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BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAI'I

In the Matter of the Petition of:

WAIKAPU PROPERTIES, LLC; MTP LAND PARTNERS, LLC; WILLIAM S. FILIOS, Trustee of the William S. Filios Separate Property Trust dated APRIL 3, 2000; and WAIALE 905 PARTNERS, LLC,

TO AMEND THE AGRICULTURAL LAND USE DISTRICT BOUNDARIES INTO THE RURAL LAND USE DISTRICT FOR CERTAIN LANDS SITUATE AT WAIKAPU, DISTRICT OF WAILUKU, ISLAND AND COUNTY OF MAUI, STATE OF HAWAI'I, CONSISTING OF 92.394 ACRES AND 57.454 ACRES, BEARING TAX MAP KEY NO. (2) 3-6-004:003 (POR) AND TO AMEND THE AGRICULTURAL LAND USE DISTRICT BOUNDARIES INTO THE URBAN LAND USE DISTRICT FOR CERTAIN LANDS SITUATE AT WAIKAPU, DISTRICT OF WAILUKU, ISLAND AND COUNTY OF MAUI, STATE OF HAWAI'I, CONSISTING OF 236.326 ACRES, 53.775 ACRES, AND 45.054 ACRES, BEARING TAX MAP KEY NO. (2) 3-6-002:003 (POR), (2) 3-6-004:006 AND (2) 3-6-005:007 (POR).

DOCKET NO. A15-798
DIRECT TESTIMONY OF MICHAEL ATHERTON

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DIRECT TESTIMONY OF MICHAEL ATHERTON

My name is Michael Atherton.

I am a manager of Waikapu Properties, LLC, MTP Land Partners, LLC and Waiale 905 Partners, LLC, which collectively are the Owners.

I provided testimony to the Commission on January 18, 2017 when the Owners and William Filios asked the Commission to accept the Final Environmental Impact Statement for the Waikapu Country Town project.

I am before you today on behalf of the Petitioners asking the Commission to approve the change of State Land Use Classification of 145.286 acres of land from Agricultural to Rural and to approve the change of State Land Use Classification of 351.582 acres of land from Agricultural to Urban. The lands which we are asking to be reclassified are located in the area of Waikapu which is located in the central valley of Maui at the bottom of the West Maui Mountains.

Before I describe the project in very general terms, I will tell you a little about myself and the Owners. I grew up in California in a farming family. I am a farmer and have been growing coffee since 1974.

In 1979, I started buying lots and building homes for sale. Since 1979, I, through my construction company, built over 3,000 single-family and multifamily residential housing
I learned that lots were not always available, which impacted my ability to keep my construction company busy. So that my construction company would have lots available, I learned how to buy undeveloped land, obtain the permits and approvals needed to subdivide the land, and complete the subdivision process so that there would be lots available for construction.

I also developed land for commercial and industrial uses. My construction company also built commercial and industrial buildings.

With almost forty years of experience in development and construction, I learned that one of the most important pieces for a successful project is to speak with and accommodate if possible the neighbors, the community groups and the administrative bodies that regulate land.

The Petitioners have four principals who are myself, Albert Boyce, Bill Filios and Larry Anderson. Albert, Bill, Larry and I have been developing land together for over 20 years. About ten years ago, I was visiting Maui at a time when one of the bigger agribusinesses was stopping operations.

Among the land that was to be sold was the Maui Tropical Plantation (MTP) and lands that adjoined the MTP. Since these lands were next to Waikapu and a proposed extension
of Waiale Road, I believed that there might be an opportunity
for us to develop an area that would provide housing and
agriculture. Over the past ten years I described my vision as
an agrihood which is a neighborhood that provides housing and
agricultural opportunities. Since these were my passions, my
vision seemed natural and my vision of the Waikapu area seemed
natural.

One of the first things that I did after buying the
lands was to reach out to my neighbors and discuss my vision of
what would become WCT. After I met with my neighbors, the
Owners hired consultants to convert the vision, with the input
and suggestion of the neighbors, into a plan. While we
continued to meet with our neighbors, we expanded our contacts
to community groups and groups that were concerned with the
environment, with smart development and with growth on Maui.
The WCT plan was reviewed with the groups which provided
suggestions and comments on the plan and the plan was revised
to address those comments and suggestions. We then got
involved with the administrative bodies who were addressing
planning and growth on Maui. We went through the Maui Island
Plan process and continued to revise the WCT master plan to
address comments received in the process.

The WCT master plan that will be presented to you
isn’t my plan and isn’t our consultants’ plan. Rather the WCT
master plan is the community’s plan of what they wanted for the Waikapu area.

Over the past ten years, I learned a lot about Waikapu and Maui. I learned that Waikapu once was a town with its own identity and that the neighbors and the community wanted to keep Waikapu as a country town.

I am proud that the WCT master plan will allow us to achieve the neighbors’ and the communities plan for Waikapu. We will have a main street with commercial spaces that are consistent with a small town and not with big box retailers. We will have residential units that are close enough to the commercial spaces that those who live in WCT will be able to walk or bicycle to shops, restaurants, the post office, the doctor’s office and even to work.

I believe that WCT is the right project in the right location at the right time. Our consultants will address the technical issues that you will consider. On behalf of Albert, Bill and Larry, I ask you to approve our request and make the WCT agrihood possible.

Thank you for the opportunity to speak.

Michael Atherton