Jarrett stated that the evidentiary portion of this hearing has concluded, and it was up to the Commission to impose the particular condition. He then requested that

Vice Chair Perrin restate her motion to ensure the Planning Department had an accurate record of the proposed action and conditions. *[SEE YOUTUBE TIMESTAMP 05:51:50]*

Planning Department staff member Maija Jackson stated her understanding of the motion is approval of the Special Permit as recommended by the Hearings Officer, including the applicant's proposed amendments to Condition 6 and 11, as well as additional conditions requiring a sound barrier, proof of liability insurance, consultation with a cultural practitioner prior to events and a height restriction for the Burning Man statue. She noted, however, that the specific height limitation had not been identified. *[SEE YOUTUBE TIMESTAMP 05:53:53]*

Vice Chair Perrin requested advice from Deputy Corporation Counsel William Jarrett. Mr. Jarrett asked if the moving commissioner (Perrin) would be adopting the conditions as proposed by the hearing officer in addition to the applicant's proposed amendments to Conditions 6 and 11, and if so, note that two of the additional conditions have question marks. One being the amount of insurance required, and the second being the height limit of the burning man statute. Vice Chair Perrin responded that an amount has to be established for this type of event as the liability is great and she recollects that certain venues carry one million dollars' worth of coverage for these types of events. *[SEE YOUTUBE TIMESTAMP 05:54:37]*

With the applicant's representatives Cal Chipchase and Jake Honigman at the testifier table, Vice Chair Perrin asked whether \$1 million in liability insurance would be acceptable, and no objection was raised. Regarding the height restriction for the Burning Man statue, Mr. Chipchase suggested retaining the previously used height limit of 25 feet, and Vice Chair Perrin agreed. *[SEE YOUTUBE TIMESTAMP 05:56:05]*

Planning Department staff member Maija Jackson requested clarification regarding the proposed sound barrier, including its location, type, and height, for enforcement purposes. Vice Chair Perrin responded that the barrier should be placed between the event area and nearby residences, as well as between the event area and the forest to protect nocturnal animals. Mr. Chipchase suggested that the sound barrier be installed in a location and manner acceptable to the Planning Department, with details to be determined in coordination with staff. Vice Chair Perrin agreed and amended the condition to require sound barriers at locations and heights approved by the Planning Department, and the applicant concurred. *[SEE YOUTUBE TIMESTAMP 05:56:43]*

With no further comments or discussion, a roll call vote was taken. The motion carried with four ayes (Perrin, Fratinardo, Balog, and Daniele), one no (Fukushima) and two excused and absent (Montz and Wilson). *[SEE YOUTUBE TIMESTAMP 05:59:02]*

Commissioner Fratinardo moved and Commissioner Fukushima seconded, to adjourn the meeting. A voice vote was taken, the motion carried, no noes and two excused and absent (Montz and Wilson). *[SEE YOUTUBE TIMESTAMP 05:59:48]*

Chairman Daniele adjourned the meeting at 2:58 p.m.

Respectfully submitted,

Melissa Dacayanan-Salvador
Melissa Dacayanan-Salvador (Jul 5, 2026 07:46:40 HST)

Melissa Dacayanan-Salvador
Secretary

ATTEST:

Louis Daniele III
Louis Daniele III (Jul 6, 2026 08:00:47 HST)

Louis Daniele III, Chairman
Windward Planning Commission