

PLANNING DEPARTMENT
COUNTY OF HAWAII

December 2, 2012

Re: Connections public Charter School

2012 DEC -4 AM 10: 58

To: The Windward Planning Commission

My name is Gary Replogle, CSAC, LMHC (Certified Substance Abuse Counselor, Licensed Mental Health Counselor) and I have been working with the high school students at the Nani Mau campus for the past two semesters. As a therapist on campus I get to see firsthand the challenges and struggles of this population. It has been my experience that each of these students has a special gift or special intelligence to offer the community. Many of these students go to great lengths to attend and persevere with the ideal of getting an education. This being one of the higher ideals our society has to offer its children

I am in support of education, I am in support of Connections Public Charter School and I am in support of Connections Public Charter School getting a new campus in Kaumana. With a new campus comes a new pride in attending and being part of something bigger than just ourselves, a renewed sense of being deserving and melting pot of all we have to offer together.

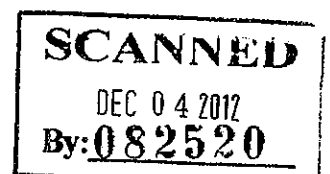
It has been my experience in working with the students that taking pride in one self, ones surroundings and peers that this leaves very little time for acts of vandalism and juvenile delinquency. If students are invested in their education, they are not hanging around Hilo town looking and getting into trouble. They are in school looking to finish high school and move forward with their lives.

I would hope that the residents in Kaumana approve the campus for CPCS. And look at this as a positive gift to the students and not as a negative. Let's give these students an opportunity to better themselves, an opportunity that was given to all of us at one time or another.

Sincerely

Gary Replogle, CSAC, LMHC

217-7979



December 2, 2012

Re: Connections public Charter School

2012 DEC -5 PM 3: 24

To: The Windward Planning Commission

My name is Gary Replogle, CSAC, LMHC (Certified Substance Abuse Counselor, Licensed Mental Health Counselor) and I have been working with the high school students at the Nani Mau campus for the past two semesters. As a therapist on campus I get to see firsthand the challenges and struggles of this population. It has been my experience that each of these students has a special gift or special intelligence to offer the community. Many of these students go to great lengths to attend and persevere with the ideal of getting an education. This being one of the higher ideals our society has to offer its children

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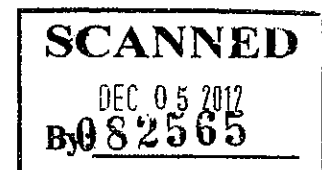
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Sincerely

Gary Replogle, CSAC, LMHC

217-7979



I have had my children at Connections Charter School for the past 7 years. I choose Connections because of the small classes and the high quality education that my children receive. The teachers are highly qualified and teach their students to produce high quality work. The students are able to develop a sense of ownership in their own education by being able experience education in many ways from books to hands-on project base models. We have experienced a well-balance education and have experienced classes from Makery and Computer Programing which are not offered at the public school. When one of my children graduated from Connections she was well prepared for her higher mainland education and had been taught the skills to be highly successful at that school.

The Public School where I live is known for is discipline problems and daily fights. In the past seven years at Connections my children have never experienced any disciplinary problems no fights in school and no disruptions inside the classroom. I feel that my children are safe at Connections which is not what we experienced at the local Elementary School.

PLANNING DEPARTMENT
COUNTY OF HAWAII

2012 DEC - 5 PM 3: 24

082565

PLANNING DEPARTMENT
COUNTY OF HAWAII

2012 DEC -5 PM 3: 24

SAM COOPER

PO BOX 7730
HILO, HAWAII 96720
PHONE/ FAX 808-969-6833
E-MAIL

12-04-2012

Dear Hawaii County Planning Department,

This testimony is in favor of Connections building their new school.

My granddaughter is a junior at the high school.

From the information I have gathered the neighbors are opposed to this development moving forth.

The first issue is traffic. The neighbors say the road is narrow and unsafe. Staff at the school told me that they would widen the road and install a sidewalk from Kaumana Rd to the proposed school.

The second issue that the neighbors have said they are worried about their homes being robbed or vandalized by students being driven in from Puna and that their parents will come back ^{to} as rob or vandalize their homes.

Since the campus will have dorm housing this will require that a security company be hired to patrol the campus and have an office on campus for 24/7 security. As a condition of the permit or zoning process the security company would patrol the neighborhood that is close to the school.

I understand how the neighbors feel as I had to fight to reduce the size of the Kino'ole street student housing next door to my property due to noise, traffic and public safety issues. To widen the street and have security patrol the neighborhood is a win for all.

Sam Cooper

082565

PLANNING DEPARTMENT
COUNTY OF HAWAII

2012 DEC -5 AM 8: 26

SAM COOPER

PO BOX 7730
HILO, HAWAII 96720
PHONE/ FAX 808-969-6833
E-MAIL

12-04-2012

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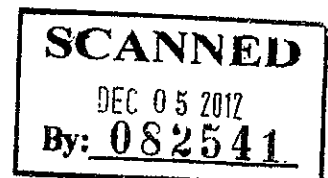
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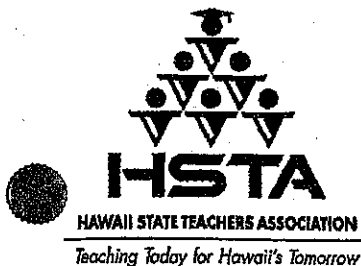
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Sam Cooper





PLANNING DEPARTMENT
COUNTY OF HAWAII

2012 DEC - 5 AM 11:45
1200 Ala Kapuhā Street • Honolulu, Hawaii 96819
Tel: (808) 833-2711 • Fax: (808) 839-7106 • Web: www.hsta.org

December 4, 2012

Windward Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720

Wil Okabe
President
Joan Kamila Lewis
Vice President
Colleen Pasco
Secretary-Treasurer
Alvin Nagasako
Executive Director

Dear Windward Planning Commission:

I am writing this letter in support of Connections New Century Public Charter School and its plan for a new school campus in Kaumana.

Teachers believe that children are Hawaii's future. Teachers put students first every day, but they cannot do it alone. In order for students to be successful, we must all have a role in their education. The approval of lands from the Department of Land and Natural Resources for a new Connections Public Charter School campus in Kaumana is a first step toward giving the school and community an opportunity to build for the future of our children. The plans connect an established residential community that will host the new campus with school staff, students, and parents who will join this neighborhood.

The new campus plan took more than five years to develop. It is an ambitious plan that requires a critical timeline in order to stay on schedule in time to open for the 2015 school year. We understand that some details are still being worked on such as access to the campus. We are hopeful that some alternatives and compromises can be discovered through thoughtful discussion to find safe solutions for everyone—long-time residents, school staff, students, and their families—without delaying the ground breaking for the new campus.

Being a community contributor and understanding that it is essential for human beings to work together and communicate effectively are some of the lessons we teach our students. The State of Hawaii Charter School Administrative Office has always said that charter schools are community-based, values driven, and reflective of the community from which they are established.

Teachers hope the new campus for Connections can be a project that brings together the community in a blending of the historic and the new, resulting in the skills and knowledge necessary for our children to succeed in a global world while maintaining an appreciation and respect for their roots.

Please support Connections PCS in its quest for a new school campus in Kaumana. Thank you for the opportunity to provide testimony.

Sincerely,

Alvin Nagasako
Executive Director



Ted H.S. Hong
Attorney at Law

Employment, Workplace Law & Litigation

Sue Lee Loy
Planner and Legal Assistant

December 5, 2012

PLANNING DEPARTMENT
COUNTY OF HAWAII

2012 DEC -5 AM 11:09

The Hon. Bobby Jean Leithead-Todd, Esq.
Aupuni Center
101 Pauahi Street, Suite 3
Hilo, HI 96720

RE: WINDWARD PLANNING COMMISSION MEETING
December 6, 2012
Agenda Item #5: Applicant: Connections New Century Public Charter
School/CBESS (SPP 12-138)

Supplemental Request for Continuance of Hearing.

Dear Ms. Leithead-Todd:

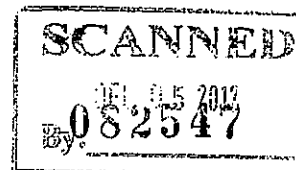
The purpose of this letter is to supplement my client's request to postpone the hearing in the above entitled matter. After the hearing on December 6, 2012, my office will no longer represent the applicant.

I am pleased to inform you and the Windward Planning Commission that the State of Hawaii will now actively participate in this matter and the Department of the Attorney General for the State of Hawaii has assigned a Deputy Attorney General to represent the applicant. This is welcome news because the resources of the State of Hawaii are committed to supporting the applicant's request. Additionally, in the event that further action has to be taken in other forums, the Department of the Attorney General has committed to pursuing this matter to the fullest extent permitted by law. This would include the criminal prosecution of individuals who commit crimes against the School, its students, faculty and administration.

This is an important development because in an unrelated matter, the Chairperson of another state Commission on three (3) different occasions and had to warn Mr. Jeff Gomes to control himself and behave appropriately. Other individuals seem to have thought they could take advantage of the School, its students, parents, faculty and staff, without any accountability. Fortunately, with the State's participation, that will no longer be true.

My client and the Connections school community feel much more secure about this recent turn of events and welcome the State of Hawaii's recognition and support in obtaining approval of the School's application.

Accordingly, I am requesting this matter be postponed until the January 10, 2013 meeting of the Windward Planning Commission. The assigned Deputy Attorney General, Ms. Monica Morris is unable to attend the December 6, 2012 Windward Planning Commission due to a previously scheduled deposition that could not be rescheduled.



Letter to Ms. Leithead-Todd
December 5, 2012
Page 2.

The Applicant, Connections New Century Public Charter School/CBESS, is entitled to have its legal representative present and respond to any questions, comments and/or false accusations. Unfortunately, I am unable to do that on December 6, 2012, because my client requests the Commission's approval to postpone the hearing on this important matter to the January 10, 2013 Commission meeting, to allow the Deputy Attorney General and State of Hawaii, to take up the cause on behalf of the applicant.

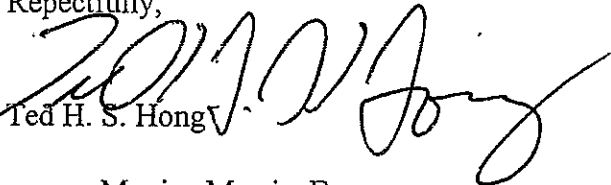
I appreciate the courtesy and consideration you have shown to me and representatives of my office throughout this process. I appreciate the professionalism and hard work demonstrated by you and the personnel in your department.

I wish you and your staff, Happy Holidays!

Thank you for your kind attention to this request.

Please feel free to contact me if you have any questions or concerns.

Respectfully,



Ted H. S. Hong

cc: Monica Morris, Esq.
Mr. John Thatcher
File

DEAR Windward
COMMISSION,

PLANNING
2017 DEC 5 PM 3:25

There are lots of things
I like about CONNECTION
Public Charter School.
I like to do stuff at
CONNECTIONS Public Charter
School because they
have good security around
and plenty of teachers.
We need to build
this school so we are
trying to help our community.
The happiness of the
student is up to you.
We don't even have a
play ground now.

please help us get
a new school building.

Thank you,

Caleb Valoaga,

082565

Our family chose Connections Charter ~~2012-2013~~ ~~2013-2014~~ ~~2014-2015~~ of the Mountain View/Keolu District because we felt that having all the children at One School, Elementary through Highschool. Our children are able to ride the bus together, their days off are the same and this is beneficial to our family. Connections has worked with the parents in having a full school week with Fridays being one hour shorter.

Another important reason we chose Connections Charter, was the personal safety of our children (AKA Bullying). We have experienced real issues at the public schools in which it was not taken seriously, nudged off, or plainly ignored at the expense of our children. Connections has taken personal safety of their students seriously and immediately addresses all concerns.

Connections Charter has an outstanding group of educators and support staff. The educators are genuine and passionate about teaching our children in an innovative way with a hands on approach. The math, reading, writing, and Arts are fully taught, allowing our children to be independent, thinkers, problem solvers, inventors of their own beings, they are able to grow and learn be individuals without being required to wear @82565 uniform and be disciplined as such happens in public school.

Sarah Hubbell

Please Support Connections Public Charter School!

Name	Address	Phone/email	signature
<i>Alan</i> Edna Avakouk	P.O. Box 1462 Volcano, HI 96785	965-5582 volcano 896-1438	<i>Alan S. McNamee</i>
Matt Kern	PO Box 2411	Volcano	<i>Matt Kern</i>
RICHARD MURTON	PO Box 873	VOLEANS	<i>Richard Murton</i>
PARIS KAPUNIAI	PO BOX 102 VOLCANO	968-6850	<i>Paris Kapuniai</i>
Esther Keiki	P.O. Box 1037	Esther Keiki	<i>Esther Keiki</i>
BEN BLAKEWIRE	P.O. Box 181 VOLCANO	965-7029	<i>Ben Blakewire</i>
Kris Anderson	PO Box 1060	333-7827	<i>Kris Anderson</i>
PATEE SCRAFIA	PO Box 1/Volcano		<i>Patee Scrafia</i>
Danielle Ciccone	PO Box 10668 Hilo HI	96721 938-8453	<i>Danielle Ciccone</i>
Tom McElwain	PO Box 1880 Volcano	6210-2064	<i>Tom McElwain</i>
CHRISTOPHER PHILIPS	PO BOX 1386, Vol.	333 4666	<i>Christopher Philips</i>
MELINDA JUNG	PO BOX 165, Volcano		<i>Melinda Jung</i>
Just. Vaughn	PO Box 607 Volcano		<i>Just. Vaughn</i>
U.R. BURNT			
Nara-Honcia Manuel	PO BOX 877	965-7883	<i>Nara-Honcia Manuel</i>
Nara-Honcia Manuel			
Leta Johnson	PO Box 1345	747-6057	<i>Leta Johnson</i>
Christy Pease	PO Box 2138	Lavaladungress@gmail.com	<i>Christy Pease</i>
DOYCIAN WASEL	Box 884	Volcano 96776	<i>Doycian Wasel</i>
Andas Deador	PS BOX 960	747-5500	<i>Andas Deador</i>
LEIF PAMER	1080 N 672 KAMUELA	969-5331	<i>Leif Pamer</i>
Barbara Allerton	P.O. Box 2094 Volcano	968-0000	<i>Barbara Allerton</i>
David Warganich	P.O. Box 998 Volcano	895 3146	<i>David Warganich</i>
Royanne Beckman	PO Box 191 Mountain View	895 3278	<i>Royanne Beckman</i>
Bruce Winter	11671 96784	982-7714	<i>Bruce Winter</i>
Sheela Bruehmann	PO Box 4023		<i>Sheela Bruehmann</i>
Richard Probst	PO Box 1023		<i>Richard Probst</i>
Jeffrey Mermel	PO Box 342 Volcano	9677426	<i>Jeffrey Mermel</i>
ERICA SOARES	PO BOX 1395 Volcano	967-7113	<i>Erica Soares</i>
Angelo Cerini	PO Box 367, Mt. View	968-6122	<i>Angelo Cerini</i>

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2012 DEC -5 PM 3:26

CONNECTIONS PUBLIC CHARTER SCHOOL

KAUMANA COMMUNITY

INFORMATION OUTREACH MEETINGS

December 17, 2012 Connections Public Charter School, Kress Bldg

April 28, 2012 Kaumana Neighborhood Walk-Around

April 27, 2012 Kaumana Elementary School Cafeteria (required per permit)

September 2, 2011 Kaumana Elementary School Cafeteria

June 3, 2011 Connections Public Charter School, Kress Bldg

April 16, 2009 Connections Public Charter School, Kress Bldg

082505



'O'ohie pūu ka 'ike i ka Palaua ka'ohāhi

Connections Public Charter School

A Community, Business & Education Learning 'Ohana

December 5, 2012

SUBJECT: Special Permit Application (SPP 12-000138)
TMK (3)1-5-006:141

Aloha Kaumana Residents,

At the request of the Hawai'i County Windward Planning Commission, Connections again invites you to share your comments, questions and concerns at a community meeting. The earliest we are able to schedule is on December 17, 2012, from 12:00 to 2:00 p.m. The facility at Kaumana Elementary School is not available on that date, so we welcome you to join us at Connections' K-8 site at the Kress Building, 174 Kamehameha Avenue in downtown Hilo.

Please share this meeting date and time with any of your neighbors that may not have received this notice.

Mahalo,

Eric Boyd
Administrative Assistant
Connections Public Charter School

TMK	Owner(s)	Owner's Mailing Address	Street Address of TMK
2-5-006:003	State of Hawaii	N/A	
2-5-006:052	Segawa, Wesley R Segawa, Phyllis E	19 Puuko Street Hilo, Hawaii 96720	N/A
2-5-006:061	Kidds Development c/o James Pappas, Treasurer	616 Moaniala Street Honolulu, Hawaii 96821	N/A
2-5-006:160	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720	Puainako Street Ext.
2-5-006:151	Pappas, Marilyn J. Trust	616 Moaniala Street Honolulu, Hawaii 96821	N/A
2-5-061:033	Riley, Randell A	282 Edita Street Hilo, Hawaii 96720	282 Edita Street
2-5-061:032	Batalla, Roxanne-Joy Cano	272 Edita Street Hilo, Hawaii 96720	272 Edita Street
2-5-061:031	Yamashiro, Lorna Y Yamashiro, Neil	50 Manulele Street Hilo, Hawaii 96720	264 Edita Street
2-5-061:029	Iwasaki, Alan Iwasaki, Patsy	232 Edita Street Hilo, Hawaii 96720	232 Edita Street
2-5-061:028	Mochida, Ivan S. Trust	77 Kukila Street Hilo, Hawaii 96720	224 Edita Street
2-5-061:001	Gomes, Jeffrey, Kalani Gomes, Wendy Keiko	281 Edita Street Hilo, Hawaii 96720	281 Edita Street
2-5-061:002	Tada, Glenn K Tada, Karyn N Y	259 Edita Street Hilo, Hawaii 96720	259 Edita Street
2-5-061:003	Sakamoto, Ernest A Trust	1416 Pu'u Ale Place Hilo, Hawaii 96720	N/A
2-5-061:012	Akamine, Chun Y Trust	1360-D Mele Manu Street Hilo, Hawaii 96720	1360 D Mele Manu Street
2-5-061:011	Araujo, Lorrin T Araujo, Margareta	1358-D Mele Manu Street Hilo, Hawaii 96720	1358 D Mele Manu Street
2-5-061:010	Fuke, Aileen S Fuke, Sidney M	1358 Mele Manu Street, Apt. C Hilo, Hawaii 96720	1358 C Mele Manu Street
2-5-061:013	Shiro, Douglas T	1360 C Mele Manu Street Hilo, Hawaii 96720	1360 C Mele Manu Street
2-5-061:014	Bevington Family Trust	1360 Mele Manu Street #B Hilo, Hawaii 96720	1360 B Mele Manu Street
2-5-061:017	Camacho, Brenda M K Camacho, david W Jr.	1414-A Mele Manu Street Hilo, Hawaii 96720	1414 A Mele Manu Street
2-5-061:018	Nishimoto, Nelson N Omoto, Patty Kiyoko	1414 Mele Manu Street, Apt. B Hilo, Hawaii 96720	1414 B Mele Manu Street
2-5-061:019	Novak, Allen L Novak, Layne Y M	1414 C Mele Manu Street Hilo, Hawaii 96720	1414 C Mele Manu Street
2-5-061:020	Ludoff, Elaine L H Wilhelm, Steve K Wilhelm, Patricia J	1416 C Mele Manu Street Hilo, Hawaii 96720	1416 C Mele Manu Street
2-5-061:021	Takata, Brice Hiroshi Takata, Christine Leiko	c/o 777 Ainako Avenue Hilo, Hawaii 96720	1416 B Mele Manu Street
2-5-061:030	Chun, Mark Richard Takamiya, Marianne Yasuko	250 Edita Street Hilo, Hawaii 96720	250 Edita Street
2-5-061:022	Herzog, Markus 2010 Trust	P.O. Box 5915 Hilo, Hawaii 96720	1416 A Mele Manu Street
2-5-061:041	Mok, TR	1464 Mele Manu Street Hilo, Hawaii 96720	1464 Mele Manu Street
2-5-061:042	Arzaga, Noemi L Arzaga, Rudy D	1468 Mele Manu Street Hilo, Hawaii 96720	1468 Mele Manu Street

1-5-061:043	Hudak, Daniel Robert	1488 Mele Manu Street Hilo, Hawaii 96720	1488 Mele Manu Street
1-5-061:044	Veriato, Franklin D Veriato, Virginia L	1500 Mele Manu Street Hilo, Hawaii 96720	1500 Mele Manu Street
1-5-061:045	Murai, Gary Murai, Jacqueline K	299 A. Alu Road Wailuku, Hawaii 96793	1510 Mele Manu Street
1-5-061:046	Kanahele, Kip Masao Kanahele, Valerie-Ann Leiko	1520 Mele Manu Street Hilo, Hawaii 96720	1520 Mele Manu Street
1-5-061:106	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720	Kristiano Street
1-5-061:105	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720	Kristiano Street
1-5-061:104	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720	Kristiano Street
1-5-061:103	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720	Kristiano Street
1-5-061:102	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720	Kristiano Street
1-5-061:107	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720	Kristiano Street
1-5-061:049	Truesdell, Joel W Truesdell, Elizabeth French	250 Kristiano Street Hilo, Hawaii 96720	250 Kristiano Street
1-5-061:048	Santos, Robert J Tr Santos, Celeste G Tr	1540 Mele Manu Street Hilo, Hawaii 96720	1540 Mele Manu Street
1-5-061:047	Wilson, Lee Michael Morita Wilson, Adriann Misae Morita	1536 Mele Manu Street Hilo, Hawaii 96720	1536 Mele Manu Street
1-5-061:068	Kimura, Larry L	243 Mikala Street Hilo, Hawaii 96720	243 Mikala Street
1-5-061:069	Ogawa, Glenn Kouchi-Ogawa, Gail H	1495 Mele Manu Street Hilo, Hawaii 96720	1495 Mele Manu Street
1-5-061:070	Bishop, Michael K/zak, Pamela V Trust Botelho, Lee Ulani	1485 Mele Manu Street Hilo, Hawaii 96720	1485 Mele Manu Street
1-5-061:071	Yamane, Raymond Iwao Trust	1473 Mele Manu Street Hilo, Hawaii 96720	1473 Mele Manu Street
1-5-061:072	Yamashita, Gary M Yamashita, Rochelle A	1457 Mele Manu Street Hilo, Hawaii 96720	1457 Mele Manu Street
1-5-061:073	Iida, Erwin Y Lam-Iida, Julie C Y	1449 Mele Manu Street Hilo, Hawaii 96720	1449 Mele Manu Street
1-5-061:026	Sakamoto, Lester S Trust	1439 Mele Manu Street Hilo, Hawaii 96720	1439 Mele Manu Street
1-5-061:025	Ignacio, Michael L Ignacio, Claudia D	1411 Mele Manu Street Hilo, Hawaii 96720	1411 Mele Manu Street
1-5-061:024	Tokuuke, Jon P Taira-Tokuuke, Patti H	1395 Mele Manu Street Hilo, Hawaii 96720	1395 Mele Manu Street
1-5-061:016	Shozuya, Eric M Shozuya, Barbara L	1380 Mele Manu Street Hilo, Hawaii 96720	1380 Mele Manu Street
1-5-061:015	HIHL Melemanu LLC	c/o Dana Kenny Hawaiian Island Homes Ltd 162 Kinoole Street, Ste 201 Hilo, Hawaii 96720	1360 A Mele Manu Street
1-5-061:008	Yokota, Melvin H Yokota, Jan	1358-A Mele Manu Street Hilo, Hawaii 96720	1358 A Mele Manu Street
1-5-061:009	Kanemoto, Wayne K Trust Kanemoto, Amy Emiko Trust	1358B Mele Manu Street Hilo, Hawaii 96720	1358 B Mele Manu Street

2-5-061:007	Sugiyama, Bryan Hiroaki Family Trust	72 Palua Loop Hilo, Hawaii 96720	N/A
2-5-061:006	Kimura, John T TTEE Kimura, Gail K Trust	1300 Mele Manu Street Hilo, Hawaii 96720	1300 Mele Manu Street
2-5-061:005	Leong, Kelly / Alyson Y Kakugawa Trust	1290 Mele Manu Street Hilo, Hawaii 96720	1290 Mele Manu Street
2-5-061:004	Hirano, Wataru Sano, Phyllis Anne Hirano-Omizo, Naomi Y Trust Hirano, Shinae	235 Edita Street Hilo, Hawaii 96720	235 Edita Street
2-5-061:038	various		Road
2-5-061:039	various		Road
2-5-061:080	County of Hawaii	25 Aupuni Street Hilo, Hawaii 96720	Road
2-5-011:011	Nagai, Masaru/Nancy Trust Nagai, Nancy	1035 Kaumana Drive Hilo, Hawaii 96720	1035 Kaumana Drive
2-5-011:012	Cling, Carroll D Cling, Donnie Faye	1045 Kaumana Drive Hilo, Hawaii 96720	1045 Kaumana Drive
2-5-011:013	Papalimu, Joseph Kaimi Papalimu, Kahiolani Juanita	1053 Kaumana Drive Hilo, Hawaii 96720	1053 Kaumana Drive
2-5-011:014	Fegerstrom, Norma R Fegerstrom, Arnold TR	1065 Kaumana Drive Hilo, Hawaii 96720	1065 Kaumana Drive
2-5-011:015	Crivello, Ronald Anthony Crivello, Loretta Alejandro	1073 Kaumana Drive Hilo, Hawaii 96720	1073 Kaumana Drive
2-5-011:016	Sato, Mark M Sato, Melissa A	P.O. Box 529 Kaneohe, Hawaii 96744	N/A
2-5-011:017	Fegerstrom, Arnold TR	20 Wawai Loop Hilo, Hawaii 96720	1139 Kaumana Drive
2-5-011:018	Rushlow, John Howard	1147 Kaumana Drive Hilo, Hawaii 96720	1147 Kaumana Drive
2-5-011:019	Spencer, Thomas S Trust Spencer, New Tan-Dec'd	1110 Kaumana Drive Hilo, Hawaii 96720	1110 Kaumana Drive
2-5-011:020	Wilson, Aiko T Wilson, Cyrus H	1090-A Kaumana Drive Hilo, Hawaii 96720	1090 Kaumana Drive
2-5-011:038	Carvalho, John G	1131 Kaumana Drive Hilo, Hawaii 96720	N/A (flume R/W)
2-5-011:039	Carvalho, John G	1131 Kaumana Drive Hilo, Hawaii 96720	1131 Kaumana Drive
2-5-011:043	Correa Family Trust	c/o Barbara Brickwood-Correa 1068 B Kaumana Drive Hilo, Hawaii 96720	1074 Kaumana Drive
2-5-011:009	Hardenbrook, Christopher Graves Sears, Leslie Elizabeth	1013 Kaumana Drive Hilo, Hawaii 96720	1013 Kaumana Drive
2-5-011:010	Sasamura, Theodore Hajime Sasamura, Janet Reiko Leong, Sandra H Sasamura, Craig T	1023 Kaumana Drive Hilo, Hawaii 96720	1023 Kaumana Drive
2-5-011:021	Correa Family Trust	c/o Barbara Brickwood-Correa 1068 B Kaumana Drive Hilo, Hawaii 96720	1068 Kaumana Drive
2-5-011:022	Correa Family Trust	c/o Barbara Brickwood-Correa 1068 B Kaumana Drive Hilo, Hawaii 96720	1064 Kaumana Drive
2-5-011:023	Zane, Clifford K S Zane, Linda K O	553 Hillei Place Waituku, Hawaii 96793	1056 Kaumana Drive

2-5-011:024	Kusch, Matthias Walfrid	P.O. Box 166 Pepeekeo, Hawaii 96783	1040 Kaumana Drive
2-5-011:025	Phillips, William J Jr Sweet-Phillips, Drenna M	1036 Kaumana Drive Hilo, Hawaii 96720	1036 Kaumana Drive
2-5-011:044	Nakano, Sharon Matsuyo Nakano, Owen Tadashi	1005 Kaumana Drive Hilo, Hawaii 96720	1005 Kaumana Drive
2-5-011:048	Hinck, Steven James Hinck, Krystn Lee	4646 Fort Davis Street Simi Valley, California 93063	1058 Kaumana Drive
2-5-011:050	Arruda, Jo Ann R Trust	993 C Kaumana Drive Hilo, Hawaii 96720	993 C Kaumana Drive
2-5-027:021	Carvalho Family Trust	P.O. Box 2463 Kailua-Kona, Hawaii 96740	1253 Kaumana Drive
2-5-027:001	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 A Kaumana Drive
2-5-027:002	Yamamoto, Fujie F Trust	c/o Yamamoto, Elise CO-TTEE 1245 Kaumana Drive Hilo, Hawaii 96720	1245 Kaumana Drive
2-5-027:003	Okutsu, Randal S Trust	1876 Hale O Kea Street Hilo, Hawaii 96720	1223 Kaumana Drive
2-5-027:058	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 B Kaumana Drive
2-5-027:059	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 C Kaumana Drive
2-5-027:060	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 E Kaumana Drive
2-5-027:061	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 D Kaumana Drive
2-5-027:062	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 F Kaumana Drive
2-5-027:063	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 G Kaumana Drive
2-5-027:064	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 H Kaumana Drive
2-5-027:065	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 M Kaumana Drive
2-5-027:066	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 L Kaumana Drive
2-5-027:067	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 K Kaumana Drive
2-5-027:024	Otani, Katsuko Trust	1215 Kaumana Drive Hilo, Hawaii 96822	1215 Kaumana Drive
2-5-027:025	Otani, Jean S Otani, Jean S Trust	1215-B Kaumana Drive Hilo, Hawaii 96720	1215 B Kaumana Drive
2-5-027:026	Ushijima, Dean K Ushijima, Else H	1215 Kaumana Drive Apt. C Hilo, Hawaii 96720	1215 C Kaumana Drive
2-5-027:027	Segawa, Rodney Macy F Segawa, Susan Marie	1215 D Kaumana Drive Hilo, Hawaii 96720	1215 D Kaumana Drive
2-5-027:068	Ebesu, Royce T Jr Ebesu, Jane L A	1215 G Kaumana Drive Hilo, Hawaii 96720	1215 G Kaumana Drive
2-5-027:069	Ebesu, Janey L A Trust	1215 G Kaumana Drive Hilo, Hawaii 96720	N/A (road??)
2-5-027:070	Segawa, Rodney M F Segawa, Susan Marie	1215 D Kaumana Drive Hilo, Hawaii 96720	N/A (road??)
2-5-027:005	Sato, Sandra	1213 A Kaumana Drive Hilo, Hawaii 96720	1213 A Kaumana Drive

2-5-027:046	Hasegawa, Edward K Hasegawa, Caroline G C	250 N Judd Street Honolulu, Hawaii 96817	1211 Kaumana Drive
2-5-027:043	Perez, Catalina A	1209 A Kaumana Drive Hilo, Hawaii 96720	1209 A Kaumana Drive
2-5-027:044	Okuhara, Henry S Okuhara, Norine N	P.O. Box 945 Hilo, Hawaii 96721	1209 B Kaumana Drive
2-5-027:045	Turner, Jason Phillip Turner, Jennifer Sims	1209C Kaumana Drive Hilo, Hawaii 96720	1209 C Kaumana Drive
2-5-027:053	Tsuchiya, Karl K	823 Kaumana Drive Hilo, Hawaii 96720	1175 Kaumana Drive
2-5-027:054	Paiva, Paul P Paiva, Shawn M	1169 Kaumana Drive Hilo, Hawaii 96720	1169 Kaumana Drive
2-5-027:055	Komatsu, Garret T	1155 Kaumana Drive Hilo, Hawaii 96720	1155 Kaumana Drive
2-5-027:056	Inouye, Tatsuo Trust Inouye, June Trust	2230 Apoepoe Street Pearl City, Hawaii 96782	N/A
2-5-027:047	Goya, Melvin H Trust Goya, Kiyono Trust	1170 Kaumana Drive Hilo, Hawaii 96720	1170 Kaumana Drive
2-5-027:057	Kuwahara, Bryson T Kuwahara, Lorna T	1142 Kaumana Drive Hilo, Hawaii 96720	1142 Kaumana Drive
2-5-027:007	Kuwahara, Bryson T Kuwahara, Lorna T	1142 Kaumana Drive Hilo, Hawaii 96720	N/A
2-5-027:008	Oliveira, Mary Jane Oliveira, Manuel III Oliveira, Manual Jr	1150 Kaumana Drive Hilo, Hawaii 96720	1150 Kaumana Drive
2-5-027:009	Yahata, Michiko	98-459 Hoono Street Pearl City, Hawaii 96782	1162 Kaumana Drive
2-5-027:042	Mattos, David J Mattos, Lauri M	P.O. Box 5599 Hilo, Hawaii 96721	1209 Kaumana Drive
2-5-027:052	Luiz, Ezekiel Harvey Trust Luiz, Noreen Mai Luiz Trust	P.O. Box 116 Pepeekeo, Hawaii 96783	1193 Kaumana Drive
2-5-027:034	Nakamura, Bryce H Nakamura, Sharyl S	P.O. Box 294 Captain Cook, Hawaii 96704	1240 Kaumana Drive
2-5-027:035	Robledo, Paulette A Trust	1260 Kaumana Drive Hilo, Hawaii 96720	1260 Kaumana Drive
2-5-027:036	Perreira Family 2008 Trust	1266 Kaumana Drive Hilo, Hawaii 96720	1266 Kaumana Drive
2-5-027:014	Hoshide, Miyoko M	1280 Kaumana Drive Hilo, Hawaii 96720	1280 Kaumana Drive
2-5-027:040	Shinjo, Hajime Shinjo, Aileen C	1272 Kaumana Drive Hilo, Hawaii 96720	1272 Kaumana Drive
2-5-027:037	Kaneko, Ryan T Kaneko, Aimee A	1294 Kaumana Drive Hilo, Hawaii 96720	1294 Kaumana Drive
2-5-027:038	Yokoyama, Jan K	1300 Kaumana Drive Hilo, Hawaii 96720	1300 Kaumana Drive
2-5-027:039	Fujisawa, Stanley K Fujisawa, Tammy L Fujisawa, Curtis S Fujisawa, Minerva S	1296 Kaumana Drive Hilo, Hawaii 96720	1296 Kaumana Drive
2-5-027:015	State of Hawaii		Kaumana Drive
2-5-027:023	Nakamoto, Tsuruyo Trust	1348 Kaumana Drive Hilo, Hawaii 96720	1348 Kaumana Drive
2-5-027:016	Ofani, James M	1360 Kaumana Drive Hilo, Hawaii 96720	1360 Kaumana Drive

2-5-027:041	Matsu, Russell Matsu, Lorraine H	1352 Kaumana Drive Hilo, Hawaii 96720	1352 Kaumana Drive
2-5-027:020	Ota, Hiroshi/Shizoho Trust	6 Pokole Way Hilo, Hawaii 96720	N/A
2-5-027:013	Site Engineering, Inc.	c/o Masutani M K 545 Kaaahi Street Honolulu, Hawaii 96817	1230 Kaumana Drive
2-5-027:032	Quiocho, Leandro Jr Quiocho, Wanda A	1222-A Kaumana Drive Hilo, Hawaii 96720	1222 A Kaumana Drive
2-5-027:076	Chock, Kyle Trust	1100 Launa Street Hilo, Hawaii 96720	1242 Kaumana Drive
2-5-027:012	Chock, Laura Y Trust	555 Naniakea Street Hilo, Hawaii 96720	1258 Kaumana Drive
2-5-027:072	Chock, Laura Y Trust	555 Naniakea Street Hilo, Hawaii 96720	1256 Kaumana Drive
2-5-027:073	Chock, Theone Keam Yung	1051 Hoomaikai Street Honolulu, Hawaii 96817	1254 Kaumana Drive
2-5-027:079	Chock, Theone Keam Yung	1051 Hoomaikai Street Honolulu, Hawaii 96817	1252 Kaumana Drive
2-5-027:030	Takai, Wesley T Takai, Sandra Y	1222 E Kaumana Drive Hilo, Hawaii 96720	1194 Kaumana Drive
2-5-027:010	Long, Kerry Keith	P.O. Box 1481 Hilo, Hawaii 96720	1188 Kaumana Drive
2-5-027:011	Takai, Wesley T Takai, Sandra Y	1222 E Kaumana Drive Hilo, Hawaii 96720	1190 Kaumana Drive
2-5-027:028	Thatcher, John L II Thatcher, Pamela R	1188 Kaumana Drive Hilo, Hawaii 96720	1178 Kaumana Drive
2-5-027:022	Thatcher, John L II Thatcher, Pamela R	1188 Kaumana Drive Hilo, Hawaii 96720	N/A
2-5-027:071	Segawa, Herbert A Segawa, Kay K		N/A roadway
2-5-027:004	various		roadway
2-5-027:074	Chock, Lorrin S K Trust Takemoto-Chock, Naomi Trust	1978 Komohana Ext Hilo, Hawaii 96720	1250 Kaumana Drive
2-5-027:080	Chock, Lorrin S K Trust Takemoto-Chock, Naomi Trust	1978 Komohana Ext Hilo, Hawaii 96720	1248 Kaumana Drive
2-5-027:081	Chock, Kyle Trust	1100 Launa Street Hilo, Hawaii 96720	1246 Kaumana Drive
2-5-027:077	Chock, Laura Y Trust		N/A roadway
2-5-027:078	Chock, Laura Y Trust		N/A roadway
2-5-027:033	Abril, Carole Y Abril, Mark A	1222 B Kaumana Drive Hilo, Hawaii 96720	1222 B Kaumana Drive
2-5-027:019	Ahia, Lily Auld Ahia, William Kalaemakani		N/A roadway
2-5-040:011	Leao, Tara Kalelehuaokaleilani Lee, Doreen Kanani	1503 Kaumana Drive Hilo, Hawaii 96720	1503 Kaumana Drive
2-5-040:010	Tomota, Kelli Jennifer Leihua	98 Kulaloa Road Hilo, Hawaii 96720	1493 Kaumana Drive
2-5-040:009	Otani, Noriaki Otani, Fujie Otani, Brad Hiro Otani, Max Norio Paiva, Shawn Morie	1489 Kaumana Drive Hilo, Hawaii 96720	1489 Kaumana Drive

2-5-040:008	Hirayama, Ellen Etsuko Hirayama, Ellen Setsuko Kitamura, Kimiko Kitamura, Susan Setsuko Kitamura, Tadayuki Kitamura, Wayne Kazuyuki	1479 Kaumana Drive Hilo, Hawaii 96720	1479 Kaumana Drive
2-5-040:007	Oldfield, Frances Oldfield, Richard	1473 Kaumana Drive Hilo, Hawaii 96720	1473 Kaumana Drive
2-5-040:006	Almeida, Jewels Anuenue Almeida, Mark Kaipo	561 Alihi Place Kailua, Hawaii 96734	1461 Kaumana Drive
2-5-040:036	Hennessey, Brendan J Johnson, Melissa Ann	1447 Kaumana Drive Hilo, Hawaii 96720	1447 Kaumana Drive
2-5-040:005	Yoshimura, Chiseko Yoshimura, Gary K	1441 Kaumana Drive Hilo, Hawaii 96720	1441 Kaumana Drive
2-5-040:035	Hasegawa, David A C Trust	250 N Judd Street Honolulu, Hawaii 96817	1433 Kaumana Drive
2-5-040:004	Tiogangco, Anne A Tiogangco, Jordan L	1391 Kaumana Drive Hilo, Hawaii 96720	1391 Kaumana Drive
2-5-040:003	Enoki, Calvin H Trust Sayama-Enoki, Sandra H Trust	1381 Kaumana Drive Hilo, Hawaii 96720	1381 Kaumana Drive
2-5-040:002	Kaitoku, George M Kaitoku, Joyce H	1375 Kaumana Drive Hilo, Hawaii 96720	1375 Kaumana Drive
2-5-040:040	Hinez, Matthew F	P.O. Box 4305 Hilo, Hawaii 96720	1369 Kaumana Drive
2-5-040:001	Oblero, Dain M Oblero, Sean W Rezentes, Henry J Rezentes, Raquel K	1367 Kaumana Drive Hilo, Hawaii 96720	1367 Kaumana Drive
2-5-040:039	Toma, Bryson	1374 Kaumana Drive Hilo, Hawaii 96720	1374 Kaumana Drive
2-5-040:041	Shaver, James R	1027 Kagawa Street Pacific Palisades, California	1394 Kaumana Drive
2-5-040:015	Lee-Ching, Richard Trust	1468 Kaumana Drive Hilo, Hawaii 96720	1468 Kaumana Drive
2-5-040:014	Fujimoto, Byron S Iwase, Shirley T	142 Puhili Street Hilo, Hawaii 96720	1486 Kaumana Drive
2-5-040:018	Rodillas, Francis Herbert Rodillas, Martha Ann	50 Akala Road Hilo, Hawaii 96720	1486 A Kaumana Drive
2-5-040:042	Rodillas, Francis Herbert Rodillas, Martha Ann	50 Akala Road Hilo, Hawaii 96720	50 Akala Road
2-5-040:013	Rubio, Karen Leiko Rubio, Lloyd J	226 Akala Road Hilo, Hawaii 96720	1496 Kaumana Drive
2-5-040:012	State of Hawaii	Kaumana Cave Park	1568 Kaumana Drive
2-5-040:019	Butz, Marc Giangregorio, Desiree	55 Akala Road Hilo, Hawaii 96720	55 Akala Road
2-5-040:020	Flood, Jeanie L Flood, Shawn G	1600 Kaumana Drive Hilo, Hawaii 96720	1600 Kaumana Drive
2-5-014:001	Chong, Wallace F Trust	788 Haihai Street Hilo, Hawaii 96720	N/A
2-5-014:005	Kearns, Glenn E Trust Kearns, Virginia V Trust	33 W Naauao Street Hilo, Hawaii 96720	33 W Naauao Street
2-5-027:048	Chong, Albert W Chong, Sharon Ann	1476 Kikaha Street Hilo, Hawaii 96720	6 Chong Street

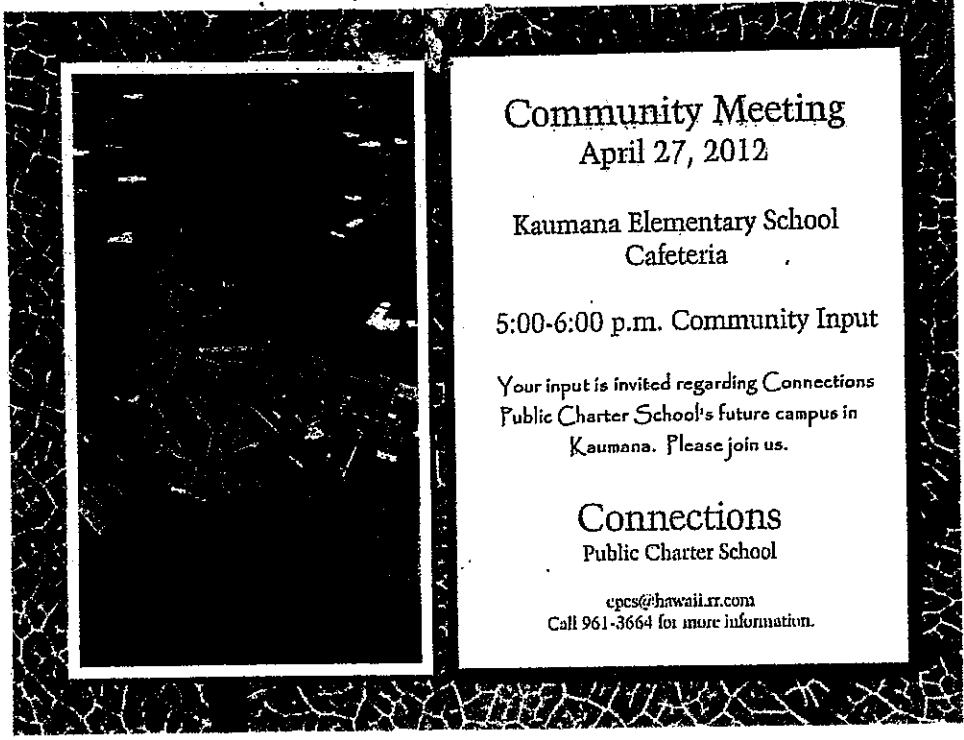
Community Walk Around

April 28, 2012

Re: Connections Parents/Staff/Students update homeowners that might have missed the April 27, 2012 meeting.







Community Meeting
April 27, 2012

Kaumana Elementary School
Cafeteria

5:00-6:00 p.m. Community Input

Your input is invited regarding Connections
Public Charter School's future campus in
Kaumana. Please join us.

Connections
Public Charter School

eps@hawaii.or.com
Call 961-3664 for more information.

My Thoughts

Community Meeting

April 27, 2012

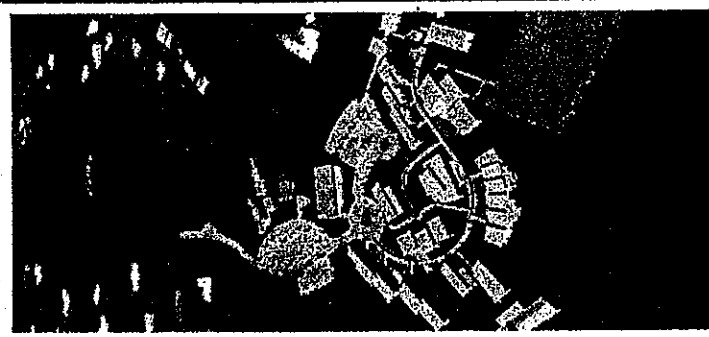
Kaunana Elementary School
Cafeteria

5:00-6:00 p.m. Community Input

Your input is invited regarding Connections
Public Charter School's future campus in
Kaunana. Please join us.

Connections
Public Charter School

cpcs@hawaii.rr.com
Call 961-3664 for more information.



Connection Public Charter School

Attn: Eric Boyd

174 Kamehameha Avenue

Hilo, Hawaii 96720

Phone: 961-3664

cpcs@hawaii.rr.com

**Connection Public Charter School
Community Meeting
April 27, 2012
AGENDA**

Introduction – Project Team

Connections – Eric Boyd

Urban Works – John Ida

Wil Chee Planning & Environmental –
Celia Shen

Celia Shen

Civil Engineer/Surveyor – Paul Nash

Legal Support – Ted Hong

**Project Design and Architecture – Urban
Works**

**Project Planning Regulatory Process – Wil
Chee Planning & Environmental**

Chee Planning & Environmental

Project Updates – Wil Chee and Eric Boyd

My Thoughts . . .

PROJECT OVERVIEW

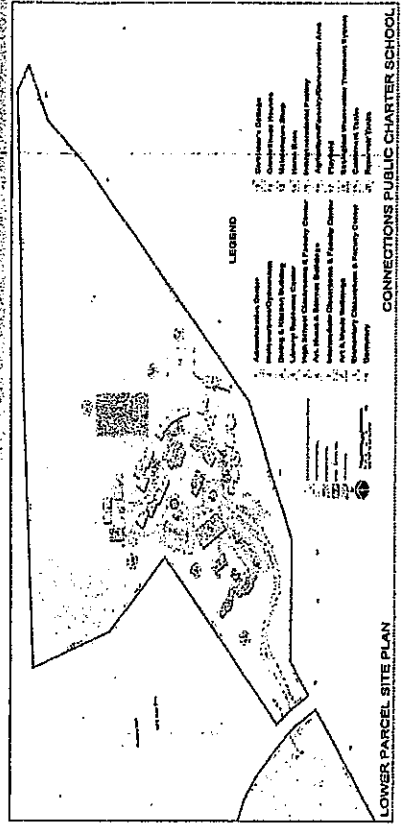
Project Name: Connection Public Charter School
Tax Map Key (3) 2-5-006:141
Proposed Use: Charter School (K through 12) with
a maximum student population of 400 with an
educational focus of a sustainable agricultural
program and forestry/conservation

LOWER PARCEL (MAKAI)

All major school facilities will be developed on this
parcel which will include one-story classroom
buildings, administrative offices,
resource/library center, dining facilities,
multi-purpose building, 30-person dormitory
(exchange students) and caretaker's residence.

UPPER PARCEL (MAUKA)

No school facilities will be developed on this
parcel. Connections intends to use this land
area to support forestry/conservation programs
with a focus on forest resource management and
conservation and forest ecosystem restoration.
Restoration projects will reintroduce some
native species such as koa and hapu'u fern.



FORM EO-1, Rev. 7/09

Application No. _____ (School)

DEPARTMENT OF EDUCATION - STATE OF HAWAII
APPLICATION FOR USE OF SCHOOL BUILDINGS, FACILITIES, OR GROUNDS
(Application must be received by the School at least 10 working days prior to requested date of use.)

Date April 4 2012

WE RESPECTFULLY REQUEST THE USE OF:

- CLASSROOM
- AUDITORIUM
- LIBRARY
- DINING ROOM
- GYMNASIUM
- OTHER _____

AT Kaunoa Elementary SCHOOL ON THE FOLLOWING DATE(S): April 25, 2012
(month/day/year)

FROM 4:30 a.m. (pm) TO 6:30 a.m. (pm)

FOR THE PURPOSE OF (GIVE INFORMATION ON USE): Community meeting for Connections' new facility

APPLICANT'S NAME AND ORGANIZATION: Heather McDaniel, Connections PCS

ADDRESS: 174 Kamehameha Ave. PHONE Home: 937-1478 Bus: 935-9504

PLEASE ANSWER THE FOLLOWING QUESTIONS AND AFFIX YOUR SIGNATURE:

1. IS YOUR ORGANIZATION TAX-EXEMPT NON-PROFIT? (TAX I.D. NUMBER: 433247358) YES NO
2. IS THIS A GOVERNMENT SPONSORED ACTIVITY? (SPONSORING AGENCY: _____) YES NO
3. IS THIS A SCHOOL/DOE SPONSORED ACTIVITY? (SCHOOL ADMINISTRATION: Connections PCS/John Thatcher) YES NO
4. HAS YOUR ORGANIZATION LEASED THIS SITE REGULARLY IN THE PAST? YES NO
If 'yes', you are hereby notified that leases may be renewed annually but not exceeding five (5) years. You are expected to make a good faith effort to retain a more permanent or alternative location for your activities during the period of the lease. If such a good faith effort is lacking, your lease may not be renewed.
Total number of years your organization has been using the school's facilities: _____
5. IS THIS A PERSONAL OR PRIVATE BUSINESS ACTIVITY? YES NO
6. IS THERE A FEE, TUITION, OR DONATION COLLECTED? (AMOUNT: \$ _____ PER DAY/PER HOUR) YES NO
7. DO YOU PLAN TO SUBLEASE THE FACILITY? (Café Fairs and Carnivals) YES NO
IF SUBLEASING, ARE ALL SUBLESSEES TO BE COVERED BY APPLICANT'S LIABILITY INSURANCE? YES NO

I, the undersigned, on behalf of the organization I represent, have answered the above questions truthfully and accurately. If the school facilities, equipment or grounds are not properly maintained by the applicant, the State of Hawaii Department of Education will deny further use of school facilities, equipment or grounds to the individual or organization and seek appropriate restitution for damages incurred. The applicant further understands that the school facilities and grounds are to be alcohol and tobacco free, meaning that the use of any alcohol or tobacco substances are prohibited at all times on school grounds or at any school activities. Furthermore, I understand that as a user of school facilities the activity being conducted shall be lawful. Should disabled persons wish to participate in the requested use, applicants must make reasonable modifications and/or programmatic accommodations to permit such participation.

961-2665

Heather McDaniel 4/4/12
Signature Date

(To be filled in by the school)

ACTUAL FEES AND CHARGES: TYPE OF REQUEST:	TYPE I			TYPE II			TYPE III			CODES FOR CASH RECEIPTS:		
	TYPE I	TYPE II	TYPE III	TYPE I	TYPE II	TYPE III	TYPE I	TYPE II	TYPE III	Org. I.D.	Source/Object	Program I.D.
RENTAL:	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ _____	_____	_____	_____	_____	_____	_____	_____000	1240	37307
CUSTODIAL*:	\$ _____	\$ _____	\$ _____	_____	_____	_____	_____	_____	_____	_____468	2208	42113
UTILITIES:	\$ <u>N/A</u>	\$ _____	\$ _____	_____	_____	_____	_____	_____	_____	_____000	5001	37720
TOTALS:	\$ _____	\$ _____	\$ _____	_____	_____	_____	_____	_____	_____	(checks payable to: DEPARTMENT OF EDUCATION)		

POLICE AND/OR LIFEGUARD REQUIRED: (NUMBER OF POLICE AND/OR LIFEGUARDS REQUIRED: _____) YES NO

LIABILITY INSURANCE REQUIRED: (\$1,000,000 liability insurance for craft fairs, carnivals, and other athletic events)
Policy No. _____ YES NO

YOUR REQUEST FOR USE OF SCHOOL FACILITIES OR GROUNDS IS HEREBY: APPROVED DISAPPROVED
Signature: _____ Date: 4/4/12
(Principal / Designee)

REASON FOR DISAPPROVAL: FACILITY REQUESTED NOT AVAILABLE OTHER _____
 CUSTODIAN/STAFF NOT AVAILABLE

DISTRIBUTION: ORIGINAL-School, COPY-Requestor

FACILITIES ACCESSIBILITY DISCLOSURE NOTICE AND AGREEMENT

NOTICE

This disclosure notice is to inform user applicants under Chapter 8-39, Hawaii Administrative Rules, that some of the facilities at this school may not be accessible to persons with disabilities. The facilities that are accessible and not accessible are noted below on this form.

AGREEMENT

By signing this disclosure and agreement, the user applicant (1) acknowledges that s/he was informed of the accessibility status of the facility requested for use, and (2) agrees to be responsible for the non-discrimination and accessibility requirements of Title II, Americans with Disabilities Act of 1990 (ADA), if a state or local government agency, or the non-discrimination and accessibility requirements of Title III, ADA, if a private entity providing public accommodations, as defined by the ADA, with the use of school facilities. If a school facility is not accessible, the user/renter must announce ahead of time to participants that the school facility is not accessible and the user must provide an accommodation which allows any handicapped person to still attend the activity if the user is notified ahead of time.

SCHOOL FACILITY REQUESTED

- 1) Kaunua Elementary School Cafeteria
- 2) _____
- 3) _____

Connections PCS/Heather McDaniel
 Lessee/Renter
4/4/2012
 Date

Acknowledged by: [Signature] 4/4/12
 School Principal/Designee Date

The following facilities are accessible (A) or not accessible (NA) at this school:

Administration Building	_____	Athletic Field	_____
Library	_____	Stadium	_____
Cafeteria Dining Room	_____	Playground	_____
Cafeteria Kitchen	_____	Auditorium	_____
Classroom	_____	Gymnasium	_____
Playcourt	_____	Other	_____

FORM 80-2, Rev. 5/09

Application No. _____ (Complex)

Application No. _____ (School)

DEPARTMENT OF EDUCATION--STATE OF HAWAII
STATEMENT INDEMNIFYING STATE AGAINST LIABILITY CLAIM; CIVIL DEFENSE EMERGENCY
NOTICE; SPECIAL PROVISIONS; AND NATIONAL POLLUTANT DISCHARGE ELIMINATION
SYSTEM (NPDES) NOTICE

(Application for Use of School Buildings, Facilities or Grounds)

School: Kaunoa Elementary

INDEMNIFICATION STATEMENT

The undersigned individual(s), group and/or organization, his or her heirs, personal representative and assigns, or its officers, directors, members, agents, employees, successors and assigns, for and in consideration of the State of Hawaii Department of Education permitting and allowing the use of the designated school rooms, buildings, and/or facilities jointly and severally agree(s) to indemnify and save harmless the State of Hawaii Department of Education against any and all loss, liability, demands, claims, suits, action or proceedings of every name, character and description which may be suffered or incurred by or brought against the State of Hawaii Department of Education for or on account of any injuries or damages to any person or property received or sustained by any person, directly or indirectly, by or in consequence of the use of the facilities by the undersigned individual(s), groups and/or organization.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) NOTICE

The National Pollutant Discharge Elimination System (NPDES) is a regulatory program administered by the United States Environmental Protection Agency that calls for the control and management of storm water pollution. In Hawaii, our storm water drainage systems were designed to prevent flooding by channeling storm water into drains that discharge through culverts along the coastline.

However, the storm water drainage systems were not designed for the disposal of waste or pollutants. In order to protect the environment and fulfill our pollution prevention (P2) responsibilities, the Department of Education must implement best management practices (BMPs) as part of a storm water management plan (SWMP).

The undersigned understands that every effort should be made to prevent pollution as a consequence of using school facilities. Waste and pollution if not curtailed will enter storm drains and eventually make its way to the ocean. Organizers and participants can help by preventing litter and minimizing the use of autos on campus by carpooling, riding bikes, and using public transportation. Report any illegal dumping and observed violations by calling the City Illegal Dumping Hotline at 296-5656 (Honolulu) or the respective county offices (neighbor islands).

CIVIL DEFENSE NOTICE

In the event of a Civil Defense declared emergency during non-school hours, the undersigned is responsible for the safety of their program participants. The Department of Education is not obligated to provide for Civil Defense emergencies during non-school hours except when the applicable school is designated for use as a shelter by the American Red Cross.

SPECIAL CONDITIONS

(to be completed by school administrator as needed)

ACCEPTANCE AND ACKNOWLEDGEMENT BY USER

The undersigned hereby accepts and acknowledges the above (statement, notices, and special conditions).

Heather McDaniel 4-4-2012
Signature Date

Connections PCS
Name of Organization

NOTARIZATION (OR) SCHOOL ADMINISTRATOR SIGNATURE

Subscribed and sworn to before me this _____ day of _____ Judicial Court.

Notary Name: _____

Notary License No.: _____

Notary Signature: _____

Commission Expiration Date: _____

-OR-

[Signature] 4/4/12
School Principal or Vice-Principal Date

DISTRIBUTION: ORIGINAL-School, COPY-Requestor

TMK	Owner(s)	Owner's Mailing Address	Street Address of TMK
2-5-006:003	State of Hawaii	N/A	
2-5-006:052	Segawa, Wesley R Segawa, Phyllis E	19 Puuko Street Hilo, Hawaii 96720	N/A
2-5-006:061	Kidds Development c/o James Pappas, Treasurer	616 Moaniala Street Honolulu, Hawaii 96821	N/A
2-5-006:160	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720	Puainako Street Ext.
2-5-006:151	Pappas, Marilyn J. Trust	616 Moaniala Street Honolulu, Hawaii 96821	N/A
2-5-061:033	Riley, Randell A	282 Edita Street Hilo, Hawaii 96720	282 Edita Street
2-5-061:032	Batalla, Roxanne-Joy Cano	272 Edita Street Hilo, Hawaii 96720	272 Edita Street
2-5-061:031	Yamashiro, Lorna Y Yamashiro, Neil	50 Manulele Street Hilo, Hawaii 96720	264 Edita Street
2-5-061:029	Iwasaki, Alan Iwasaki, Patsy	232 Edita Street Hilo, Hawaii 96720	232 Edita Street
2-5-061:028	Mochida, Ivan S. Trust	77 Kukila Street Hilo, Hawaii 96720	224 Edita Street
2-5-061:001	Gomes, Jeffrey, Kalani Gomes, Wendy Keiko	281 Edita Street Hilo, Hawaii 96720	281 Edita Street
2-5-061:002	Tada, Glenn K Tada, Karyn N Y	259 Edita Street Hilo, Hawaii 96720	259 Edita Street
2-5-061:003	Sakamoto, Ernest A Trust	1416 Pu'u Ale Place Hilo, Hawaii 96720	N/A
2-5-061:012	Akamine, Chun Y Trust	1360-D Mele Manu Street Hilo, Hawaii 96720	1360 D Mele Manu Street
2-5-061:011	Araujo, Lorrin T Araujo, Margareta	1358-D Mele Manu Street Hilo, Hawaii 96720	1358 D Mele Manu Street
2-5-061:010	Fuke, Aileen S Fuke, Sidney M	1358 Mele Manu Street, Apt. C Hilo, Hawaii 96720	1358 C Mele Manu Street
2-5-061:013	Shiro, Douglas T	1360 C Mele Manu Street Hilo, Hawaii 96720	1360 C Mele Manu Street
2-5-061:014	Bevington Family Trust	1360 Mele Manu Street #B Hilo, Hawaii 96720	1360 B Mele Manu Street
2-5-061:017	Camacho, Brenda M K Camacho, david W Jr.	1414-A Mele Manu Street Hilo, Hawaii 96720	1414 A Mele Manu Street
2-5-061:018	Nishimoto, Nelson N Omoto, Patty Kiyoko	1414 Mele Manu Street, Apt. B Hilo, Hawaii 96720	1414 B Mele Manu Street
2-5-061:019	Novak, Allen L Novak, Layne Y M	1414 C Mele Manu Street Hilo, Hawaii 96720	1414 C Mele Manu Street
2-5-061:020	Ludoff, Elaine L H Wilhelm, Steve K Wilhelm, Patricia J	1416 C Mele Manu Street Hilo, Hawaii 96720	1416 C Mele Manu Street
2-5-061:021	Takata, Brice Hiroshi Takata, Christine Leiko	c/o 777 Ainako Avenue Hilo, Hawaii 96720	1416 B Mele Manu Street
2-5-061:030	Chun, Mark Richard Takamiya, Marianne Yasuko	250 Edita Street Hilo, Hawaii 96720	250 Edita Street
2-5-061:022	Herzog, Markus 2010 Trust	P.O. Box 5915 Hilo, Hawaii 96720	1416 A Mele Manu Street
2-5-061:041	Mok, TR	1464 Mele Manu Street Hilo, Hawaii 96720	1464 Mele Manu Street
2-5-061:042	Arzaga, Noemi L Arzaga, Rudy D	1468 Mele Manu Street Hilo, Hawaii 96720	1468 Mele Manu Street

2-5-061:043	Hudak, Daniel Robert	1488 Mele Manu Street Hilo, Hawaii 96720	1488 Mele Manu Street
2-5-061:044	Veriato, Franklin D Veriato, Virginia L	1500 Mele Manu Street Hilo, Hawaii 96720	1500 Mele Manu Street
2-5-061:045	Murai, Gary Murai, Jacqueline K	299 A. Alu Road Wailuku, Hawaii 96793	1510 Mele Manu Street
2-5-061:046	Kanahele, Kip Masao Kanahele, Valerie-Ann Leiko	1520 Mele Manu Street Hilo, Hawaii 96720	1520 Mele Manu Street
2-5-061:106	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720	Kristiano Street
2-5-061:105	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720	Kristiano Street
2-5-061:104	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720	Kristiano Street
2-5-061:103	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720	Kristiano Street
2-5-061:102	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720	Kristiano Street
2-5-061:107	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720	Kristiano Street
2-5-061:049	Truesdell, Joel W Truesdell, Elizabeth French	250 Kristiano Street Hilo, Hawaii 96720	250 Kristiano Street
2-5-061:048	Santos, Robert J Tr Santos, Celeste G Tr	1540 Mele Manu Street Hilo, Hawaii 96720	1540 Mele Manu Street
2-5-061:047	Wilson, Lee Michael Morita Wilson, Adriann Misae Morita	1536 Mele Manu Street Hilo, Hawaii 96720	1536 Mele Manu Street
2-5-061:068	Kimura, Larry L	243 Mikala Street Hilo, Hawaii 96720	243 Mikala Street
2-5-061:069	Ogawa, Glenn Kouchi-Ogawa, Gail H	1495 Mele Manu Street Hilo, Hawaii 96720	1495 Mele Manu Street
2-5-061:070	Bishop, Michael K/zak, Pamela V Trust Botelho, Lee Ulani	1485 Mele Manu Street Hilo, Hawaii 96720	1485 Mele Manu Street
2-5-061:071	Yamane, Raymond Iwao Trust	1473 Mele Manu Street Hilo, Hawaii 96720	1473 Mele Manu Street
2-5-061:072	Yamashita, Gary M Yamashita, Rochelle A	1457 Mele Manu Street Hilo, Hawaii 96720	1457 Mele Manu Street
2-5-061:073	Iida, Erwin Y Lam-Iida, Julie C Y	1449 Mele Manu Street Hilo, Hawaii 96720	1449 Mele Manu Street
2-5-061:026	Sakamoto, Lester S Trust	1439 Mele Manu Street Hilo, Hawaii 96720	1439 Mele Manu Street
2-5-061:025	Ignacio, Michael L Ignacio, Claudia D	1411 Mele Manu Street Hilo, Hawaii 96720	1411 Mele Manu Street
2-5-061:024	Tokuuke, Jon P Taira-Tokuuke, Patti H	1395 Mele Manu Street Hilo, Hawaii 96720	1395 Mele Manu Street
2-5-061:016	Shozuya, Eric M Shozuya, Barbara L	1380 Mele Manu Street Hilo, Hawaii 96720	1380 Mele Manu Street
2-5-061:015	HIHL Melemanu LLC	c/o Dana Kenny Hawaiian Island Homes Ltd 162 Kinoole Street, Ste 201 Hilo, Hawaii 96720	1360 A Mele Manu Street
2-5-061:008	Yokota, Melvin H Yokota, Jan	1358-A Mele Manu Street Hilo, Hawaii 96720	1358 A Mele Manu Street
2-5-061:009	Kanemoto, Wayne K Trust Kanemoto, Amy Emiko Trust	1358B Mele Manu Street Hilo, Hawaii 96720	1358 B Mele Manu Street

2-5-061:007	Sugiyama, Bryan Hiroaki Family Trust	72 Palua Loop Hilo, Hawaii 96720	N/A
2-5-061:006	Kimura, John T TTEE Kimura, Gail K Trust	1300 Mele Manu Street Hilo, Hawaii 96720	1300 Mele Manu Street
2-5-061:005	Leong, Kelly / Alyson Y Kakugawa Trust	1290 Mele Manu Street Hilo, Hawaii 96720	1290 Mele Manu Street
2-5-061:004	Hirano, Wataru Sano, Phyllis Anne Hirano-Omizo, Naomi Y Trust Hirano, Shinae	235 Edita Street Hilo, Hawaii 96720	235 Edita Street
2-5-061:038	various		Road
2-5-061:039	various		Road
2-5-061:080	County of Hawaii	25 Aupuni Street Hilo, Hawaii 96720	Road
2-5-011:011	Nagai, Masaru/Nancy Trust Nagai, Nancy	1035 Kaumana Drive Hilo, Hawaii 96720	1035 Kaumana Drive
2-5-011:012	Cling, Carroll D Cling, Donnie Faye	1045 Kaumana Drive Hilo, Hawaii 96720	1045 Kaumana Drive
2-5-011:013	Papalimu, Joseph Kaimi Papalimu, Kahiolani Juanita	1053 Kaumana Drive Hilo, Hawaii 96720	1053 Kaumana Drive
2-5-011:014	Fegerstrom, Norma R Fegerstrom, Arnold TR	1065 Kaumana Drive Hilo, Hawaii 96720	1065 Kaumana Drive
2-5-011:015	Crivello, Ronald Anthony Crivello, Loretta Alejandro	1073 Kaumana Drive Hilo, Hawaii 96720	1073 Kaumana Drive
2-5-011:016	Sato, Mark M Sato, Melissa A	P.O. Box 529 Kaneohe, Hawaii 96744	N/A
2-5-011:017	Fegerstrom, Arnold TR	20 Wawai Loop Hilo, Hawaii 96720	1139 Kaumana Drive
2-5-011:018	Rushlow, John Howard	1147 Kaumana Drive Hilo, Hawaii 96720	1147 Kaumana Drive
2-5-011:019	Spencer, Thomas S Trust Spencer, New Tan Dec'd	1110 Kaumana Drive Hilo, Hawaii 96720	1110 Kaumana Drive
2-5-011:020	Wilson, Aiko T Wilson, Cyrus H	1090-A Kaumana Drive Hilo, Hawaii 96720	1090 Kaumana Drive
2-5-011:038	Carvalho, John G	1131 Kaumana Drive Hilo, Hawaii 96720	N/A (flume R/W)
2-5-011:039	Carvalho, John G	1131 Kaumana Drive Hilo, Hawaii 96720	1131 Kaumana Drive
2-5-011:043	Correa Family Trust	c/o Barbara Brickwood-Correa 1068 B Kaumana Drive Hilo, Hawaii 96720	1074 Kaumana Drive
2-5-011:009	Hardenbrook, Christopher Graves Sears, Leslie Elizabeth	1013 Kaumana Drive Hilo, Hawaii 96720	1013 Kaumana Drive
2-5-011:010	Sasamura, Theodore Hajime Sasamura, Janet Reiko Leong, Sandra H Sasamura, Craig T	1023 Kaumana Drive Hilo, Hawaii 96720	1023 Kaumana Drive
2-5-011:021	Correa Family Trust	c/o Barbara Brickwood-Correa 1068 B Kaumana Drive Hilo, Hawaii 96720	1068 Kaumana Drive
2-5-011:022	Correa Family Trust	c/o Barbara Brickwood-Correa 1068 B Kaumana Drive Hilo, Hawaii 96720	1064 Kaumana Drive
2-5-011:023	Zane, Clifford K S Zane, Linda K O	553 Hillel Place Wailuku, Hawaii 96793	1056 Kaumana Drive

2-5-011:024	Kusch, Matthias Walfrid	P.O. Box 166 Pepeekeo, Hawaii 96783	1040 Kaumana Drive
2-5-011:025	Phillips, William J Jr Sweet-Phillips, Drenna M	1036 Kaumana Drive Hilo, Hawaii 96720	1036 Kaumana Drive
2-5-011:044	Nakano, Sharon Matsuyo Nakano, Owen Tadashi	1005 Kaumana Drive Hilo, Hawaii 96720	1005 Kaumana Drive
2-5-011:048	Hinck, Steven James Hinck, Krystn Lee	4646 Fort Davis Street Simi Valley, California 93063	1058 Kaumana Drive
2-5-011:050	Arruda, Jo Ann R Trust	993 C Kaumana Drive Hilo, Hawaii 96720	993 C Kaumana Drive
2-5-027:021	Carvalho Family Trust	P.O. Box 2463 Kailua-Kona, Hawaii 96740	1253 Kaumana Drive
2-5-027:001	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 A Kaumana Drive
2-5-027:002	Yamamoto, Fujie F Trust	c/o Yamamoto, Eljse CO-TTEE 1245 Kaumana Drive Hilo, Hawaii 96720	1245 Kaumana Drive
2-5-027:003	Okutsu, Randal S Trust	1876 Hale O Kea Street Hilo, Hawaii 96720	1223 Kaumana Drive
2-5-027:058	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 B Kaumana Drive
2-5-027:059	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 C Kaumana Drive
2-5-027:060	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 E Kaumana Drive
2-5-027:061	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 D Kaumana Drive
2-5-027:062	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 F Kaumana Drive
2-5-027:063	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 G Kaumana Drive
2-5-027:064	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 H Kaumana Drive
2-5-027:065	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 M Kaumana Drive
2-5-027:066	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 L Kaumana Drive
2-5-027:067	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 K Kaumana Drive
2-5-027:024	Otani, Katsuko Trust	1215 Kaumana Drive Hilo, Hawaii 96822	1215 Kaumana Drive
2-5-027:025	Otani, Jean S Otani, Jean S Trust	1215-B Kaumana Drive Hilo, Hawaii 96720	1215 B Kaumana Drive
2-5-027:026	Ushijima, Dean K Ushijima, Else H	1215 Kaumana Drive Apt. C Hilo, Hawaii 96720	1215 C Kaumana Drive
2-5-027:027	Segawa, Rodney Macy F Segawa, Susan Marie	1215 D Kaumana Drive Hilo, Hawaii 96720	1215 D Kaumana Drive
2-5-027:068	Ebesu, Royce T Jr Ebesu, Jane L A	1215 G Kaumana Drive Hilo, Hawaii 96720	1215 G Kaumana Drive
2-5-027:069	Ebesu, Janey L A Trust	1215 G Kaumana Drive Hilo, Hawaii 96720	N/A (road??)
2-5-027:070	Segawa, Rodney M F Segawa, Susan Marie	1215 D Kaumana Drive Hilo, Hawaii 96720	N/A (road??)
2-5-027:005	Sato, Sandra	1213 A Kaumana Drive Hilo, Hawaii 96720	1213 A Kaumana Drive

✓ 2-5-027:046	Hasegawa, Edward K Hasegawa, Caroline G C	250 N Judd Street Honolulu, Hawaii 96817	1211 Kaumana Drive
✓ 2-5-027:043	Perez, Catalina A	1209 A Kaumana Drive Hilo, Hawaii 96720	1209 A Kaumana Drive
✓ 2-5-027:044	Okuhara, Henry S Okuhara, Norine N	P.O. Box 945 Hilo, Hawaii 96721	1209 B Kaumana Drive
✓ 2-5-027:045	Turner, Jason Phillip Turner, Jennifer Sims	1209C Kaumana Drive Hilo, Hawaii 96720	1209 C Kaumana Drive
✓ 2-5-027:053	Tsuchiya, Karl K	823 Kaumana Drive Hilo, Hawaii 96720	1175 Kaumana Drive
✓ 2-5-027:054	Paiva, Paul P Paiva, Shawn M	1169 Kaumana Drive Hilo, Hawaii 96720	1169 Kaumana Drive
✓ 2-5-027:055	Komatsu, Garret T	1155 Kaumana Drive Hilo, Hawaii 96720	1155 Kaumana Drive
✓ 2-5-027:056	Inouye, Tatsuō Trust Inouye, June Trust	2230 Apoeopoe Street Pearl City, Hawaii 96782	N/A
✓ 2-5-027:047	Goya, Melvin H Trust Goya, Kiyono Trust	1170 Kaumana Drive Hilo, Hawaii 96720	1170 Kaumana Drive
✓ 2-5-027:057	Kuwahara, Bryson T Kuwahara, Lorna T	1142 Kaumana Drive Hilo, Hawaii 96720	1142 Kaumana Drive
✓ 2-5-027:007	Kuwahara, Bryson T Kuwahara, Lorna T	1142 Kaumana Drive Hilo, Hawaii 96720	N/A
✓ 2-5-027:008	Oliveira, Mary Jane Oliveira, Manuel III Oliveira, Manual Jr	1150 Kaumana Drive Hilo, Hawaii 96720	1150 Kaumana Drive
✓ 2-5-027:009	Yahata, Michiko	98-459 Hoono Street Pearl City, Hawaii 96782	1162 Kaumana Drive
✓ 2-5-027:042	Mattos, David J Mattos, Lauri M	P.O. Box 5599 Hilo, Hawaii 96721	1209 Kaumana Drive
✓ 2-5-027:052	Luz, Ezekiel Harvey Trust Luz, Noreen Mai Luz Trust	P.O. Box 116 Pepeekeo, Hawaii 96783	1193 Kaumana Drive
✓ 2-5-027:034	Nakamura, Bryce H Nakamura, Sharyl S	P.O. Box 294 Captain Cook, Hawaii 96704	1240 Kaumana Drive
✓ 2-5-027:035	Robledo, Paulette A Trust	1260 Kaumana Drive Hilo, Hawaii 96720	1260 Kaumana Drive
✓ 2-5-027:036	Perreira Family 2008 Trust	1266 Kaumana Drive Hilo, Hawaii 96720	1266 Kaumana Drive
✓ 2-5-027:014	Hoshide, Miyoko M	1280 Kaumana Drive Hilo, Hawaii 96720	1280 Kaumana Drive
✓ 2-5-027:040	Shinjo, Hajime. Shinjo, Aileen C	1272 Kaumana Drive Hilo, Hawaii 96720	1272 Kaumana Drive
✓ 2-5-027:037	Kaneko, Ryan T Kaneko, Aimee A	1294 Kaumana Drive Hilo, Hawaii 96720	1294 Kaumana Drive
✓ 2-5-027:038	Yokoyama, Jan K	1300 Kaumana Drive Hilo, Hawaii 96720	1300 Kaumana Drive
✓ 2-5-027:039	Fujisawa, Stanley K Fujisawa, Tammy L Fujisawa, Curtis S Fujisawa, Minerva S	1296 Kaumana Drive Hilo, Hawaii 96720	1296 Kaumana Drive
✓ 2-5-027:015	State of Hawaii		Kaumana Drive
✓ 2-5-027:023	Nakamoto, Tsuruyo Trust	1348 Kaumana Drive Hilo, Hawaii 96720	1348 Kaumana Drive
✓ 2-5-027:016	Otani, James M	1360 Kaumana Drive Hilo, Hawaii 96720	1360 Kaumana Drive

2-5-027:041	Matsu, Russell Matsu, Lorraine H	1352 Kaumana Drive Hilo, Hawaii 96720	1352 Kaumana Drive
2-5-027:020	Ota, Hiroshi/Shizoho Trust	6 Pokole Way Hilo, Hawaii 96720	N/A
2-5-027:013	Site Engineering, Inc.	c/o Masutani M K 545 Kaaahi Street Honolulu, Hawaii 96817	1230 Kaumana Drive
2-5-027:032	Quioco, Leandro Jr Quioco, Wanda A	1222 A Kaumana Drive Hilo, Hawaii 96720	1222 A Kaumana Drive
2-5-027:076	Chock, Kyle Trust	1100 Launa Street Hilo, Hawaii 96720	1242 Kaumana Drive
2-5-027:012	Chock, Laura Y Trust	555 Naniakea Street Hilo, Hawaii 96720	1258 Kaumana Drive
2-5-027:072	Chock, Laura Y Trust	555 Naniakea Street Hilo, Hawaii 96720	1256 Kaumana Drive
2-5-027:073	Chock, Theone Keam Yung	1051 Hoomaikai Street Honolulu, Hawaii 96817	1254 Kaumana Drive
2-5-027:079	Chock, Theone Keam Yung	1051 Hoomaikai Street Honolulu, Hawaii 96817	1252 Kaumana Drive
2-5-027:030	Takai, Wesley T Takai, Sandra Y	1222 E Kaumana Drive Hilo, Hawaii 96720	1194 Kaumana Drive
2-5-027:010	Long, Kerry Keith	P.O. Box 1481 Hilo, Hawaii 96720	1188 Kaumana Drive
2-5-027:011	Takai, Wesley T Takai, Sandra Y	1222 E Kaumana Drive Hilo, Hawaii 96720	1190 Kaumana Drive
2-5-027:028	Thatcher, John L II Thatcher, Pamela R	1188 Kaumana Drive Hilo, Hawaii 96720	1178 Kaumana Drive
2-5-027:022	Thatcher, John L II Thatcher, Pamela R	1188 Kaumana Drive Hilo, Hawaii 96720	N/A
2-5-027:071	Segawa, Herbert A Segawa, Kay K		N/A roadway
2-5-027:004	various		roadway
2-5-027:074	Chock, Lorrin S K Trust Takemoto-Chock, Naomi Trust	1978 Komohana Ext Hilo, Hawaii 96720	1250 Kaumana Drive
2-5-027:080	Chock, Lorrin S K Trust Takemoto-Chock, Naomi Trust	1978 Komohana Ext Hilo, Hawaii 96720	1248 Kaumana Drive
2-5-027:081	Chock, Kyle Trust	1100 Launa Street Hilo, Hawaii 96720	1246 Kaumana Drive
2-5-027:077	Chock, Laura Y Trust		N/A roadway
2-5-027:078	Chock, Laura Y Trust		N/A roadway
2-5-027:033	Abrii, Carole Y Abrii, Mark A	1222 B Kaumana Drive Hilo, Hawaii 96720	1222 B Kaumana Drive
2-5-027:019	Ahia, Lily Auld Ahia, William Kalaemakani		N/A roadway
2-5-040:011	Leao, Tara Kalelehuakaleilani Lee, Doreen Kanani	1503 Kaumana Drive Hilo, Hawaii 96720	1503 Kaumana Drive
2-5-040:010	Tomota, Kelli Jennifer Leihua	98 Kulaioa Road Hilo, Hawaii 96720	1493 Kaumana Drive
2-5-040:009	Otani, Noriaki Otani, Fujie Otani, Brad Hiro Otani, Max Norio Paiva, Shawn Morie	1489 Kaumana Drive Hilo, Hawaii 96720	1489 Kaumana Drive

2-5-040:008	Hirayama, Ellen Etsuko Hirayama, Ellen Setsuko Kitamura, Kimiko Kitamura, Susan Setsuko Kitamura, Tadayuki Kitamura, Wayne Kazuyuki	1479 Kaumana Drive Hilo, Hawaii 96720	1479 Kaumana Drive
2-5-040:007	Oldfield, Frances Oldfield, Richard	1473 Kaumana Drive Hilo, Hawaii 96720	1473 Kaumana Drive
2-5-040:006	Almeida, Jewels Anuenue Almeida, Mark Kaipo	561 Alihi Place Kailua, Hawaii 96734	1461 Kaumana Drive
2-5-040:036	Hennessey, Brendan J Johnson, Melissa Ann	1447 Kaumana Drive Hilo, Hawaii 96720	1447 Kaumana Drive
2-5-040:005	Yoshimura, Chiseko Yoshimura, Gary K	1441 Kaumana Drive Hilo, Hawaii 96720	1441 Kaumana Drive
2-5-040:035	Hasegawa, David A C Trust	250 N Judd Street Honolulu, Hawaii 96817	1433 Kaumana Drive
2-5-040:004	Tiogangco, Anne A Tiogangco, Jordan L	1391 Kaumana Drive Hilo, Hawaii 96720	1391 Kaumana Drive
2-5-040:003	Enoki, Calvin H Trust Sayama-Enoki, Sandra H Trust	1381 Kaumana Drive Hilo, Hawaii 96720	1381 Kaumana Drive
2-5-040:002	Kaitoku, George M Kaitoku, Joyce H	1375 Kaumana Drive Hilo, Hawaii 96720	1375 Kaumana Drive
2-5-040:040	Hinez, Matthew F	P. O. Box 4305 Hilo, Hawaii 96720	1369 Kaumana Drive
2-5-040:001	Oblero, Dain M Oblero, Sean W Rezentes, Henry J Rezentes, Raquel K	1367 Kaumana Drive Hilo, Hawaii 96720	1367 Kaumana Drive
2-5-040:039	Toma, Bryson	1374 Kaumana Drive Hilo, Hawaii 96720	1374 Kaumana Drive
2-5-040:041	Shaver, James R	1027 Kagawa Street Pacific Palisades, California	1394 Kaumana Drive
2-5-040:015	Lee-Ching, Richard Trust	1468 Kaumana Drive Hilo, Hawaii 96720	1468 Kaumana Drive
2-5-040:014	Fujimoto, Byron S Iwase, Shirley T	142 Puhili Street Hilo, Hawaii 96720	1486 Kaumana Drive
2-5-040:018	Rodillas, Francis Herbert Rodillas, Martha Ann	50 Akala Road Hilo, Hawaii 96720	1486 A Kaumana Drive
2-5-040:042	Rodillas, Francis Herbert Rodillas, Martha Ann	50 Akala Road Hilo, Hawaii 96720	50 Akala Road
2-5-040:013	Rubio, Karen Leiko Rubio, Lloyd J	226 Akala Road Hilo, Hawaii 96720	1496 Kaumana Drive
2-5-040:012	State of Hawaii	Kaumana Cave Park	1568 Kaumana Drive
2-5-040:019	Butz, Marc Giangregorio, Desiree	55 Akala Road Hilo, Hawaii 96720	55 Akala Road
2-5-040:020	Flood, Jeanie L Flood, Shawn G	1600 Kaumana Drive Hilo, Hawaii 96720	1600 Kaumana Drive
2-5-014:001	Chong, Wallace F Trust	788 Haihai Street Hilo, Hawaii 96720	N/A
2-5-014:005	Kearns, Glenn E Trust Kearns, Virginia V Trust	33 W Naauao Street Hilo, Hawaii 96720	33 W Naauao Street
2-5-027:048	Chong, Albert W Chong, Sharon Ann	1476 Kikaha Street Hilo, Hawaii 96720	6 Chong Street



'O'ohie pau ka 'ike i ka Palau ko'ohani

Connections Public Charter School

A Community, Business & Education Learning 'Ohana

APRIL 27, 2012

KAUMANA COMMUNITY MEETING

5:00 pm

Kaumana Elementary School Cafeteria

WELCOME!

Please print name

Address, email, phone #

RESÉ JUNE SAKAMOTO

1439 MELE MANU ST
HILO HI 96720

Elise Yamamoto

1245 Kaumana Dr
Hilo

Wayne & Amy Kanemoto

1358-B Mele Manu St
Hilo, HI 96720

Randy & Tara Riley

282 Edith St
Hilo 96720

Elizabeth B Jenkins

2005 Kaiwili Rd

M. PENG

1547 Mele Manu St.

Sid & Ai Fake

1358c Mele Manu St.
Hilo, HI

Paul PAUSA

1169 Kamehameha Dr
Hilo, HI 96720



'O'ohie pau ka 'ike i ka pualau ko'ohani

Connections Public Charter School

A Community, Business & Education Learning 'Ohana

APRIL 27, 2012

KAUMANA COMMUNITY MEETING

5:00 pm

Kaumana Elementary School Cafeteria

WELCOME!

Please print name

Address, email, phone #

TERENCE YOSHIOKA

1572 Mele Manu St

Hilo, HI

934-9198

Melvin Yokota

1358A Mele Manu St,

YokotaM002@hawaii.rr.com

Kehold Daguman

Heather McDaniel

Po Box 928 Keau

heathermc@hawaii.rr.com

Patti Nishimoto

1414 B Mele Manu St.

Hilo, HI 96720

nelsnpat@msn.com

Fay Salcata

1167 Mele Manu St

Hilo HI 96720

faysalcata@yphod.com

Joan Derbyshire

27 Elm Dr.

Hilo, HI

96720

Shawn Paiva

1169 Kaumana Dr.

Hilo HI 96720

shawnpaiva@gmail.com

174 Kamehameha Ave, Hilo, HI. 96720 - Phone 1-808- 961-3664

FAX 1-808-961-2665

Email cpcs@hawaii.rr.com



'A'ole pau ka 'ike i ka hālau ka'ōkahi

Connections Public Charter School

A Community, Business & Education Learning 'Ohana

APRIL 27, 2012

KAUMANA COMMUNITY MEETING

5:00 pm

Kaumana Elementary School Cafeteria

WELCOME!

Please print name

Address, email, phone #

Julie Lam-Iida

1449 Mele Maui St.

ejc@hawaii.rr.com



'A'ole pau ka 'ike i ka hualau ho'okahi

Connections Public Charter School

A Community, Business & Education Learning 'Ohana

APRIL 27, 2012

KAUMANA COMMUNITY MEETING

5:00 pm

Kaumana Elementary School Cafeteria

WELCOME!

Please print name

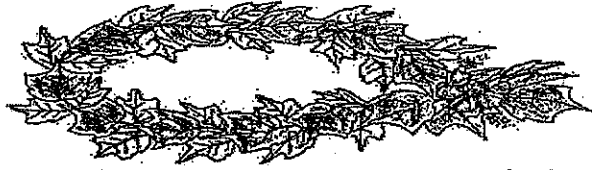
Address, email, phone #

Ryan NISHIDA

244 MIKALA ST
HILLO, HI 96720

Jenny Nishida

Same as above



'A'ole pui ka 'ike i ka hualau ho'okali

Connections Public Charter School

A Community, Business & Education Learning 'Ohana

**Kaumana Community Informational Meeting
(Connections Public Charter School's future facility)**

Friday, April 27, 2012, 5 pm

Kaumana Elementary School Cafeteria

Attached is the sign-in sheet that was not signed by all of the approximately thirty people who attended.

Visual aids: overview site plan
mauka parcel site plan
makai parcel site plan
artist's renderings of proposed buildings
bus participation, demographics graphs

Presenters: Ted Hong, Attorney, facilitator
Eric Boyd, Connections' Administrative Assistant, project spokesman
John Ida, Urban Works Inc., architect
Celia Shen, Wil Chee Planning and Environmental, Inc.,
planning and consulting services

5:00 p.m.

Ted: (Welcomed attendees.)

The project team is focused on community interest, and will continue to be transparent in the planning and implementation process.

The project is intended to be low-impact, developing about 15 acres of the 73 in the lease.

Charter schools background: charter schools are schools of choice. They receive less funding per pupil than regular DOE public schools, and must acquire, develop and fund their own facilities.

Regarding the concern for potential crime impact: there is much less potential for criminal activity than in downtown Hilo, and there have been no complaints of criminal activity related to the presence of the school in downtown Hilo.

Referenced the handout that includes a "comment card", and invited feedback, concerns and questions.

Eric: referenced questions and concerns from the last meetings. Shared results of the traffic impact study ("no significant impact", and although it isn't required, the project team will consider a dedicated turn-out lane.) Explained the bus participation graphics and dynamics.

Community Member Question: How is the school's bus system funded? What about the DOE's plans to downsize existing bus services?

Eric: Connections funds and runs its own bus service internally, separate from the DOE.

CMQ: How many staff does the school employ? How many students are from the Hilo area? How do they travel?

Eric: There are approximately 60 school employees, of which about 40 are full-time. About 143 of our students are from the Hilo area, and they travel by private vehicle. We hope to increase bus travel for Hilo residents.

John: The school plans to develop about 17 of the 73 acres in the lease. The property is bisected by Edita Street, and a portion of only the makai (lower) parcel will be hand cleared developed. The mauka (upper) parcel will be fenced as well, but will have only a minimal network of elevated walking paths, and will be used as an observation example of native species habitat.

The plot plan on the makai parcel is basically circular in its design, and will include one-story post-and-pier building (classrooms in 3 "pods" to accomodate elementary, middle and high school students; administration building; library; dormitory; caretaker's cottage), and post-and-pier elevated, covered walkways connecting buildings. The project will work toward LEED certification, and will utilize sustainable (solar and wind) power sources.

Eric: addressed the concern of the dormitory. It will be a maximum 30-bed building, used for short-term stays for students and chaperones directly affiliated with school programs.

Celia: Explained the location of the parcel relative to Edita Street and Kaumana Drive. Referenced the search for a suitable property, and the history of the relationship with DLNR and lease acquisition: Environmental Assessment accepted by the DLNR in late 2010, BLNR approved the lease in January 2011. Talked about the evolution of the project in terms of the initial plan, and changes due to cave concerns, and preservation of native species on the mauka parcel. Talked about the plot plan: elementary, middle and high school students in "pods", with shared buildings (cafeteria, library, gymnasium*, agricultural facilities).

CMQ: Is the parcel zoned for agricultural use?

Celia: We will be submitting an application for a Special Use Permit, to include agricultural use. A public hearing will be part of that process. The Civil Engineer will assess drainage, water usage and infrastructure concerns. We will continue to hear and address community concerns.

Ted: How close to the boundaries will the project development be?

Celia: Water tanks will be about 50'-60' from boundaries; buildings about 500'.

Ted: Will buffers be included in the design?

John: We will be including landscape buffer options.

CMQ: What about alternative access options? Are you still looking at coming in from the Puainako Extension?

Ted: That is a property privately owned by Brilhante-Hawaii LLC. We spoke to Mr. Brilhante again this past Monday. He is willing to continue to discuss the possibility of an easement through that property.

CMQ: I'm concerned because both Edita and Kaumana are so narrow.

Celia: The traffic assessment showed no significant impact. Although not required, we will continue to look at dedicated turn lanes.

Ted: Were there any recommendations from the traffic assessment engineer?

Celia: No, they found no significant impact.

CMQ: We first talked about the alternative access question in June 2011 and again at the next meeting here in Kaumana, and you're only now talking to Mr. Brilhante? At both those meetings you said it was a priority!

Eric: That was the most recent opportunity we have had to talk to him. Mr. Thatcher did talk to him after those meetings.

CMQ: How much of the fund-raising project is earmarked for alternative access?

Ted: If we commit to an alternate access, then will you support the project? We will do that if we have to.

CMQ: I'm concerned because there is only one way in and out.

Mr. Fuke: The planning commission can make occupancy conditional on an alternate access. Will that issue be resolved by the time of the Public Hearing?

Ted: Don't keep presenting hurdles as we jump over them.

CMQ: With the possibility of Puainako access, will you consider moving the project closer to that side of the property?

Celia: This is all a project concept, and changes can happen as necessary.

CMQ: What is the anticipated breakdown of the enrollment per elementary, middle and high school?

Eric: Right now we have 140 elementary, 80 middle and 120 high school students. We are committed to remaining a small school with a maximum enrollment of 400.

Mr. Fuke: When do you anticipate breaking ground? Do you have funds to proceed if the permit is granted?

Eric: We are actively working on sources of funding, and we're optimistic about our success. The phasing is about 9 million for Phase I (high school). We hope to break ground that phase in 3 years. John, is that realistic?

John: That's realistically possible.

CMQ: What's the reality of proceeding with the Brillhante property?

Ted: Mr. Brillhante has said he will continue to talk to us.
*I want to clarify that the use of the gymnasium will be for in-school events, and we want to make it available for Kaumana community events as well. There won't be any large sporting events.

CMQ: I know that charter schools really struggle with funding, and I can't see where your funds are coming from. Will the project impact your State operating funds?

Eric: The project budget is about \$20 million, supported by the school's affiliated non-profit organization. It's separate from the school's operating funds. We have an on-going Capital Campaign in progress.

CMQ: Can the future school sustain itself? By the time the project is complete, most of you won't be involved.
And, what is the school going to do for us?

Ted: Be good neighbors. Provide access to the facility (through Request For Use of Facilities), for a variety of uses, including community events.
We are committed to seeing this through.

Eric: Let us know what you would like to see, as far as benefits to the community.

Ted: What will the mauka parcel be used for?

Eric: Educational opportunities in forestry and conservation work, for school purposes only.

CMQ: That's Area 16, is it zoned for conservation?

Celia: It isn't zoned for conservation, but its use will be restricted per the terms and conditions of the Special Use Permit. We will be bound by those terms and conditions.

CMQ: What's the commitment to the limited size of the project?

Ted: We will build those conditions into the request for the permit. I personally oppose any future changes to the size of the project.

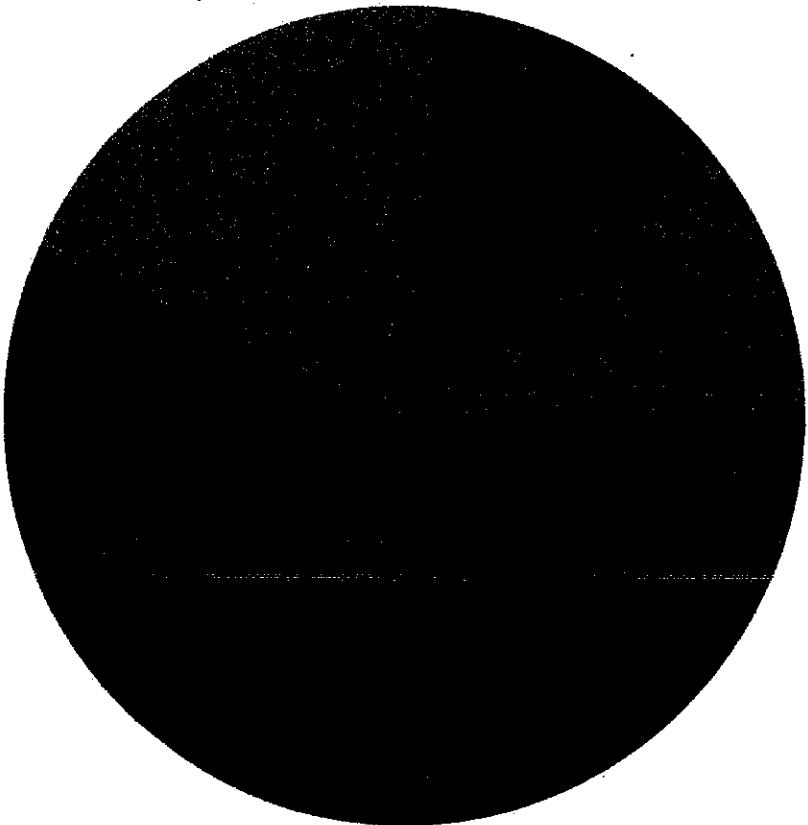
CMQ: What about future community meetings? When will we know about the outcome of meetings with Brilhante?

Ted: The next meeting will be the Public Hearing.

Eric: Please notice the new contact information on the handout. We will have a new phone number on May 4: 808-935-2195. Thanks to everyone for attending.

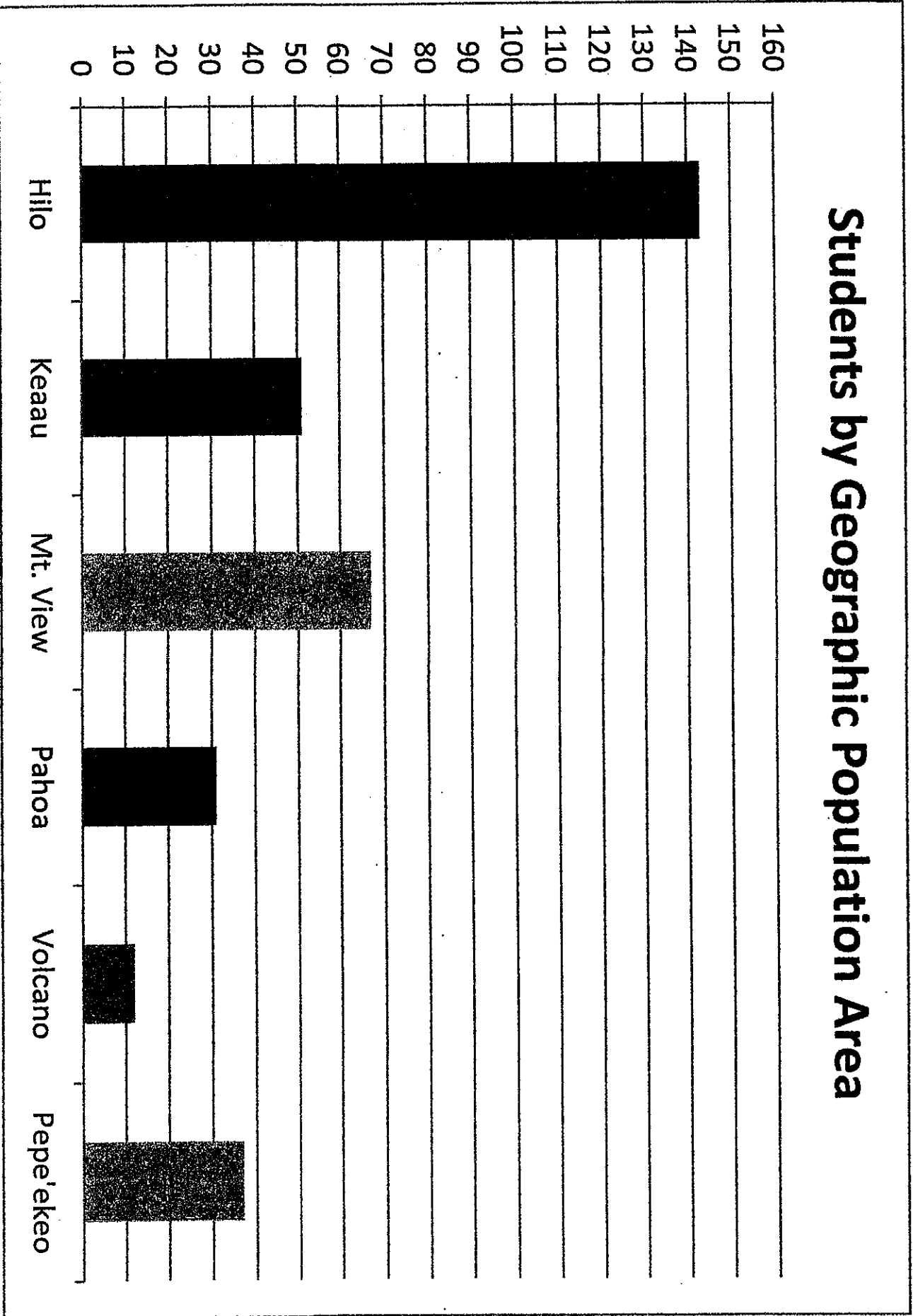
6:00 p.m.

Students by Geographic Population Area



- Hilo
- Keaau
- Mt. View
- Pahoa
- Volcano
- Pepekeo

Students by Geographic Population Area



Average Daily Student Bus Riders

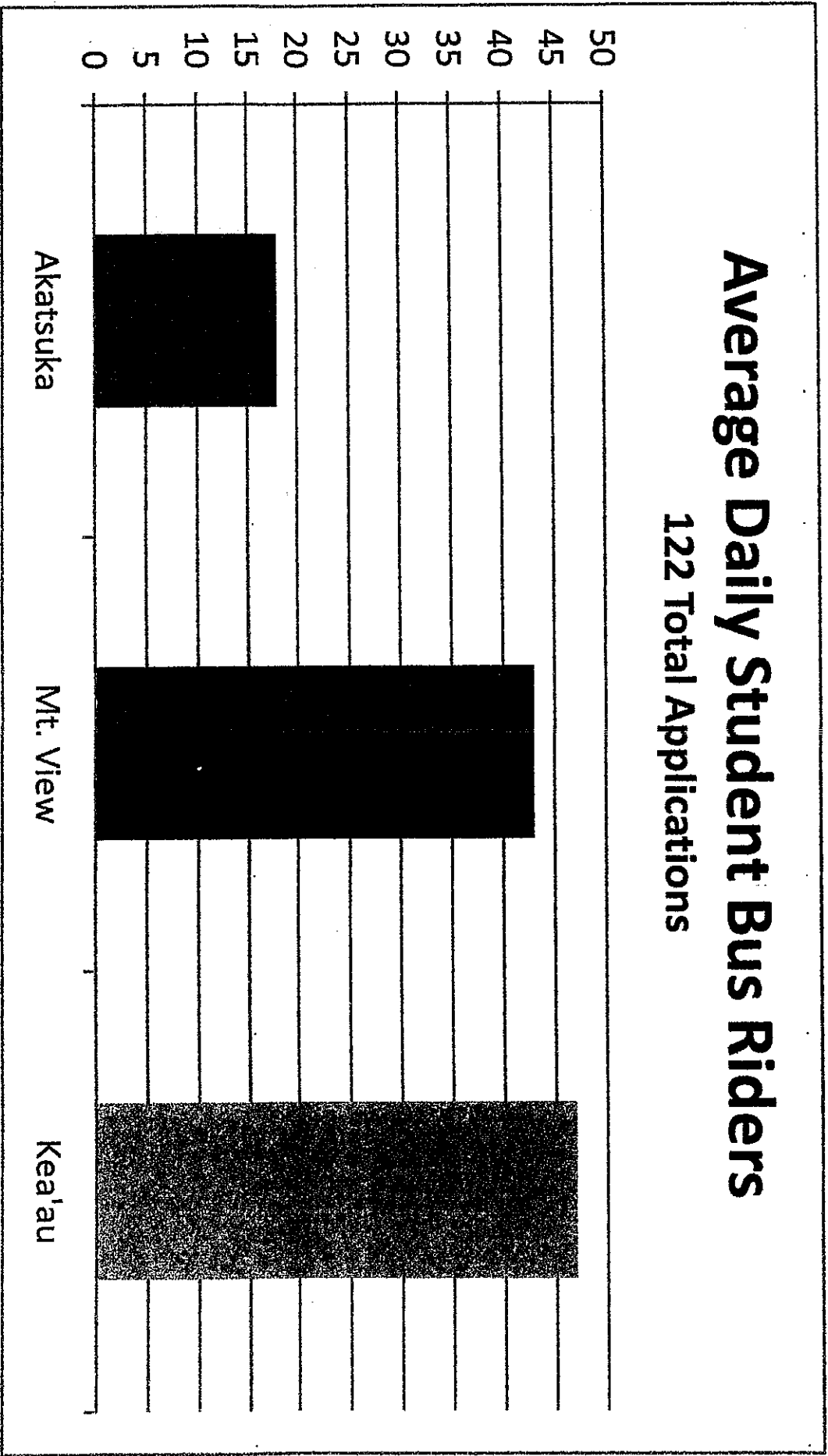
122 Total Applications



- Atkatsuka
- Mt. View
- Kea'a

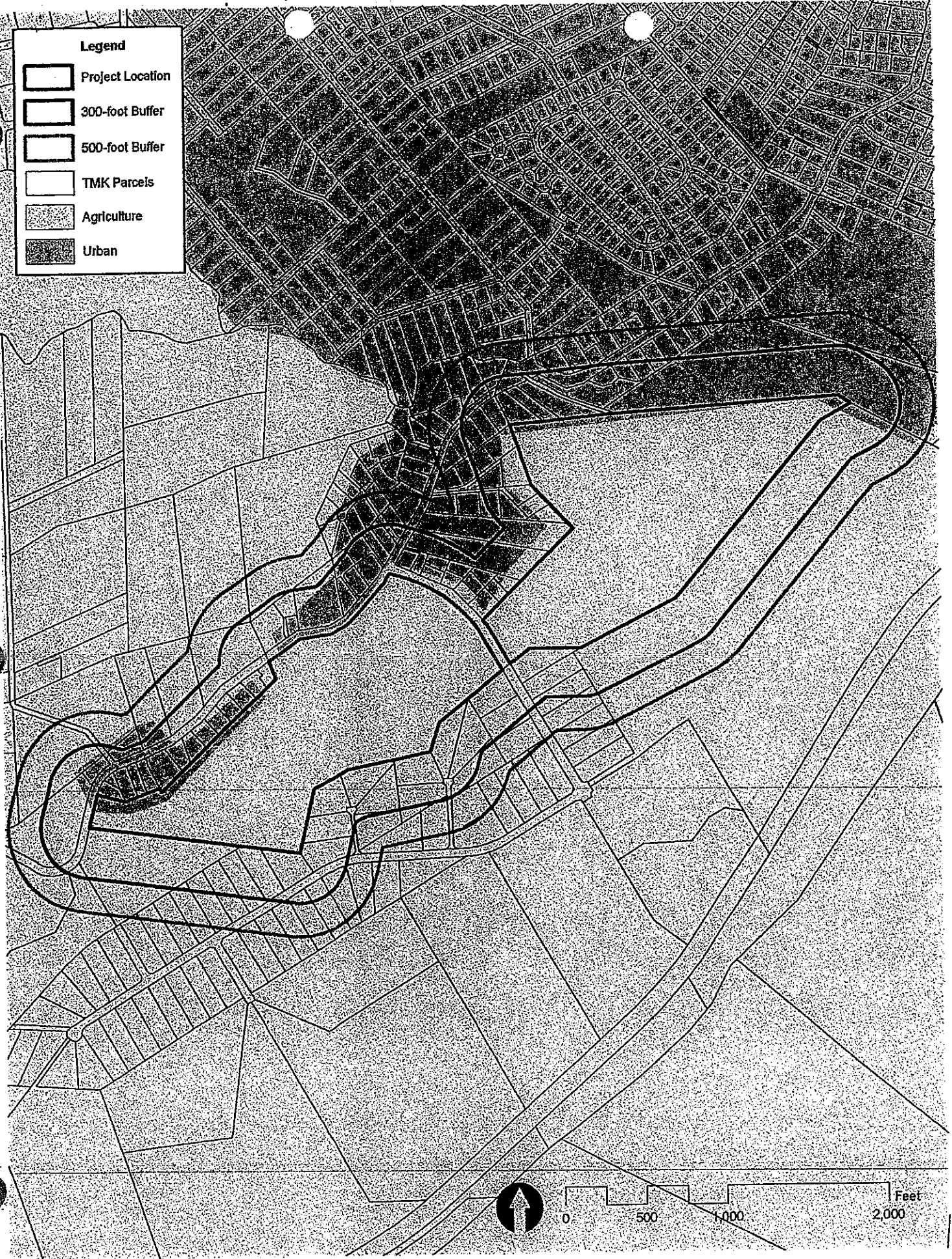
Average Daily Student Bus Riders

122 Total Applications



Legend

- Project Location
- 300-foot Buffer
- 500-foot Buffer
- TMK Parcels
- Agriculture
- Urban





'A'ole pau ka 'ike i ka Palau ho'ohahi

Connections Public Charter School
A Community, Business & Education Learning 'Ohana

August 22, 2011

Aloha Kaumana Community Residents,

We are pleased to invite you to a community meeting regarding our plans for a new facility on a 73-acre parcel of State land on Edita Street. We will meet at the Kaumana Elementary School Cafeteria on Friday, September 2, 2011 at 5 p.m. to discuss the project, and to hear your input.

Please share this information with other community residents who may not have gotten this mailer.

We hope to see you there!

Sincerely,
Heather McDaniel
Local School Board Chair
Connections Public Charter School

174 Kamehameha Ave., Hilo, HI 96720 - Phone 1-808-961-3664
cpcs@hawaii.rr.com FAX 961-3664

FORM ED-1, Rev. 7/09

Application No. 9 (School)

DEPARTMENT OF EDUCATION - STATE OF HAWAII
APPLICATION FOR USE OF SCHOOL BUILDINGS, FACILITIES, OR GROUNDS
(Application must be received by the School at least 10 working days prior to requested date of use.)

Date Aug. 12 2011

WE RESPECTFULLY REQUEST THE USE OF: CLASSROOM AUDITORIUM LIBRARY
 DINING ROOM GYMNASIUM OTHER _____
AT Kaunakā Elementary SCHOOL ON THE FOLLOWING DATE(S): August 9/12/11
(month/day/year)

FROM: 4:30 a.m./p.m. TO 7:30 a.m./p.m.

FOR THE PURPOSE OF (GIVE INFORMATION ON USE): Community meeting for Connections' new facility

APPLICANT'S NAME AND ORGANIZATION: Heather McDaniel, Connections PCS

ADDRESS: 174 Kamehameha Ave. PHONE: Home: 937-1479
BUS: 935-3504

- PLEASE ANSWER THE FOLLOWING QUESTIONS AND AFFIX YOUR SIGNATURE:
1. IS YOUR ORGANIZATION TAX-EXEMPT NON-PROFIT? (TAX I.D. NUMBER: 490347398) YES NO
 2. IS THIS A GOVERNMENT SPONSORED ACTIVITY? (SPONSORING AGENCY: _____) YES NO
 3. IS THIS A SCHOOL/DOE SPONSORED ACTIVITY? (SCHOOL ADMINISTRATION: Connections PCS (J. Thacker)) YES NO
 4. HAS YOUR ORGANIZATION LEASED THIS SITE REGULARLY IN THE PAST? YES NO
If "yes", you are hereby notified that leases may be renewed annually but not exceeding five (5) years. You are expected to make a good faith effort to retain a more permanent or alternative location for your activities during the period of the lease. If such a good faith effort is lacking, your lease may not be renewed.
Total number of years your organization has been using the school's facilities: _____
 6. IS THIS A PERSONAL OR PRIVATE BUSINESS ACTIVITY? YES NO
 7. IS THERE A FEE, TUITION, OR DONATION COLLECTED? (AMOUNT: \$ _____ PER DAY/PER HOUR) YES NO
 7. DO YOU PLAN TO SUBLEASE THE FACILITY? (CRAFT FAIRS AND CARNIVALS) YES NO
IF SUBLEASING, ARE ALL SUBLESSEES TO BE COVERED BY APPLICANT'S LIABILITY INSURANCE? YES NO

I, the undersigned, on behalf of the organization I represent, have answered the above questions truthfully and accurately. If the school facilities, equipment or grounds are not properly maintained by the applicant, the State of Hawaii Department of Education will deny further use of school facilities, equipment or grounds to the individual or organization and seek appropriate restitution for damages incurred. The applicant further understands that the school facilities and grounds are to be alcohol and tobacco free, meaning that the use of any alcohol or tobacco substances are prohibited at all times on school grounds or at any school activities. Furthermore, I understand that as a user of school facilities the activity being conducted shall be lawful. Should disabled persons wish to participate in the requested use, applicants must make reasonable modifications and/or programmatic accommodations to permit such participation.

Heather McDaniel 8/12/11
Signature Date

(To be filled in by the school)

ACTUAL FEES AND CHARGES: TYPE OF REQUEST:	CODES FOR CASH RECEIPTS:		
	TYPE I	TYPE II	TYPE III
RENTAL: \$ <u>N/A</u>	\$ <u>N/A</u>	\$ _____	000 1240 37307
CUSTODIAL: \$ _____	\$ _____	\$ _____	488 2208 42113
UTILITIES: \$ <u>N/A</u>	\$ _____	\$ _____	000 5001 37720
TOTALS: \$ _____	\$ _____	\$ _____	(Checks payable to: DEPARTMENT OF EDUCATION)

POLICE AND/OR LIFEGUARD REQUIRED: (NUMBER OF POLICE AND/OR LIFEGUARDS REQUIRED: _____) YES NO
LIABILITY INSURANCE REQUIRED: (\$1,000,000 liability insurance for craft fairs, carnivals, and certain athletic events) YES NO
Policy No. _____

YOUR REQUEST FOR USE OF SCHOOL FACILITIES OR GROUNDS IS HEREBY: APPROVED DISAPPROVED 8/18/11
Signature: _____ Date: _____
(Principal / Designee)

REASON FOR DISAPPROVAL: FACILITY REQUESTED NOT AVAILABLE OTHER _____
 CUSTODIAN/STAFF NOT AVAILABLE

DISTRIBUTION: ORIGINAL-School, COPY-Requestor

FACILITIES ACCESSIBILITY DISCLOSURE NOTICE AND AGREEMENT

NOTICE

This disclosure notice is to inform user applicants under Chapter 8-39, Hawaii Administrative Rules, that some of the facilities at this school may not be accessible to persons with disabilities. The facilities that are accessible and not accessible are noted below on this form.

AGREEMENT

By signing this disclosure and agreement, the user applicant (1) acknowledges that s/he was informed of the accessibility status of the facility requested for use, and (2) agrees to be responsible for the non-discrimination and accessibility requirements of Title II, Americans with Disabilities Act of 1990 (ADA), if a state or local government agency, or the non-discrimination and accessibility requirements of Title III, ADA, if a private entity providing public accommodations, as defined by the ADA, with the use of school facilities. If a school facility is not accessible, the user/renter must announce ahead of time to participants that the school facility is not accessible and the user must provide an accommodation which allows any handicapped person to still attend the activity if the user is notified ahead of time.

SCHOOL FACILITY REQUESTED

- 1) Kaunama Elementary School Auditorium
- 2) _____
- 3) _____

Connections PCS/Heather McDaniel

Lessee/Renter

Aug. 11, 2011

Date

Acknowledged by: _____

School Principal/Designee

8/18/11

Date

The following facilities are accessible (A) or not accessible (NA) at this school:

Administration Building	_____	Athletic Field	_____
Library	_____	Stadium	_____
Cafeteria Dining Room	_____	Playground	_____
Cafeteria Kitchen	_____	Auditorium	_____
Classroom	_____	Gymnasium	_____
Playcourt	_____	Other	_____

FORM 60-2, Rev. 5/09

Application No. _____ (Complex)

Application No. _____ (School)

DEPARTMENT OF EDUCATION—STATE OF HAWAII
STATEMENT INDEMNIFYING STATE AGAINST LIABILITY CLAIM; CIVIL DEFENSE EMERGENCY
NOTICE; SPECIAL PROVISIONS; AND NATIONAL POLLUTANT DISCHARGE ELIMINATION
SYSTEM (NPDES) NOTICE

(Application for Use of School Buildings, Facilities or Grounds)

School: Kaunana Elementary

INDEMNIFICATION STATEMENT

The undersigned individual(s), group and/or organization, his or her heirs, personal representative and assigns, or its officers, directors, members, agents, employees, successors and assigns, for and in consideration of the State of Hawaii Department of Education permitting and allowing the use of the designated school rooms, buildings, and/or facilities jointly and severally agree(s) to indemnify and save harmless the State of Hawaii Department of Education against any and all loss, liability, demands, claims, suits, action or proceedings of every name, character and description which may be suffered or incurred by or brought against the State of Hawaii Department of Education for or an account of any injuries or damages to any person or property received or sustained by any person, directly or indirectly, by or in consequence of the use of the facilities by the undersigned individual(s), groups and/or organization.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) NOTICE

The National Pollutant Discharge Elimination System (NPDES) is a regulatory program administered by the United States Environmental Protection Agency that calls for the control and management of storm water pollution. In Hawaii, our storm water drainage systems were designed to prevent flooding by channeling storm water into drains that discharge through outlets along the coastline.

However, the storm water drainage systems were not designed for the disposal of waste or pollutants. In order to protect the environment and fulfill our pollution prevention (P2) responsibilities, the Department of Education must implement best management practices (BMPs) as part of a storm water management plan (SWMP).

CIVIL DEFENSE NOTICE

In the event of a Civil Defense declared emergency during non-school hours, the undersigned is responsible for the safety of their program participants. The Department of Education is not obligated to provide for Civil Defense emergencies during non-school hours except when the applicable school is designated for use as a shelter by the American Red Cross.

The undersigned understands that every effort should be made to prevent pollution as a consequence of using school facilities. Waste and pollution if not curtailed will enter storm drains and eventually make its way to the ocean. Organizers and participants can help by preventing litter and minimizing the use of autos on campus by carpooling, riding bikes, and using public transportation. Report any illegal dumping and observed violations by calling the City Illegal Dumping Hotline at 298-5858 (Honolulu) or the respective county offices (neighbor islands).

SPECIAL CONDITIONS

(to be completed by school administrator as needed)

ACCEPTANCE AND ACKNOWLEDGEMENT BY USER

The undersigned hereby accepts and acknowledges the above (statement, notices, and special conditions).

Heather McDaniel 8-12-11
Signature Date

Connections Public Charter School
Name of Organization

NOTARIZATION (OR) SCHOOL ADMINISTRATOR SIGNATURE

Subscribed and sworn to before me this _____ day of _____, _____ Judicial Court.

Notary Name: _____ Notary License No.: _____

Notary Signature: _____ Commission Expiration Date: _____

-OR-

[Signature] 8/18/11
School Principal or Vice-Principal Date

TMK	Owner(s)	Owner's Mailing Address	Street Address of TMK
2-5-006:003	State of Hawaii	N/A	
2-5-006:052	Segawa, Wesley R Segawa, Phyllis E	19 Puuko Street Hilo, Hawaii 96720	N/A
2-5-006:061	Kidds Development c/o James Pappas, Treasurer	616 Moaniala Street Honolulu, Hawaii 96821	N/A
2-5-006:160	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720	Puainako Street Ext.
2-5-006:151	Pappas, Marilyn J. Trust	616 Moaniala Street Honolulu, Hawaii 96821	N/A
2-5-061:033	Riley, Randell A	282 Edita Street Hilo, Hawaii 96720	282 Edita Street
2-5-061:032	Batalla, Roxanne-Joy Cano	272 Edita Street Hilo, Hawaii 96720	272 Edita Street
2-5-061:031	Yamashiro, Lorna Y Yamashiro, Neil	50 Manulele Street Hilo, Hawaii 96720	264 Edita Street
2-5-061:029	Iwasaki, Alan Iwasaki, Patsy	232 Edita Street Hilo, Hawaii 96720	232 Edita Street
2-5-061:028	Mochida, Ivan S. Trust	77 Kukila Street Hilo, Hawaii 96720	224 Edita Street
2-5-061:001	Gomes, Jeffrey, Kalani Gomes, Wendy Keiko	281 Edita Street Hilo, Hawaii 96720	281 Edita Street
2-5-061:002	Tada, Glenn K Tada, Karyn N Y	259 Edita Street Hilo, Hawaii 96720	259 Edita Street
2-5-061:003	Sakamoto, Ernest A Trust	1416 Pu'u Ale Place Hilo, Hawaii 96720	N/A
2-5-061:012	Akamine, Chun Y Trust	1360-D Mele Manu Street Hilo, Hawaii 96720	1360 D Mele Manu Street
2-5-061:011	Araujo, Lorrin T Araujo, Margareta	1358-D Mele Manu Street Hilo, Hawaii 96720	1358 D Mele Manu Street
2-5-061:010	Fuke, Aileen S Fuke, Sidney M	1358 Mele Manu Street, Apt. C Hilo, Hawaii 96720	1358 C Mele Manu Street
2-5-061:013	Shiro, Douglas T	1360 C Mele Manu Street Hilo, Hawaii 96720	1360 C Mele Manu Street
2-5-061:014	Bevington Family Trust	1360 Mele Manu Street #B Hilo, Hawaii 96720	1360 B Mele Manu Street
2-5-061:017	Camacho, Brenda M K Camacho, david W Jr.	1414-A Mele Manu Street Hilo, Hawaii 96720	1414 A Mele Manu Street
2-5-061:018	Nishimoto, Nelson N Omoto, Patty Kiyoko	1414 Mele Manu Street, Apt. B Hilo, Hawaii 96720	1414 B Mele Manu Street
2-5-061:019	Novak, Allen L Novak, Layne Y M	1414 C Mele Manu Street Hilo, Hawaii 96720	1414 C Mele Manu Street
2-5-061:020	Ludoff, Elaine L H Wilhelm, Steve K Wilhelm, Patricia J	1416 C Mele Manu Street Hilo, Hawaii 96720	1416 C Mele Manu Street
2-5-061:021	Takata, Brice Hiroshi Takata, Christine Leiko	c/o 777 Ainako Avenue Hilo, Hawaii 96720	1416 B Mele Manu Street
2-5-061:030	Chun, Mark Richard Takamiya, Marianne Yasuko	250 Edita Street Hilo, Hawaii 96720	250 Edita Street
2-5-061:022	Herzog, Markus 2010 Trust	P.O. Box 5915 Hilo, Hawaii 96720	1416 A Mele Manu Street
2-5-061:041	Mok, TR	1464 Mele Manu Street Hilo, Hawaii 96720	1464 Mele Manu Street
2-5-061:042	Arzaga, Noemi L Arzaga, Rudy D	1468 Mele Manu Street Hilo, Hawaii 96720	1468 Mele Manu Street

2-5-061:043	Hudak, Daniel Robert	1488 Mele Manu Street Hilo, Hawaii 96720	1488 Mele Manu Street
2-5-061:044	Veriato, Franklin D Veriato, Virginia L	1500 Mele Manu Street Hilo, Hawaii 96720	1500 Mele Manu Street
2-5-061:045	Murai, Gary Murai, Jacqueline K	299 A. Alu Road Wailuku, Hawaii 96793	1510 Mele Manu Street
2-5-061:046	Kanahele, Kip Masao Kanahele, Valerie-Ann Leiko	1520 Mele Manu Street Hilo, Hawaii 96720	1520 Mele Manu Street
2-5-061:106	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720	Kristiano Street
2-5-061:105	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720	Kristiano Street
2-5-061:104	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720	Kristiano Street
2-5-061:103	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720	Kristiano Street
2-5-061:102	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720	Kristiano Street
2-5-061:107	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720	Kristiano Street
2-5-061:049	Truesdell, Joel W Truesdell, Elizabeth French	250 Kristiano Street Hilo, Hawaii 96720	250 Kristiano Street
2-5-061:048	Santos, Robert J Tr Santos, Celeste G Tr	1540 Mele Manu Street Hilo, Hawaii 96720	1540 Mele Manu Street
2-5-061:047	Wilson, Lee Michael Morita Wilson, Adriann Misae Morita	1536 Mele Manu Street Hilo, Hawaii 96720	1536 Mele Manu Street
2-5-061:068	Kimura, Larry L	243 Mikala Street Hilo, Hawaii 96720	243 Mikala Street
2-5-061:069	Ogawa, Glenn Kouchi-Ogawa, Gail H	1495 Mele Manu Street Hilo, Hawaii 96720	1495 Mele Manu Street
2-5-061:070	Bishop, Michael K/zak, Pamela V Trust Botelho, Lee Uilani	1485 Mele Manu Street Hilo, Hawaii 96720	1485 Mele Manu Street
2-5-061:071	Yamane, Raymond Iwao Trust	1473 Mele Manu Street Hilo, Hawaii 96720	1473 Mele Manu Street
2-5-061:072	Yamashita, Gary M Yamashita, Rochelle A	1457 Mele Manu Street Hilo, Hawaii 96720	1457 Mele Manu Street
2-5-061:073	Lida, Erwin Y Lam-Lida, Julie C Y	1449 Mele Manu Street Hilo, Hawaii 96720	1449 Mele Manu Street
2-5-061:026	Sakamoto, Lester S Trust	1439 Mele Manu Street Hilo, Hawaii 96720	1439 Mele Manu Street
2-5-061:025	Ignacio, Michael L Ignacio, Claudia D	1411 Mele Manu Street Hilo, Hawaii 96720	1411 Mele Manu Street
2-5-061:024	Tokuuke, Jon P Taira-Tokuuke, Patti H	1395 Mele Manu Street Hilo, Hawaii 96720	1395 Mele Manu Street
2-5-061:016	Shozuya, Eric M Shozuya, Barbara L	1380 Mele Manu Street Hilo, Hawaii 96720	1380 Mele Manu Street
2-5-061:015	HIHL Melemanu LLC	c/o Dana Kenny Hawaiian Island Homes Ltd 162 Kinoole Street, Ste 201 Hilo, Hawaii 96720	1360 A Mele Manu Street
2-5-061:008	Yokota, Melvin H Yokota, Jan	1358-A Mele Manu Street Hilo, Hawaii 96720	1358 A Mele Manu Street
2-5-061:009	Kanemoto, Wayne K Trust Kanemoto, Amy Emiko Trust	1358B Mele Manu Street Hilo, Hawaii 96720	1358 B Mele Manu Street

2-5-061:007	Sugiyama, Bryan Hiroaki Family Trust	72 Palua Loop Hilo, Hawaii 96720	N/A
2-5-061:006	Kimura, John T TTEE Kimura, Gail K Trust	1300 Mele Manu Street Hilo, Hawaii 96720	1300 Mele Manu Street
2-5-061:005	Leong, Kelly / Alyson Y Kakugawa Trus	1290 Mele Manu Street Hilo, Hawaii 96720	1290 Mele Manu Street
2-5-061:004	Hirano, Wataru Sano, Phyllis Anne Hirano-Omizo, Naomi Y Trust Hirano, Shinae	235 Edita Street Hilo, Hawaii 96720	235 Edita Street
2-5-061:038	various		Road
2-5-061:039	various		Road
2-5-061:080	County of Hawaii	25 Aupuni Street Hilo, Hawaii 96720	Road
2-5-011:011	Nagai, Masaru/Nancy Trust Nagai, Nancy	1035 Kaumana Drive Hilo, Hawaii 96720	1035 Kaumana Drive
2-5-011:012	Cling, Carroll D Cling, Donnie Faye	1045 Kaumana Drive Hilo, Hawaii 96720	1045 Kaumana Drive
2-5-011:013	Papalimu, Joseph Kaimi Papalimu, Kahiolani Juanita	1053 Kaumana Drive Hilo, Hawaii 96720	1053 Kaumana Drive
2-5-011:014	Fegerstrom, Norma R Fegerstrom, Arnold TR	1065 Kaumana Drive Hilo, Hawaii 96720	1065 Kaumana Drive
2-5-011:015	Crivello, Ronald Anthony Crivello, Loretta Alejandro	1073 Kaumana Drive Hilo, Hawaii 96720	1073 Kaumana Drive
2-5-011:016	Sato, Mark M Sato, Melissa A	P.O. Box 529 Kaneohe, Hawaii 96744	N/A
2-5-011:017	Fegerstrom, Arnold TR	20 Wawai Loop Hilo, Hawaii 96720	1139 Kaumana Drive
2-5-011:018	Rushlow, John Howard	1147 Kaumana Drive Hilo, Hawaii 96720	1147 Kaumana Drive
2-5-011:019	Spencer, Thomas S Trust Spencer, New Tan Dec'd	1110 Kaumana Drive Hilo, Hawaii 96720	1110 Kaumana Drive
2-5-011:020	Wilson, Aiko T Wilson, Cyrus H	1090-A Kaumana Drive Hilo, Hawaii 96720	1090 Kaumana Drive
2-5-011:038	Carvalho, John G	1131 Kaumana Drive Hilo, Hawaii 96720	N/A (flume R/W)
2-5-011:039	Carvalho, John G	1131 Kaumana Drive Hilo, Hawaii 96720	1131 Kaumana Drive
2-5-011:043	Correa Family Trust	c/o Barbara Brickwood-Correa 1068 B Kaumana Drive Hilo, Hawaii 96720	1074 Kaumana Drive
2-5-011:009	Hardenbrook, Christopher Graves Sears, Leslie Elizabeth	1013 Kaumana Drive Hilo, Hawaii 96720	1013 Kaumana Drive
2-5-011:010	Sasamura, Theodore Hajime Sasamura, Janet Reiko Leong, Sandra H Sasamura, Craig T	1023 Kaumana Drive Hilo, Hawaii 96720	1023 Kaumana Drive
2-5-011:021	Correa Family Trust	c/o Barbara Brickwood-Correa 1068 B Kaumana Drive Hilo, Hawaii 96720	1068 Kaumana Drive
2-5-011:022	Correa Family Trust	c/o Barbara Brickwood-Correa 1068 B Kaumana Drive Hilo, Hawaii 96720	1064 Kaumana Drive
2-5-011:023	Zane, Clifford K S Zane, Linda K O	553 Hillel Place Wailuku, Hawaii 96793	1056 Kaumana Drive

2-5-011:024	Kusch, Matthias Walfrid	P.O. Box 166 Pepeekeo, Hawaii 96783	1040 Kaumana Drive
2-5-011:025	Phillips, William J Jr Sweet-Phillips, Drenna M	1036 Kaumana Drive Hilo, Hawaii 96720	1036 Kaumana Drive
2-5-011:044	Nakano, Sharon Matsuyo Nakano, Owen Tadashi	1005 Kaumana Drive Hilo, Hawaii 96720	1005 Kaumana Drive
2-5-011:048	Hinck, Steven James Hinck, Krystn Lee	4646 Fort Davis Street Simi Valley, California 93063	1058 Kaumana Drive
2-5-011:050	Arruda, Jo Ann R Trust	993 C Kaumana Drive Hilo, Hawaii 96720	993 C Kaumana Drive
2-5-027:021	Carvalho Family Trust	P.O. Box 2463 Kailua-Kona, Hawaii 96740	1253 Kaumana Drive
2-5-027:001	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 A Kaumana Drive
2-5-027:002	Yamamoto, Fujie F Trust	c/o Yamamoto, Elise CO-TTEE 1245 Kaumana Drive Hilo, Hawaii 96720	1245 Kaumana Drive
2-5-027:003	Okutsu, Randal S Trust	1876 Hale O Kea Street Hilo, Hawaii 96720	1223 Kaumana Drive
2-5-027:058	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 B Kaumana Drive
2-5-027:059	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 C Kaumana Drive
2-5-027:060	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 E Kaumana Drive
2-5-027:061	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 D Kaumana Drive
2-5-027:062	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 F Kaumana Drive
2-5-027:063	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 G Kaumana Drive
2-5-027:064	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 H Kaumana Drive
2-5-027:065	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 M Kaumana Drive
2-5-027:066	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 L Kaumana Drive
2-5-027:067	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822	1265 K Kaumana Drive
2-5-027:024	Otani, Katsuko Trust	1215 Kaumana Drive Hilo, Hawaii 96822	1215 Kaumana Drive
2-5-027:025	Otani, Jean S Otani, Jean S Trust	1215-B Kaumana Drive Hilo, Hawaii 96720	1215 B Kaumana Drive
2-5-027:026	Ushijima, Dean K Ushijima, Else H	1215 Kaumana Drive Apt. C Hilo, Hawaii 96720	1215 C Kaumana Drive
2-5-027:027	Segawa, Rodney Macy F Segawa, Susan Marie	1215 D Kaumana Drive Hilo, Hawaii 96720	1215 D Kaumana Drive
2-5-027:068	Ebesu, Royce T Jr Ebesu, Jane L A	1215 G Kaumana Drive Hilo, Hawaii 96720	1215 G Kaumana Drive
2-5-027:069	Ebesu, Janey L A Trust	1215 G Kaumana Drive Hilo, Hawaii 96720	N/A (road??)
2-5-027:070	Segawa, Rodney M F Segawa, Susan Marie	1215 D Kaumana Drive Hilo, Hawaii 96720	N/A (road??)
2-5-027:005	Sato, Sandra	1213 A Kaumana Drive Hilo, Hawaii 96720	1213 A Kaumana Drive

✓ 2-5-027:046	Hasegawa, Edward K Hasegawa, Caroline G C	250 N Judd Street Honolulu, Hawaii 96817	1211 Kaumana Drive
✓ 2-5-027:043	Perez, Catalina A	1209 A Kaumana Drive Hilo, Hawaii 96720	1209 A Kaumana Drive
✓ 2-5-027:044	Okuhara, Henry S Okuhara, Norine N	P.O. Box 945 Hilo, Hawaii 96721	1209 B Kaumana Drive
✓ 2-5-027:045	Turner, Jason Phillip Turner, Jennifer Sims	1209C Kaumana Drive Hilo, Hawaii 96720	1209 C Kaumana Drive
✓ 2-5-027:053	Tsuchiya, Karl K	823 Kaumana Drive Hilo, Hawaii 96720	1175 Kaumana Drive
✓ 2-5-027:054	Paiva, Paul P Paiva, Shawn M	1169 Kaumana Drive Hilo, Hawaii 96720	1169 Kaumana Drive
✓ 2-5-027:055	Komatsu, Garret T	1155 Kaumana Drive Hilo, Hawaii 96720	1155 Kaumana Drive
✓ 2-5-027:056	Inouye, Tatsuo Trust Inouye, June Trust	2230 Apoepoe Street Pearl City, Hawaii 96782	N/A
✓ 2-5-027:047	Goya, Melvin H Trust Goya, Kiyono Trust	1170 Kaumana Drive Hilo, Hawaii 96720	1170 Kaumana Drive
✓ 2-5-027:057	Kuwahara, Bryson T Kuwahara, Lorna T	1142 Kaumana Drive Hilo, Hawaii 96720	1142 Kaumana Drive
✓ 2-5-027:007	Kuwahara, Bryson T Kuwahara, Lorna T	1142 Kaumana Drive Hilo, Hawaii 96720	N/A
✓ 2-5-027:008	Oliveira, Mary Jane Oliveira, Manuel III Oliveira, Manual Jr	1150 Kaumana Drive Hilo, Hawaii 96720	1150 Kaumana Drive
✓ 2-5-027:009	Yahata, Michiko	98-459 Hoono Street Pearl City, Hawaii 96782	1162 Kaumana Drive
✓ 2-5-027:042	Mattos, David J Mattos, Lauri M	P.O. Box 5599 Hilo, Hawaii 96721	1209 Kaumana Drive
✓ 2-5-027:052	Luiz, Ezekiel Harvey Trust Luiz, Noreen Mai Luiz Trust	P.O. Box 116 Pepeekeo, Hawaii 96783	1193 Kaumana Drive
✓ 2-5-027:034	Nakamura, Bryce H Nakamura, Sharyl S	P.O. Box 294 Captain Cook, Hawaii 96704	1240 Kaumana Drive
✓ 2-5-027:035	Robledo, Paulette A Trust	1260 Kaumana Drive Hilo, Hawaii 96720	1260 Kaumana Drive
✓ 2-5-027:036	Perreira Family 2008 Trust	1266 Kaumana Drive Hilo, Hawaii 96720	1266 Kaumana Drive
✓ 2-5-027:014	Hoshide, Miyoko M	1280 Kaumana Drive Hilo, Hawaii 96720	1280 Kaumana Drive
✓ 2-5-027:040	Shinjo, Hajime Shinjo, Aileen C	1272 Kaumana Drive Hilo, Hawaii 96720	1272 Kaumana Drive
✓ 2-5-027:037	Kaneko, Ryan T Kaneko, Aimee A	1294 Kaumana Drive Hilo, Hawaii 96720	1294 Kaumana Drive
✓ 2-5-027:038	Yokoyama, Jan K	1300 Kaumana Drive Hilo, Hawaii 96720	1300 Kaumana Drive
✓ 2-5-027:039	Fujisawa, Stanley K Fujisawa, Tammy L Fujisawa, Curtis S Fujisawa, Minerva S	1296 Kaumana Drive Hilo, Hawaii 96720	1296 Kaumana Drive
✓ 2-5-027:015	State of Hawaii		Kaumana Drive
✓ 2-5-027:023	Nakamoto, Tsuruyo Trust	1348 Kaumana Drive Hilo, Hawaii 96720	1348 Kaumana Drive
✓ 2-5-027:016	Otani, James M	1360 Kaumana Drive Hilo, Hawaii 96720	1360 Kaumana Drive

2-5-027:041	Matsu, Russell Matsu, Lorraine H	1352 Kaumana Drive Hilo, Hawaii 96720	1352 Kaumana Drive
2-5-027:020	Ota, Hiroshi/Shizoho Trust	6 Pokole Way Hilo, Hawaii 96720	N/A
2-5-027:013	Site Engineering, Inc.	c/o Masutani M.K 545 Kaaahi Street Honolulu, Hawaii 96817	1230 Kaumana Drive
2-5-027:032	Quioco, Leandro Jr Quioco, Wanda A	1222 A Kaumana Drive Hilo, Hawaii 96720	1222 A Kaumana Drive
2-5-027:076	Chock, Kyle Trust	1100 Launa Street Hilo, Hawaii 96720	1242 Kaumana Drive
2-5-027:012	Chock, Laura Y Trust	555 Naniakea Street Hilo, Hawaii 96720	1258 Kaumana Drive
2-5-027:072	Chock, Laura Y Trust	555 Naniakea Street Hilo, Hawaii 96720	1256 Kaumana Drive
2-5-027:073	Chock, Theone Keam Yung	1051 Hoomaikai Street Honolulu, Hawaii 96817	1254 Kaumana Drive
2-5-027:079	Chock, Theone Keam Yung	1051 Hoomaikai Street Honolulu, Hawaii 96817	1252 Kaumana Drive
2-5-027:030	Takai, Wesley T Takai, Sandra Y	1222 E Kaumana Drive Hilo, Hawaii 96720	1194 Kaumana Drive
2-5-027:010	Long, Kerry Keith	P.O. Box 1481 Hilo, Hawaii 96720	1188 Kaumana Drive
2-5-027:011	Takai, Wesley T Takai, Sandra Y	1222 E Kaumana Drive Hilo, Hawaii 96720	1190 Kaumana Drive
2-5-027:028	Thatcher, John L II Thatcher, Pamela R	1188 Kaumana Drive Hilo, Hawaii 96720	1178 Kaumana Drive
2-5-027:022	Thatcher, John L II Thatcher, Pamela R	1188 Kaumana Drive Hilo, Hawaii 96720	N/A
2-5-027:071	Segawa, Herbert A Segawa, Kay K		N/A roadway
2-5-027:004	various		roadway
2-5-027:074	Chock, Lorrin S K Trust Takemoto-Chock, Naomi Trust	1978 Komohana Ext Hilo, Hawaii 96720	1250 Kaumana Drive
2-5-027:080	Chock, Lorrin S K Trust Takemoto-Chock, Naomi Trust	1978 Komohana Ext Hilo, Hawaii 96720	1248 Kaumana Drive
2-5-027:081	Chock, Kyle Trust	1100 Launa Street Hilo, Hawaii 96720	1246 Kaumana Drive
2-5-027:077	Chock, Laura Y Trust		N/A roadway
2-5-027:078	Chock, Laura Y Trust		N/A roadway
2-5-027:033	Abril, Carole Y Abril, Mark A	1222 B Kaumana Drive Hilo, Hawaii 96720	1222 B Kaumana Drive
2-5-027:019	Ahia, Lily Auld Ahia, William Kalaemakani		N/A roadway
2-5-040:011	Leao, Tara Kalelehuakaleilani Lee, Doreen Kanani	1503 Kaumana Drive Hilo, Hawaii 96720	1503 Kaumana Drive
2-5-040:010	Tomota, Kelli Jennifer Leihua	98 Kulaloa Road Hilo, Hawaii 96720	1493 Kaumana Drive
2-5-040:009	Otani, Noriaki Otani, Fujie Otani, Brad Hiro Otani, Max Norio Paiva, Shawn Morie	1489 Kaumana Drive Hilo, Hawaii 96720	1489 Kaumana Drive

2-5-040:008	Hirayama, Ellen Etsuko Hirayama, Ellen Setsuko Kitamura, Kimiko Kitamura, Susan Setsuko Kitamura, Tadayuki Kitamura, Wayne Kazuyuki	1479 Kaumana Drive Hilo, Hawaii 96720	1479 Kaumana Drive
2-5-040:007	Oldfield, Frances Oldfield, Richard	1473 Kaumana Drive Hilo, Hawaii 96720	1473 Kaumana Drive
2-5-040:006	Almeida, Jewels Anuenue Almeida, Mark Kaipo	561 Alihi Place Kailua, Hawaii 96734	1461 Kaumana Drive
2-5-040:036	Hennessey, Brendan J Johnson, Melissa Ann	1447 Kaumana Drive Hilo, Hawaii 96720	1447 Kaumana Drive
2-5-040:005	Yoshimura, Chiseko Yoshimura, Gary K	1441 Kaumana Drive Hilo, Hawaii 96720	1441 Kaumana Drive
2-5-040:035	Hasegawa, David A C Trust	250 N Judd Street Honolulu, Hawaii 96817	1433 Kaumana Drive
2-5-040:004	Tiogangco, Anne A Tiogangco, Jordan L	1391 Kaumana Drive Hilo, Hawaii 96720	1391 Kaumana Drive
2-5-040:003	Enoki, Calvin H Trust Sayama-Enoki, Sandra H Trust	1381 Kaumana Drive Hilo, Hawaii 96720	1381 Kaumana Drive
2-5-040:002	Kaitoku, George M Kaitoku, Joyce H	1375 Kaumana Drive Hilo, Hawaii 96720	1375 Kaumana Drive
2-5-040:040	Hinez, Matthew F	P. O. Box 4305 Hilo, Hawaii 96720	1369 Kaumana Drive
2-5-040:001	Oblero, Dain M Oblero, Sean W Rezentes, Henry J Rezentes, Raquel K	1367 Kaumana Drive Hilo, Hawaii 96720	1367 Kaumana Drive
2-5-040:039	Toma, Bryson	1374 Kaumana Drive Hilo, Hawaii 96720	1374 Kaumana Drive
2-5-040:041	Shaver, James R	1027 Kagawa Street Pacific Palisades, California	1394 Kaumana Drive
2-5-040:015	Lee-Ching, Richard Trust	1468 Kaumana Drive Hilo, Hawaii 96720	1468 Kaumana Drive
2-5-040:014	Fujimoto, Byron S Iwase, Shirley T	142 Puhili Street Hilo, Hawaii 96720	1486 Kaumana Drive
2-5-040:018	Rodillas, Francis Herbert Rodillas, Martha Ann	50 Akala Road Hilo, Hawaii 96720	1486 A Kaumana Drive
2-5-040:042	Rodillas, Francis Herbert Rodillas, Martha Ann	50 Akala Road Hilo, Hawaii 96720	50 Akala Road
2-5-040:013	Rubio, Karen Leiko Rubio, Lloyd J	226 Akala Road Hilo, Hawaii 96720	1496 Kaumana Drive
2-5-040:012	State of Hawaii	Kaumana Cave Park	1568 Kaumana Drive
2-5-040:019	Butz, Marc Giangregorio, Desiree	55 Akala Road Hilo, Hawaii 96720	55 Akala Road
2-5-040:020	Flood, Jeanie L Flood, Shawn G	1600 Kaumana Drive Hilo, Hawaii 96720	1600 Kaumana Drive
2-5-014:001	Chong, Wallace F Trust	788 Haihai Street Hilo, Hawaii 96720	N/A
2-5-014:005	Kearns, Glenn E Trust Kearns, Virginia V Trust	33 W Naauao Street Hilo, Hawaii 96720	33 W Naauao Street
2-5-027:048	Chong, Albert W Chong, Sharon Ann	1476 Kikaha Street Hilo, Hawaii 96720	6 Chong Street

Kaumana Community Meeting
 Friday, September 2, 2011 5:00 p.m.
 Kaumana Elementary School Cafeteria

WELCOME!
 PLEASE SIGN IN

PRINT Name	Address
Donald Ikeda	966 Kaumana Dr
Lily + Stearny Chow	857 U'ilani Pl. Hilo
Kaholo Daguman	POB 133 Ninole
ANN MIWA	25 AUPUNI ST.
LEA JUNE SAKAMOTO	1439 MELE MANU ST. HILO
Melvin Yokota	1358-A Mele Manu St. Hilo
Patsy Iwasaki	232 Edita St. Hilo
Ryoko KANEKO	1294 KAUMANA DR Hilo
Mark Chun	250 Edita Pt, Hilo
RANDAL OKUNESU	1223 KAUMANA DR
Glenn + Gail Ogawa	1495 Mele Manu St.
Merio R. HINO	92 Chang st.
Calvin ENOKI	1381 Kaumana Dr.
RAYMOND YAMANE	1473 Mele Manu St
Elise Yamamoto	1245 Kaumana Drive
Aileen Fake	1358c Mele Manu St
Sidney Fake	"
	"
Chris Brillhante	280 Ponehawai ST. Hilo, HI 96721
Nelson Nishimoto	1414 B Mele Manu St.
Patti Nishimoto	
Kiani Nishimoto	

Kaumana Community Meeting

Kaumana Elementary School Cafeteria, 5:00 pm

September 2, 2011

- Have you considered Edita Street to go through to Puainako extension?
- Did you do a Traffic Study? **A study was done by Will Chee and is in the Environmental Assessment Report**
- Are there plans for a light at the intersection of Kaumana Drive and Edita St? **No plan that we know of**
- Where do your students come from? **About ½ from Puna and ½ Hilo and surrounding area.**
- With your projection of 370 students, how can you justify this big of a project when other schools are closing? **Using area for demonstration projects**
- Because we are concerned about traffic, how will you eliminate the option for HS students to drive to campus? **Council Person Leite-Todd asked how many of our current HS students drive to school, answer 3.**
- If the Land Use Commission denies the application, it stops. **Council Person Leite-Todd commented that that is highly unlikely that the Land Use commission will deny the application.**
- A road out to Puainako Extension would be really good access.
- What are you doing about not meeting AYP? **We have a restructuring plan approve by the Charter School Review Panel.**
- How can the new campus enhance the learning? **Mr. Thatcher explained plans for forestry projects, use of land for gardening etc.**
- If you have a 20 mil budget, a suggestion would be to use part of the 20 mil and earmark for an Edita Street to Puainako Extension road. **We are some years away before the school is built and are looking at all kinds of grants. One grant is related to fiber optics. We can assist in bringing to the community (comment by audience member that fiber optics are already available)**
- How much have we raised? **Not much**
- What is the cultural significance of the property? **Lava created Kaumana Cave which runs under the upper portion of the property. No building will be there. Culturally the property will provide information centered on Science and Geology. An Archeology study found no artifacts.**
- Council person Leite --Todd stated that the school is looking to build only on the lower property. The upper portion may collapse because of Kaumana Cave. The upper portion is also mostly native forest.

Kaumana Community Meeting
September 2, 2011
Kaumana Elementary School Cafeteria, 5:00 pm

- How can you say you will be good neighbors when we had to find out about your school from the newspaper?
- Do you have a contingency plan if the use permit is denied? **We will use the property for Agriculture, Forestry Conservation, green houses, Hydroponics, etc.**
- My property is next to the property where the proposed dormitory is to be located. How high will the fence be? **6 feet**
- Have you done any studies on how our property values will be affected? **No**
- You only talk about the good and not about the negative impact on this little community.
- Council person Leite-Todd led a discussion about a traffic analysis report regarding a left turn lane onto Edita Street and a discussion about encouraging the school to find another access to the school property. Also stated that there is a copy of the draft EIS at the County Building.
- Can the permit say that the school cannot use Edita Street as an entrance? **Council Person Leite-Todd answered no, if no other option is available.**

Any communications to the community will also be sent to the community association and the leadership and get the work out.



Community Meeting June 3, 2011

Historic Kress Building
174 Kamehameha Avenue, Hilo

5:00-5:30 p.m. Light Refreshments
5:30-7:00 p.m. Community Input

Your input is invited regarding **Connections**
Public Charter School's future campus in
Kaunana. Please join us.

Special Guests: Wil Chee Planners, Urban
Works, Mira Image Construction, and
Shain & Associates

Connections
Public Charter School

cpcs@hawaii.tx.com
Call 961-3664 for more information.



'A'ole pau ka 'ike i ka Palau Pio'ohani
Connections Public Charter School
A Community, Business & Education Learning 'Ohana

June 6, 2011

Aloha

On behalf of Connections Public Charter School, we would like to sincerely thank you for attending the June 3, 2011 community meeting regarding Connections' plans for a future campus. Your input and opinions are greatly appreciated, and will help determine our direction as we move forward with our project.

We will continue to invite the input of the Kaumana Community. If you would like to provide the mailing addresses of neighbors whom we missed in our last mailing, it would be very helpful in reaching a broader Kaumana population.

Again, thank you for attending and for sharing your thoughts.

Sincerely,

Heather McDaniel
Connections Public Charter School
Local School Board Chair
Kaumana Campus Committee

TMK	Owner(s)	Owner's Mailing Address	Street Address of TMK
2-5-006:003	State of Hawaii	N/A	
2-5-006:052	Segawa, Wesley R Segawa, Phyllis E	19 Puako Street Hilo, Hawaii 96720	N/A
2-5-006:061	Kidds Development c/o James Pappas, Treasurer	616 Vicania Street Honolulu, Hawaii 96821	N/A
2-5-006:160	Brilhante-Hawaii, Inc.	1312 Mahea Avenue Hilo, Hawaii 96720	Puimako Street Ext
2-5-006:151	Pappas, Marilyn J. Trust	616 Vicania Street Honolulu, Hawaii 96821	N/A
2-5-061:033	Riley, Randell A	282 Edita Street Hilo, Hawaii 96720	282 Edita Street
2-5-061:032	Batalia, Roxanne-Joy Cano	272 Edita Street Hilo, Hawaii 96720	272 Edita Street
2-5-061:031	Yamashiro, Lorna Y Yamashiro, Neil	50 Manuella Street Hilo, Hawaii 96720	264 Edita Street
2-5-061:029	Iwasaki, Alan Iwasaki, Patsy	232 Edita Street Hilo, Hawaii 96720	232 Edita Street
2-5-061:028	Mochida, Ivan S. Trust	77 Kulia Street Hilo, Hawaii 96720	224 Edita Street
2-5-061:001	Gomes, Jeffrey, Kalani Gomes, Wendy Keiko	281 Edita Street Hilo, Hawaii 96720	281 Edita Street
2-5-061:002	Tada, Glenn K Tada, Karyn N Y	259 Edita Street Hilo, Hawaii 96720	259 Edita Street
2-5-061:003	Sakamoto, Ernest A Trust	116 Puimako Place Hilo, Hawaii 96720	N/A
2-5-061:012	Akamine, Chun Y Trust	1360-D Mele Manu Street Hilo, Hawaii 96720	1360 D Mele Manu Street
2-5-061:011	Araujo, Lorrin T Araujo, Margareta	1358-D Mele Manu Street Hilo, Hawaii 96720	1358 D Mele Manu Street
2-5-061:010	Fuke, Aileen S Fuke, Sidney M	1358 Mele Manu Street, Apt C Hilo, Hawaii 96720	1358 C Mele Manu Street
2-5-061:013	Shiro, Douglas T	1360 C Mele Manu Street Hilo, Hawaii 96720	1360 C Mele Manu Street
2-5-061:014	Bevington Family Trust	1360 Mele Manu Street #B Hilo, Hawaii 96720	1360 B Mele Manu Street

2-5-061:017	Camacho, Brenda M K Camacho, David W Jr.	1414-A Mele Manu Street Hilo, Hawaii 96720	1414 A Mele Manu Street
2-5-061:018	Nishimoto, Nelson N Omoto, Patty Kiyoko	1414 Mele Manu Street, Apt. B Hilo, Hawaii 96720	1414 B Mele Manu Street
2-5-061:019	Novak, Allen L Novak, Layne Y M	1414 C Mele Manu Street Hilo, Hawaii 96720	1414 C Mele Manu Street
2-5-061:020	Ludloff, Elaine L H Wilhelm, Steve K Wilhelm, Patricia J	1416 C Mele Manu Street Hilo, Hawaii 96720	1416 C Mele Manu Street
2-5-061:021	Takata, Brice Hiroshi Takata, Christine Leiko	250 Edita Street Hilo, Hawaii 96720	250 Edita Street
2-5-061:030	Chun, Mark Richard Takamiya, Marianne Yasuko	250 Edita Street Hilo, Hawaii 96720	250 Edita Street
2-5-061:022	Herzog, Markus 2010 Trust	1464 Mele Manu Street Hilo, Hawaii 96720	1464 Mele Manu Street
2-5-061:041	Mok, TR Arzaga, Noemi L	1468 Mele Manu Street Hilo, Hawaii 96720	1468 Mele Manu Street
2-5-061:042	Arzaga, Rudy D	1488 Mele Manu Street Hilo, Hawaii 96720	1488 Mele Manu Street
2-5-061:043	Hudak, Daniel Robert Veriatio, Franklin D	1500 Mele Manu Street Hilo, Hawaii 96720	1500 Mele Manu Street
2-5-061:044	Veriatio, Virginia L Murai, Gary	1500 Mele Manu Street Hilo, Hawaii 96720	1500 Mele Manu Street
2-5-061:045	Murai, Jacqueline K Kanahela, Kip Masao	1520 Mele Manu Street Hilo, Hawaii 96720	1520 Mele Manu Street
2-5-061:046	Kanahela, Valerie-Ann Leiko	1520 Mele Manu Street Hilo, Hawaii 96720	1520 Mele Manu Street
2-5-061:106	Brilhante-Hawaii, Inc.	1322 Kilanea Avenue Hilo, Hawaii 96720	Kristiano Street
2-5-061:105	Brilhante-Hawaii, Inc.	1322 Kilanea Avenue Hilo, Hawaii 96720	Kristiano Street
2-5-061:104	Brilhante-Hawaii, Inc.	1322 Kilanea Avenue Hilo, Hawaii 96720	Kristiano Street
2-5-061:103	Brilhante-Hawaii, Inc.	1322 Kilanea Avenue Hilo, Hawaii 96720	Kristiano Street
2-5-061:102	Brilhante-Hawaii, Inc.	1322 Kilanea Avenue Hilo, Hawaii 96720	Kristiano Street

2-5-061:107	Brihante-Hawaii, Inc.	242 Mikala Avenue Hilo, Hawaii 96720	Kristiano Street
2-5-061:049	Truesdell, Joel W	250 Kristiano Street Hilo, Hawaii 96720	250 Kristiano Street
2-5-061:048	Truesdell, Elizabeth French	1540 Mele Manu Street Hilo, Hawaii 96720	1540 Mele Manu Street
2-5-061:047	Santos, Robert J Tr	1536 Mele Manu Street Hilo, Hawaii 96720	1536 Mele Manu Street
2-5-061:068	Santos, Celeste G Tr	243 Mikala Street Hilo, Hawaii 96720	243 Mikala Street
2-5-061:069	Wilson, Lee Michael Morita	1495 Mele Manu Street Hilo, Hawaii 96720	1495 Mele Manu Street
	Wilson, Adriann Misae Morita		
	Kimura, Larry L		
	Ogawa, Glenn		
	Kouchi-Ogawa, Gail H		
2-5-061:070	Bishop, Michael K/zak, Pamela V Trust	1485 Mele Manu Street Hilo, Hawaii 96720	1485 Mele Manu Street
	Botelho, Lee Uilani		
2-5-061:071	Yamane, Raymond Iwao Trust	1473 Mele Manu Street Hilo, Hawaii 96720	1473 Mele Manu Street
2-5-061:072	Yamashita, Gary M	1457 Mele Manu Street Hilo, Hawaii 96720	1457 Mele Manu Street
	Yamashita, Rochelle A		
	Iida, Erwin Y	1449 Mele Manu Street Hilo, Hawaii 96720	1449 Mele Manu Street
	Lam-Iida, Julie C Y		
2-5-061:026	Sakamoto, Lester S Trust	1439 Mele Manu Street Hilo, Hawaii 96720	1439 Mele Manu Street
2-5-061:025	Ignacio, Michael L	1411 Mele Manu Street Hilo, Hawaii 96720	1411 Mele Manu Street
	Ignacio, Claudia D		
2-5-061:024	Tokuuke, Jon P	1395 Mele Manu Street Hilo, Hawaii 96720	1395 Mele Manu Street
	Taira-Tokuuke, Patti H		
2-5-061:016	Shozuya, Eric M	1380 Mele Manu Street Hilo, Hawaii 96720	1380 Mele Manu Street
	Shozuya, Barbara L		
2-5-061:015	HIHL Melemanu LLC	1358-A Mele Manu Street Hilo, Hawaii 96720	1358 A Mele Manu Street
2-5-061:008	Yokota, Melvin H	1358B Mele Manu Street Hilo, Hawaii 96720	1358 B Mele Manu Street
2-5-061:009	Yokota, Jan		
	Kanemoto, Wayne K Trust		
	Kanemoto, Amy Emiko Trust		

2-5-061:007	Sugiyama, Bryan Hiroaki Family Trust	72 Palua Loop Hilo, Hawaii 96720	N/A
2-5-061:006	Kimura, John T TTEE Kimura, Gail K Trust	1300 Mele Manu Street Hilo, Hawaii 96720	1300 Mele Manu Street
2-5-061:005	Leong, Kelly / Alyson Y Kakugawa Trust Hirano, Wataru Sano, Phyllis Anne Hirano-Omizo, Naomi Y Trust Hirano, Shinae various various	1290 Mele Manu Street Hilo, Hawaii 96720	1290 Mele Manu Street
2-5-061:004		235 Edita Street Hilo, Hawaii 96720	235 Edita Street
2-5-061:038		Road	Road
2-5-061:039		Road	Road
2-5-061:080	County of Hawaii	25 Aupuni Street Hilo, Hawaii 96720	Road
2-5-011:011	Nagai, Masaru/Nancy Trust Nagai, Nancy	1035 Kaumana Drive Hilo, Hawaii 96720	1035 Kaumana Drive
2-5-011:012	Cling, Carroll D Cling, Donnie Faye	1045 Kaumana Drive Hilo, Hawaii 96720	1045 Kaumana Drive
2-5-011:013	Papalimu, Joseph Kaimi Papalimu, Kahiolani Juanita	1053 Kaumana Drive Hilo, Hawaii 96720	1053 Kaumana Drive
2-5-011:014	Fergerstrom, Norma R Fegerstrom, Arnold TR	1065 Kaumana Drive Hilo, Hawaii 96720	1065 Kaumana Drive
2-5-011:015	Crivello, Ronald Anthony Crivello, Loretta Alejandro	1073 Kaumana Drive Hilo, Hawaii 96720	1073 Kaumana Drive
2-5-011:016	Sato, Mark M Sato, Melissa A	1073 Kaumana Drive Hilo, Hawaii 96720	1073 Kaumana Drive
2-5-011:017	Fergerstrom, Arnold TR	1147 Kaumana Drive Hilo, Hawaii 96720	1147 Kaumana Drive
2-5-011:018	Rushlow, John Howard	1110 Kaumana Drive Hilo, Hawaii 96720	1110 Kaumana Drive
2-5-011:019	Spencer, Thomas S Trust Spencer, New Tan Dec'd	1110 Kaumana Drive Hilo, Hawaii 96720	1110 Kaumana Drive
2-5-011:020	Wilson, Aiko T Wilson, Cyrus H	1090 Kaumana Drive Hilo, Hawaii 96720	1090 Kaumana Drive
2-5-011:038	Carvalho, John G	1131 Kaumana Drive Hilo, Hawaii 96720	N/A (flume R/W)

2-5-011:039	Carvalho, John G	1131 Kaumana Drive Hilo, Hawaii 96720	1131 Kaumana Drive
2-5-011:043	Correa Family Trust	676 Barbara Brickwood Correa 1068 B Kaumana Drive Hilo, Hawaii 96720	1074 Kaumana Drive
2-5-011:009	Hardenbrook, Christopher Graves Sears, Leslie Elizabeth	1013 Kaumana Drive Hilo, Hawaii 96720	1013 Kaumana Drive
2-5-011:010	Sasamura, Theodore Hajime Sasamura, Janet Reiko Leong, Sandra H Sasamura, Craig T	1023 Kaumana Drive Hilo, Hawaii 96720	1023 Kaumana Drive
2-5-011:021	Correa Family Trust	676 Barbara Brickwood Correa 1068 B Kaumana Drive Hilo, Hawaii 96720	1068 Kaumana Drive
2-5-011:022	Correa Family Trust	676 Barbara Brickwood Correa 1068 B Kaumana Drive Hilo, Hawaii 96720	1064 Kaumana Drive
2-5-011:023	Zane, Clifford K S Zane, Linda K O	553 Allen Place Waipahoehoe, Hawaii 96793	1056 Kaumana Drive
2-5-011:024	Kusch, Matthias Walfrid	P.O. Box 136 Pepee, Hawaii 96763	1040 Kaumana Drive
2-5-011:025	Phillips, William J Jr Sweet-Phillips, Drenna M	1036 Kaumana Drive Hilo, Hawaii 96720	1036 Kaumana Drive
2-5-011:044	Nakano, Sharon Matsuyo Nakano, Owen Tadashi	1005 Kaumana Drive Hilo, Hawaii 96720	1005 Kaumana Drive
2-5-011:048	Hinck, Steven James Hinck, Krystn Lee	4661 Tom Davis Street Stevenville, California 94063	1058 Kaumana Drive
2-5-011:050	Arruda, Jo Ann R Trust	993 C Kaumana Drive Hilo, Hawaii 96720	993 C Kaumana Drive
2-5-027:021	Carvalho Family Trust	P.O. Box 2760 Kailua-Kona, Hawaii 96740	1253 Kaumana Drive
2-5-027:001	Mitsunaga, Edith S Trust	350 NPO Street Honolulu, Hawaii 96822	1265 Kaumana Drive
2-5-027:002	Yamamoto, Fujie F Trust	1245 Kaumana Drive Hilo, Hawaii 96720	1245 Kaumana Drive

2-5-027:003	Okutsu, Randal S Trust	1276 Hilo, Hawaii 96720 Hilo, Hawaii 96720	229 Kaumana Drive
2-5-027:058	Mitsunaga, Edith S Trust	3572 Nipo Street Hilo, Hawaii 96720	265 B Kaumana Drive
2-5-027:059	Mitsunaga, Edith S Trust	3572 Nipo Street Hilo, Hawaii 96720	265 G Kaumana Drive
2-5-027:060	Mitsunaga, Edith S Trust	3572 Nipo Street Hilo, Hawaii 96720	265 F Kaumana Drive
2-5-027:061	Mitsunaga, Edith S Trust	3572 Nipo Street Hilo, Hawaii 96720	265 D Kaumana Drive
2-5-027:062	Mitsunaga, Edith S Trust	3572 Nipo Street Hilo, Hawaii 96720	265 F Kaumana Drive
2-5-027:063	Mitsunaga, Edith S Trust	3572 Nipo Street Hilo, Hawaii 96720	265 G Kaumana Drive
2-5-027:064	Mitsunaga, Edith S Trust	3572 Nipo Street Hilo, Hawaii 96720	265 H Kaumana Drive
2-5-027:065	Mitsunaga, Edith S Trust	3572 Nipo Street Hilo, Hawaii 96720	265 M Kaumana Drive
2-5-027:066	Mitsunaga, Edith S Trust	3572 Nipo Street Hilo, Hawaii 96720	265 Kaumana Drive
2-5-027:067	Mitsunaga, Edith S Trust	3572 Nipo Street Hilo, Hawaii 96720	265 K Kaumana Drive
2-5-027:024	Otani, Katsuko Trust	1215 Kaumana Drive Hilo, Hawaii 96720	1215 Kaumana Drive
2-5-027:025	Otani, Jean S Trust	1215-B Kaumana Drive Hilo, Hawaii 96720	1215 B Kaumana Drive
2-5-027:026	Ushijima, Dean K Ushijima, Else H	1215 Kaumana Drive Apt. C Hilo, Hawaii 96720	1215 C Kaumana Drive
2-5-027:027	Segawa, Rodney Macy F Segawa, Susan Marie	1215 D Kaumana Drive Hilo, Hawaii 96720	1215 D Kaumana Drive
2-5-027:068	Ebesu, Royce T Jr Ebesu, Jane L A	1215 G Kaumana Drive Hilo, Hawaii 96720	1215 G Kaumana Drive
2-5-027:069	Ebesu, Janey L A Trust Segawa, Rodney M F	1215 G Kaumana Drive Hilo, Hawaii 96720	N/A (road??)
2-5-027:070	Segawa, Susan Marie	1215 D Kaumana Drive Hilo, Hawaii 96720	N/A (road??)

2-5-027:005	Sato, Sandra	1213 A Kaumana Drive Hilo, Hawaii 96720	1213 A Kaumana Drive
2-5-027:046	Hasegawa, Edward K Hasegawa, Caroline G C	2509 N. Third Street Honolulu, Hawaii 96817	1213 Kaumana Drive
2-5-027:043	Perez, Catalina A	1209 A Kaumana Drive Hilo, Hawaii 96720	1209 A Kaumana Drive
2-5-027:044	Okuhara, Henry S Okuhara, Norine N	P.O. Box 9245 Hilo, Hawaii 96721	1209 B Kaumana Drive
2-5-027:045	Turner, Jason Phillip Turner, Jennifer Sims	1209C Kaumana Drive Hilo, Hawaii 96720	1209 C Kaumana Drive
2-5-027:053	Tsuchiya, Karl K	823 Kaumana Drive Hilo, Hawaii 96720	1175 Kaumana Drive
2-5-027:054	Paiva, Paul P Paiva, Shawn M	1169 Kaumana Drive Hilo, Hawaii 96720	1169 Kaumana Drive
2-5-027:055	Komatsu, Garret T	1155 Kaumana Drive Hilo, Hawaii 96720	1155 Kaumana Drive
2-5-027:056	Inouye, Tatsuo Trust Inouye, June Trust	2230 Apoepoe Street Pearl City, Hawaii 96782	N/A
2-5-027:047	Goya, Meivh H Trust Goya, Kiyono Trust	1170 Kaumana Drive Hilo, Hawaii 96720	1170 Kaumana Drive
2-5-027:057	Kuwahara, Bryson T Kuwahara, Lorna T	1142 Kaumana Drive Hilo, Hawaii 96720	1142 Kaumana Drive
2-5-027:007	Kuwahara, Bryson T Kuwahara, Lorna T	1142 Kaumana Drive Hilo, Hawaii 96720	N/A
2-5-027:008	Oliveira, Mary Jane Oliveira, Manuel III Oliveira, Manual Jr	1150 Kaumana Drive Hilo, Hawaii 96720	1150 Kaumana Drive
2-5-027:009	Yahata, Michiko	982159 Honolulu Street Pearl City, Hawaii 96782	1162 Kaumana Drive
2-5-027:042	Mattos, David J Mattos, Lauri M	P.O. Box 5599 Hilo, Hawaii 96721	1209 Kaumana Drive
2-5-027:052	Luiz, Ezekiel Harvey Trust Luiz, Noreen Mai Luiz Trust	P.O. Box 116 Pepeekeo, Hawaii 96783	1193 Kaumana Drive
2-5-027:034	Nakamura, Bryce H Nakamura, Sharyl S.	P.O. Box 7294 Caplain, Cooks, Hawaii 96704	1240 Kaumana Drive
2-5-027:035	Robledo, Paulette A Trust	1260 Kaumana Drive Hilo, Hawaii 96720	1260 Kaumana Drive

2-5-027:036	Perreira Family 2008 Trust	1266 Kaumana Drive Hilo, Hawaii 96720	1266 Kaumana Drive Hilo, Hawaii 96720
2-5-027:014	Hoshide, Miyoko M	1280 Kaumana Drive Hilo, Hawaii 96720	1280 Kaumana Drive Hilo, Hawaii 96720
2-5-027:040	Shinjo, Hajime Shinjo, Aileen C	1272 Kaumana Drive Hilo, Hawaii 96720	1272 Kaumana Drive Hilo, Hawaii 96720
2-5-027:037	Kaneko, Ryan T Kaneko, Aimee A	1294 Kaumana Drive Hilo, Hawaii 96720	1294 Kaumana Drive Hilo, Hawaii 96720
2-5-027:038	Yokoyama, Jan K Fujisawa, Stanley K Fujisawa, Tammy L Fujisawa, Curtis S Fujisawa, Minerva S State of Hawaii	1300 Kaumana Drive Hilo, Hawaii 96720	1300 Kaumana Drive Hilo, Hawaii 96720
2-5-027:023	Nakamoto, Tsuruyo Trust	1348 Kaumana Drive Hilo, Hawaii 96720	1348 Kaumana Drive Hilo, Hawaii 96720
2-5-027:016	Otani, James M	1360 Kaumana Drive Hilo, Hawaii 96720	1360 Kaumana Drive Hilo, Hawaii 96720
2-5-027:041	Matsu, Russell Matsu, Lorraine H	1352 Kaumana Drive Hilo, Hawaii 96720	1352 Kaumana Drive Hilo, Hawaii 96720
2-5-027:020	Ota, Hiroshi/Shizoho Trust	6 Pokole Way Hilo, Hawaii 96720	N/A
2-5-027:013	Site Engineering, Inc.	1222-A Kaumana Drive Hilo, Hawaii 96720	1222 A Kaumana Drive Hilo, Hawaii 96720
2-5-027:032	Quiocho, Leandro Jr. Quiocho, Wanda A	1222-A Kaumana Drive Hilo, Hawaii 96720	1222 A Kaumana Drive Hilo, Hawaii 96720
2-5-027:076	Chock, Kyle Trust	1258 Kaumana Drive Hilo, Hawaii 96720	1258 Kaumana Drive Hilo, Hawaii 96720
2-5-027:012	Chock, Laura Y Trust	1256 Kaumana Drive Hilo, Hawaii 96720	1256 Kaumana Drive Hilo, Hawaii 96720
2-5-027:072	Chock, Laura Y Trust	1254 Kaumana Drive Hilo, Hawaii 96720	1254 Kaumana Drive Hilo, Hawaii 96720
2-5-027:073	Chock, Theone Keam Yung	1254 Kaumana Drive Hilo, Hawaii 96720	1254 Kaumana Drive Hilo, Hawaii 96720

2-5-027:079	Chock, Theone Keam Yung	105 Hoonaka Street Hilo, Hawaii 96720	1252 Kaumana Drive
2-5-027:030	Takai, Wesley T Takai, Sandra Y	1222 E Kaumana Drive Hilo, Hawaii 96720	1194 Kaumana Drive
2-5-027:010	Long, Kerry Keith	P.O. Box 140 Hilo, Hawaii 96720	1183 Kaumana Drive
2-5-027:011	Takai, Wesley T Takai, Sandra Y	1222 E Kaumana Drive Hilo, Hawaii 96720	1190 Kaumana Drive
2-5-027:028	Thatcher, John L II	1183 Kaumana Drive Hilo, Hawaii 96720	1173 Kaumana Drive
2-5-027:022	Thatcher, Pamela R Thatcher, John L II Thatcher, Pamela R	1188 Kaumana Drive Hilo, Hawaii 96720	N/A
2-5-027:071	Segawa, Herbert A		N/A roadway
2-5-027:004	Segawa, Kay K		roadway
2-5-027:074	various		
2-5-027:074	Chock, Lorin S K Trust Takemoto-Chock, Naomi Trust	1973 Kumbani Ext Hilo, Hawaii 96720	1260 Kaumana Drive
2-5-027:080	Chock, Lorin S K Trust Takemoto-Chock, Naomi Trust	1973 Kumbani Ext Hilo, Hawaii 96720	1278 Kaumana Drive
2-5-027:081	Chock, Kyle Trust	1100 Laila Street Hilo, Hawaii 96720	1246 Kaumana Drive
2-5-027:077	Chock, Laura Y Trust		N/A roadway
2-5-027:078	Chock, Laura Y Trust		N/A roadway
2-5-027:033	Abri, Carole Y Abri, Mark A	1222 B Kaumana Drive Hilo, Hawaii 96720	1222 B Kaumana Drive
2-5-027:019	Ahia, Lily Auld Ahia, William Kalaemakani		N/A roadway
2-5-040:011	Leao, Tara Kaleihuaokaleilani Lee, Doreen Kanani	1503 Kaumana Drive Hilo, Hawaii 96720 98 Kulaloa Road Hilo, Hawaii 96720	1503 Kaumana Drive 1493 Kaumana Drive
2-5-040:010	Tomota, Kelli Jennifer Leihua Otani, Noriaki		
	Otani, Fujie Otani, Brad Hiro Otani, Max Norio		
2-5-040:009	Paiva, Shawn Morie	1489 Kaumana Drive Hilo, Hawaii 96720	1489 Kaumana Drive

2-5-040:008	Hirayama, Ellen Etsuko Hirayama, Ellen Setsuko Kitamura, Kimiko Kitamura, Susan Setsuko Kitamura, Tadayuki Kitamura, Wayne Kazuyuki	1479 Kaumana Drive Hilo, Hawaii 96720	1479 Kaumana Drive Hilo, Hawaii 96720
2-5-040:007	Oldfield, Frances Oldfield, Richard	1473 Kaumana Drive Hilo, Hawaii 96720	1473 Kaumana Drive Hilo, Hawaii 96720
2-5-040:006	Almeida, Jewels Anuenue Almeida, Mark Kalpo	561 Aili Place Kaunaloa, Hawaii 96734	1461 Kaumana Drive Hilo, Hawaii 96720
2-5-040:036	Hennessey, Brendan J Johnson, Melissa Ann	1447 Kaumana Drive Hilo, Hawaii 96720	1447 Kaumana Drive Hilo, Hawaii 96720
2-5-040:005	Yoshimura, Chiseko Yoshimura, Gary K	1441 Kaumana Drive Hilo, Hawaii 96720	1441 Kaumana Drive Hilo, Hawaii 96720
2-5-040:035	Hasegawa, David A C Trust	250 Niuopai Street Honolulu, Hawaii 96817	1439 Kaumana Drive Hilo, Hawaii 96720
2-5-040:004	Tiogangco, Anne A Tiogangco, Jordan L	1391 Kaumana Drive Hilo, Hawaii 96720	1391 Kaumana Drive Hilo, Hawaii 96720
2-5-040:003	Enoki, Calvin H Trust Sayama-Enoki, Sandra H Trust	1381 Kaumana Drive Hilo, Hawaii 96720	1381 Kaumana Drive Hilo, Hawaii 96720
2-5-040:002	Kaitoku, George M Kaitoku, Joyce H	1375 Kaumana Drive Hilo, Hawaii 96720	1375 Kaumana Drive Hilo, Hawaii 96720
2-5-040:040	Hinez, Matthew F Oblero, Dain M	P.O. Box 4305 Hilo, Hawaii 96720	1369 Kaumana Drive Hilo, Hawaii 96720
2-5-040:001	Oblero, Sean W Rezentes, Henry J Rezentes, Raquel K	1367 Kaumana Drive Hilo, Hawaii 96720	1367 Kaumana Drive Hilo, Hawaii 96720
2-5-040:039	Toma, Bryson	1374 Kaumana Drive Hilo, Hawaii 96720	1374 Kaumana Drive Hilo, Hawaii 96720
2-5-040:041	Shaver, James R	1027 Kapaewa Street Pacific Palisades, California 90272	1394 Kaumana Drive Hilo, Hawaii 96720
2-5-040:015	Lee-Ching, Richard Trust	1468 Kaumana Drive Hilo, Hawaii 96720	1468 Kaumana Drive Hilo, Hawaii 96720
2-5-040:014	Fujimoto, Byron S Iwase, Shirley T	142 Puhi Street Hilo, Hawaii 96720	1486 Kaumana Drive Hilo, Hawaii 96720

2-5-040:018	Rodillas, Francis Herbert Rodillas, Martha Ann	50 Akala Road Hilo, Hawaii 96720	1486 A Kaumana Drive
2-5-040:042	Rodillas, Francis Herbert Rodillas, Martha Ann	50 Akala Road Hilo, Hawaii 96720	50 Akala Road
2-5-040:013	Rubio, Karen Leiko	226 Akala Road Hilo, Hawaii 96720	1496 Kaumana Drive
2-5-040:012	Rubio, Lloyd J State of Hawaii	Kaumana Cave Park	1568 Kaumana Drive
2-5-040:019	Butz, Marc Giangregorio, Desiree	55 Akala Road Hilo, Hawaii 96720	55 Akala Road
2-5-040:020	Flood, Jeanie L Flood, Shawn G	1600 Kaumana Drive Hilo, Hawaii 96720	1600 Kaumana Drive
2-5-014:001	Chong, Wallace F Trust	788 Haihai Street Hilo, Hawaii 96720	N/A
2-5-014:005	Kearns, Glenn E Trust Kearns, Virginia V Trust	33 W Naauao Street Hilo, Hawaii 96720	33 W Naauao Street
2-5-027:048	Chong, Albert W Chong, Sharon Ann	1476 Kikaha Street Hilo, Hawaii 96720	6 Chong Street

June 3, 2011 Community Meeting

Input regarding Connections Public Charter School's future campus

Please Print				
Name	Address	email address	Contact #	owner or renter
1 Jan Yokoyama	1370 Kaunama Dr. Hilo			owner
2 MARK CHUN	250 EDINA ST			owner
3 Patsy Iwasaki	232 Editz St			owner
4 Marianne Takemura	280 Editz St.			owner
5 Enka Boyd	25-129 Pukana La St.	E-BOYD@YAHOO.COM		
6 Sid + Aileen Fuke	1358C Mele Manu			owner
7 Paul + Shawn Paiva	1169 Kaunama Dr			owner
8 David Miramanda	11-3719 Ala Ohia St Volcano			
9 Pam Thatcher	1188 Kaunama Dr.			owner
10 LESTER + JUNE SAKAMOTO	1439 MELE MANU ST.			OWNER
11 John + Gail Kimura	1300 Mele Manu St.			owner
12 Glenn + Karyn Joda	259 Editz St	gtodahilo@hotmail.com		owner
13				
14				
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24				

June 3, 2011

Questions, Concerns and Comments

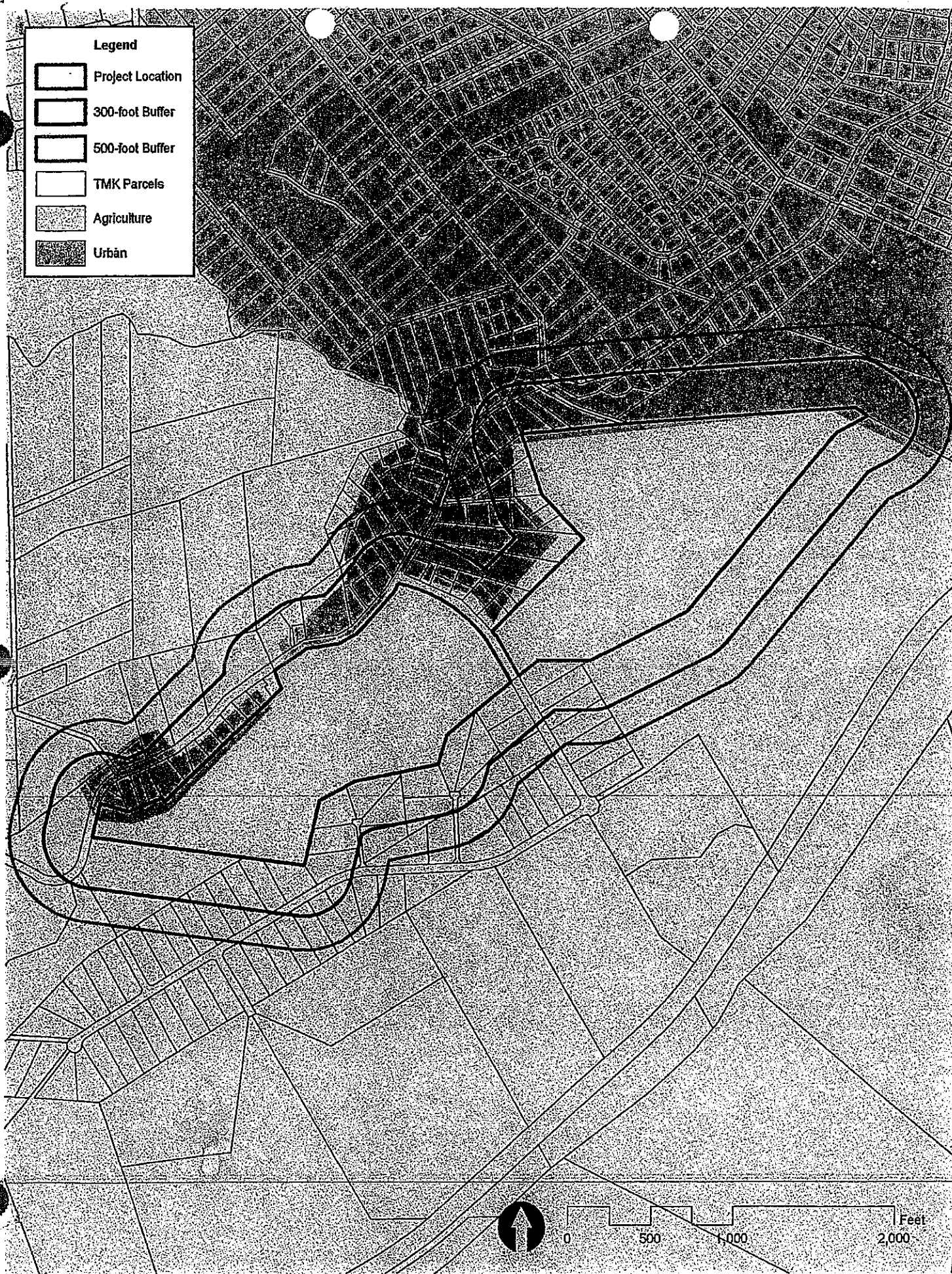
- What is the likelihood of the permit being approved? **We don't know, that is why this meeting is being held so we can find out your concerns**
- Resident concerns: (1) This is the first opportunity you folks have given us to voice our concerns (We advertised in the paper about a meeting 2 years ago) (2) Were the conditions of the land Board met? (so far they have) (3) How will you address the change to our quality of life, this is an old neighborhood. (The community will be able to have use of the gymnasium and other ideas can be discussed)
- What about access to the property? There may be access from Puainako extension and the first thing we will do is fence the property.
- If you don't have places for easement then it looks like you won't have it Edita Street and Melemanu will be affected. Traffic was monitored and reported in the EIS. It would be at acceptable levels. It may be recommended to have a dedicated left turn lane on Edita to minimize impact to neighborhood.
- How do you intend on getting for an alternate entrance? Are you Serious? A priority for the school is to get that easement.
- The permitting process is how long? Once County accepts completed application it could be up to 8 months.
- How long does a construction permit last? **A couple of years.**
- What is the estimated cost to the school? **20 Million**
- Where would the funds come from? **Private sources**
- There are already two elementary schools in the area. Where do your students come from? **50% Hilo and 50% Puna**
- Would students from the neighborhood have preference? **Right now an enrollment form is accepted and you are put on the wait list.**
- What are the conditions to get into Connections? **If we have the space.**
- If you have a waitlist and Connections will be a community school, why don't you have just community students?
- Would the community have a say in what is taught at the school? The neighborhood should benefit, if it's in our neighborhood we should have a say. **The Local School Board makes decisions. It is a collaboration based on our charter documents. We have a working relationship with CRDG and are a demonstration site; steel guitars are being made through the Makery program.**

Kaumana Community Meeting
Connections Charter School
June 3, 2011

- What measures will be taken that will assure the privacy of the community is maintained? **Fence and monitoring those on campus**
- Do you have the title to the property? **We have been granted a 65 year lease. The Attorney General is working on the documentation.**
- If it is denied what will you do? **agriculture projects**
- **John Iida, the architect, commented that we will work to make sure the land is sustainable. The school will be 100 feet from the property line, and use of cisterns, catchment. The project will keep in line with the kinds of things that fit into the area. Raise the buildings off the ground to minimize the impact on the land and ideas of that sort.**
- When will the first building be inhabited? **2013, 2014**
- Will the phases take longer? **It depends on permitting. It could be up to 2017 and the ability to raise the funds.**
- Some residents who were within 500 feet of the proposed school property were not notified (**Māhānui** area). Will you be notifying them next time? **Yes we will.**
- When would you like to have the question of easement solved ? **Make some progress this summer.**
- I can't give you my support unless I know that the easement (another entrance to property) is a high priority. **We hope to have some questions answered by the end of summer.**
- There are 60 lots with one road to the subdivision and to have a school at the beginning, the traffic and the quality of life will be seriously affected. **What the real concern is the easement.**

Legend

- Project Location
- 300-foot Buffer
- 500-foot Buffer
- TMK Parcels
- Agriculture
- Urban





'A'ole pau ka 'ike i ka palau ka'ohiki

Connections Public Charter School

A Community, Business & Education Learning 'Ohana

Informational Dinner Night

Presented By: Connections Future Visionary Association (CFVA)

When: Thursday April 16th, 2009

**Where: Connections Public Charter School
(Kress Building) Entrance on Kamehameha Ave.**

5:30pm- 7:30pm

5:30pm Complimentary Dinner

6:00pm- 7:30pm Meeting

Why: New Facility Development

“Kaumana Property”

Guest Speakers:

Wil Chee Planning and Development

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PLANNING DEPARTMENT
COUNTY OF HAWAII

From: carol zimmerman [czimr@yahoo.com]
Sent: Thursday, December 06, 2012 9:20 AM
To: planning@co.hawaii.hi.us
Subject: Connections-Kaumana commission meeting
Attachments: Kaumana connections letter.odt; Connections.wps

2012 DEC -6 AM 10: 35

aloha Rachele

here are 2 attachments for testimony for today, thanks, carol zimmerman
333-5838

SCANNED
DEC 06 2012
By: 082574

12-6-12

2012 DEC -6 AM 10:35

Windward Planning Commission

Re: Connections at Kaumana

I understand that there are concerns about having a school in the Kaumana neighborhood. Fear is concomitant with change. But, we can not make decisions for the future of our children, the future leaders of this community, this country, based on fear.

I want what every parent wants for her child: the best education possible. An education, where he is challenged on all levels – from creativity to critical thinking. I want a school that is willing to go beyond just teaching for the “Test”, for that is NOT an education. I want a school that he looks forward to attending every day, because his innate desire for and love of learning is supported, not snuffed out. And, finally, it is very important that the school provides a safe environment – as that is essential for very best learning to occur.

I believe, based on my personal experience with Connections PCS, as a parent of a 5th grader there, that the Kaumana campus has the potential to provide all of the above in regards to education. The campus site at Kaumana, will facilitate additional innovative programs in Agriculture, Energy and Environment, Environmental Design, and hands-on Business and Marketing experience, to name a few.

This school can impact not a few, but, thousands of Hawaii's children. And, ALL of the children of Hawaii, DESERVE this kind of education.

Maybe, someday, with this school as a model, we, as parents, Aunties, Uncles, Grandmoms and Grandpas, can give all of our children what they deserve – the best possible education, the brightest future.

Please support the Kaumana campus site for Connections PCS.

Thank you,

Dr. Carol Zimmerman, DC, MAcOM, LAc

082574

11-8-2012

PLANNING DEPARTMENT
COUNTY OF HAWAII

2012 DEC -6 AM 10: 35

To: Windward Planning Commission Meeting of 11-9-2012
Re: Connections Public Charter School in Kaumana

My work schedule does not allow me to attend this meeting in person and I thank you for the opportunity to express myself via writing.

I am a parent of a child who attends Connections PCS. At considerable expense and sacrifice to my family, I have relocated part of my family to Hilo from Kau so that my son could have a better education. My family is separated during the week as my child and I rent a home in Hilo, and then, on the weekend we return to Kau where my son's father, my husband, remains to operate our ranch.

There are at least 4 other children, that I know of, from other families, that also incurred the expense and family sacrifice of moving part of their families from Kau to Hilo during the week to go to Connections PCS. Other families recognize the need for and are willing to make these sacrifices for a better education. And I know of over a dozen more families from Kau that would seek better educational opportunities for their children too, if possible.

There are many reasons why we chose to enroll our son in Connections PCS. Besides the obvious consideration for effective education, we chose Connections PCS so that our child could establish himself in a school that would eventually take him thru high school. Options for high school are extremely limited on this island. We want a safe place for our son and a school that puts education first..

Today, my son and his classmates are complementing their didactic education about US History, by learning about the legislative process first hand - he and his classmates are among the audience.

Please support the Connections PCS in Kaumana so that the children of this island have a choice for a safe and better education. With a good education, my son will have a bright future and maybe, some day, even participate on a commission such as this, and make important decisions for the good of his community.

Mahalo,

Dr. Carol Zimmerman, DC, MAcOM, LAc

082574

1795

From: Terence Yoshioka <tkyoshioka@hawaiiintel.net>
Subject:
Date: November 29, 2012 11:57:22 PM HST



Oral Statement in Opposition to Special Permit Application of Connections Charter School

Applicant has attempted to create the illusion that the 70 acre property is the only suitable property for its school. It has done so by making the following representations: [1] that it will develop an agricultural program for its students; [2] that that its agricultural program will require 20 acres of land; and [3] that the subject 70 acres is "uniquely suitable" for its program.

But nowhere in its application has Applicant provided proof that an agricultural program is needed or wanted by its students. There is no basis, therefore, to assume that Applicant will actually develop such a program. And any conclusion based upon the presumption that the program will materialize is unsupportable.

Furthermore, it is impossible to conclude that 20 acres is required for the program because no evidence has been presented to identify what agricultural uses or activities will be taking place, and the area required for each use and activity.

Applicant's attempt to equate its need for 20 acres

Printed at 11/29/12 by [signature]
[signature] ✓ Read

based upon the 20 acre demonstration farm of the University of Hawaii at Hilo is unfounded. The fact that the University has a 20 acre farm does not mean that Applicant's program will require 20 acres. Without some relevant basis for comparing the University's needs to the Applicant's needs, any assumption that the Applicant requires 20 acres would be based upon pure speculation..

The Commission can, also, find, and I urge that it do so, that the property is NOT "uniquely suited" for Applicant's program. To be "unique", the property must "exist as the only one, or "have no like or equal". This would mean that if the property's "D" or poor rated soil is "uniquely suited" for the program, then all other properties with better-rated "C", "B", and "A" soils would not be "uniquely suited" for the program. It goes without saying that this is illogical, incomprehensible and unbelievable.

Applicant seeks to pressure the Commission into granting the Special Permit by creating the illusion that this property is indispensable to the school and its agricultural program. And in doing so, it hopes to divert attention away from the more weighty, relevant issues such as the increased traffic flow, the insufficient water supply , and, most importantly, the adverse impact that the project will have on the adjacent landowners. These issues, and others, have already been adequately addressed by previous speakers and will not be repeated at this time.

However, I urge the Commission to give serious

are real and

consideration to these issues which have been supported by credible evidence, Conversely, I urge you to disregard the unsubstantiated and misleading representations of the Applicant and to deny its application for a Special Permit in the interest of sound planning and the public welfare.

Thank you for your kind attention.



'A'ole pau ka 'ike i ka hualau kua'okahi

Connections Public Charter School

A Community, Business & Education Learning 'Ohana

December 5, 2012

Aloha Windward Planning Commission,

Charter schools have struggled with facilities issues, since their establishment in Hawaii in 2000, despite the fact that Article X of Hawaii's State Constitution clearly says, "The State shall provide for the establishment, support and control of a statewide system of public schools free from sectarian control, a state university, public libraries and such other educational institutions as may be deemed desirable, including physical facilities therefor."

ACT 298 of the 2006 Legislature adopted many of the priority proposals developed by the Charter Schools Task Force on charter school governance that was established by Act 87, Session Laws of Hawaii 2005. SECTION 22 says, "Public charter schools have great difficulty with leasing affordable land on which to locate schools due to prohibitive costs and zoning restrictions. As public schools and state agencies, charter schools should have access to state-held lands and buildings and enjoy comparable rates and conditions as those afforded other state agencies. The purpose of this part is to encourage the State to enter into long-term leases of lands and buildings with charter schools for the location of school facilities."

The new law also amended Chapter 171, Hawaii Revised Statutes, by adding a new section: "§171-95.5 Lease to public charter schools. Notwithstanding any limitations to the contrary, the board may lease to charter schools, at nominal consideration, by direct negotiation and without recourse to public auction, public lands and buildings under the control of the department. Except as provided in this section, the terms and conditions of sections 171-33 and 171-36 shall apply. The lands and buildings leased under this section shall be used by the charter schools for educational purposes only. This section shall not apply to conversion charter schools."

In 2007 Connections Public Charter School (CPCS) asked the Department of Land and Natural Resources (DLNR) for a list of properties that could be utilized by CPCS for the construction of a new campus. DLNR sent a list of seven properties in Hilo. An analysis of the suitability of these sites was conducted by school officials utilizing guidelines established by the State Department of Education in their Educational Specifications for Schools documents. The preface contains the following message for users, "As a dynamic reflection of the culture in which we live, the specific educational needs of each community must continually change to meet the demands of the present and to support the projections of the future. So too must facilities for education – rather than being merely a shelter in which the elements of education are delivered and received, they now have become a complete educational tool, capable of supporting a wide variety of learning experiences for citizens of all ages, abilities, and needs." Site selection criteria in this guideline recommends a minimum usable acreage of

12/6
Re'd at 110 mtg by 520
Dist'd 45 Reau
3.03 COPY

50 acres for high schools. It also suggests a length to width ratio of the site should not exceed 2.5 to 1. School officials also consulted the Hawaii County Code, the Hawaii County General Plan and a memo (Charter Schools and Land Use Regulations) outlining a compilation of county and state rules and regulations that charter schools in Hawaii County were required to follow. In §10.2.1 of the Hawaii County General Plan, charter schools are defined as public schools “responsible for selecting their own sites.” The memo defines the applicability of State laws as, “Charter schools are exempt from state laws, except those relating to health and safety and a few other exceptions (i.e. building, fire, and sanitation codes). The major effect of this exemption is that **Charter Schools located in State Land Use Agricultural Districts do not have to obtain a Special Permit.**”

Through the analysis of the properties sent to CPCS by the DLNR it was noted that two of the properties were zoned residential. The other five sites were in Kaumana and zoned agriculture. On August 28, 2007 CPCS informed DLNR of their interest in a Kaumana property for the development of a future campus. An Approval in Principle of a Direct Lease to Connections New Century Public Charter School for School Purposes in Kaumana, Hawaii, Tax Map Key: (3) 2-5-6:141 was passed by the Board of Land and Natural Resources (BLNR) on March 28, 2008. The issuance of a Direct Lease to Connections New Century Public Charter School for School Purposes, Kaumana, Hawaii, Tax Map Key: (3) 2-5-6:141 was approved unanimously by the BLNR on January 13, 2011 as submitted by board members Pacheco and Gon.

The Hawaii State Constitution provides another reference highly relevant to the proposed new campus in Kaumana. Article XI stresses the importance of agricultural land; “The State shall conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands.” CPCS proposes the conservation of half of the property. The entire section mauka of Edita St. will not be developed. A large section of the lower portion of the property will house school programs promoting diversified agriculture and agricultural self-sufficiency. Much of the surrounding land is zoned agriculture. The first phase of the Pacific Plantations subdivision consists of about 60, one acre, agriculture zoned lots. These homes are off of Edita and Mele Manu Streets. The same developer owns over 290 acres of agriculture zoned lots in the surrounding area. Ten other potential development entities own over 2,000 acres of agriculture zoned lots in the vicinity. Hawaii Electric Company owns 20 acres surrounded by these properties.

A 2002 article written by Nathan Pohakea Roehrig for the University of Hawai'i Law Review concluded, “Hawai'i is a state committed to conserving and protecting agricultural land. This commitment is embodied in Article 11, section 3 of the Hawai'i State Constitution and H.R.S. Chapter 205, Hawai'i's land use law. In spite of this commitment, urban type residential communities are permitted piecemeal on agricultural land by county government. This practice is possible because H.R.S. Chapter 205 does not explicitly require that development be reviewed comprehensively and deferred to the LUC when appropriate. This practice is untenable under the spirit and intent of Article 11, section 3 of the Hawai'i State Constitution and H.R.S. Chapter 205. An amendment to H.R.S. Chapter 205 requiring comprehensive review of a project's components, and deferral to the LUC when appropriate, is necessary to prevent further incidence of this type of inappropriate agricultural development. Such an amendment would be consonant with Article 11, section 3, H.R.S. Chapter 205, LUC decisions, circuit court decisions and Hawai'i Supreme Court precedent.”

Hawaii County uses Community Development Plans (CDP) to “translate broad General Plan goals, policies, and standards into implementation actions as they apply to specific geographical regions around the Island. CDPs are also intended to serve as a forum for community input into land-use, delivery of government services, and any other matters relating to the planning area.” CDPs have been

developed for Kona, Puna, North Kohala, South Kohala, Ka'u, Hamakua and Downtown Hilo. The Hawaii County Planning Department's website does not include a reference to a CDP developed for the parts of Hilo that fall outside of the downtown area. The last CDP for Hilo was written in 1975. With Hawaii Island's population growing at the fastest pace of any area in the State, there is a dire need for guidance for the development of all of Hilo. The General Plan was updated in 2005. With no CDP to look to for guidance, the General Plan provides guidance. It says the following concerning use of State lands:

14.9.2 Goals

(a) Utilize publicly owned lands in the best public interest and to the maximum benefit for the greatest number of people.

(b) Acquire lands for public use to implement policies and programs contained in the General Plan.

14.9.3 Policies

(a) Encourage uses of public lands that will satisfy specific public needs, such as housing, recreation, open space and education.

The Puainako extension road opened up many areas for potential development of agricultural subdivisions. Will the residents of this island soon be seeing decisions regarding the development of this area made without the guidance of a CDP? The potential for favoritism is high when these kinds of important decisions are made by a politically appointed board. Are the issues being brought up to halt the development of Connections' new Kaumana campus only going to be centered around the "not in my backyard" neighbors living on one-acre agriculture lots? Or will the Windward Planning Commission follow the goals and policies specified in the General Plan?

Aloha 'ino!

John Thatcher

#5

Land Use Commission:

I live on Mele Manu St. I am still opposed to the proposed construction of Connections Charter School on Edita Street and would like to follow up on testimony since the last meeting on November 9. As you have heard and read from testimony, there is overwhelming opposition within the community with no community support for this project.

By Connections administrators own admission, this project has been planned for at least seven years. Therefore, they have had years to consider and develop plans that would not impact the community, including access/roads and water usage. They have had attorneys and other professionals to help them along the way. For example, as Commissioner Gonzales astutely realized during the last meeting, the increase in traffic along Edita Street of up to 200 additional cars per day will be significant, such that alternatives should have been considered. Yet, this was not done.

Connections administrators have had years to garner community support. I realize that the Land Use Commission suggested that the Community and Connections administrators continue to meet. However, there is a pattern of behavior (as testified by neighbors in the last meeting) that has resulted in a broken trust. This is a trust that is unlikely to be mended. There has been no testimony, no specifics given, from Connections administration as to how their use of the Land will, in fact, elevate and improve surrounding neighborhood. There has only been deflections and obfuscation from the administration.

If approved, there will be no oversight during the construction of this school. Because the pattern of behavior has been lacking from the Connections administration, neighbors will be forced to wonder if regulations are being followed in an ethical and appropriate manner. Neighbors will feel forced in being the permit, land use, and ethics police.

As the Windward Planning Commission, please hear the Kaumana community, who will be most impacted and the ones condemned to endure increase in traffic and utilization of resources by this project. Connections have had years to get "all the ducks in a row". They have not. Please deny the continuance and deny this project. The Kaumana Community should not have to make allowances for the Connections administrators poor planning.

Thank you.

Ming Peng, MD

12/6
Dist
Jho

Melvin Yokota
Mele Manu Street
Hilo Hawaii

Thank you for allowing me to present further observations.

Attached for your information is a Letter from John Thatcher in the November 19, 2012 Connections Newsletter. In that letter, he writes about a skilled-nursing facility to be built at the bottom of Kaumana Drive. It will have approximately 50 full time and 3 part time employees per shift. He states that this amount of traffic "Will negatively impact the traffic on Kaumana Drive!" He adds "We need the Windward Planning Commission to hear the truth."

The truth is:

- Connections envisions a staff of 30 to 50 employees. This is equivalent to the shift staffing of the skilled nursing facility. Therefore, Connections staff alone will also negatively impact the traffic on a larger portion of Kaumana Drive.
- How does delivery of 400 students each morning not add to that negative impact?

We in the Kaumana community are gratified that Mr. Thatcher agrees with what we have been saying all along. Mr. Thatcher's observation clearly contradicts the assertion in the Special Permit Application that the Kaumana Campus will have no significant traffic impact. The truth now appears to be that the Special Permit Application does not reflect Mr. Thatcher's true assessment of the impact of the Kaumana Campus on the Kaumana community. Since Mr. Thatcher's observation is not consistent with the Special Permit Application, we believe that there is no justification for approval of the Special Permit Application since it appears to contain contradictions.

Rec'd at Dist mtg by AK
Dist'd Read

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STAY CONNECTED

November 19, 2012 Volume 11 #16

(174 Kamehameha Ave. Hilo, 96720, phone 961-3664,
cpcs@hawaii.rr.com, www.connectionscharterschool.org)

DATES TO REMEMBER

Early Edition

Letter from John Thatcher

Aloha Connections' families,

On December 6 at 12:00 pm we are scheduled to appear before the Windward Planning Commission in our ongoing saga to secure land in Kaumana for the development of our new campus. Many of you have seen the "No Connections in Kaumana" signs and have asked how you can help with the struggle. There are many things we can all do. We really do need the help of everyone to overcome the negative light being cast on our school.

For example, the neighbors are saying that traffic on Kaumana Dr. will become a major problem if we build our school.

The County's traffic specialist testified that traffic WOULD NOT be negatively impacted on Kaumana Dr. by our project. One of the angry Kaumana neighbors is actually a consultant for another project off of Kaumana Dr. that will be building a 100-bed skilled-nursing facility. The facility is expected to open by the end of 2013, and will directly employ 150 full-time employees and 10 part-time workers. It will operate 24 hours a day, 7 days a week. There will be three work shifts, with each shift averaging around 50 employees. ~~This project WILL negatively impact the traffic on Kaumana Dr. We need the Windward Planning Commission to hear the truth.~~

If you live in South Hilo, your representatives on the Commission are **Stephen Ono and Wallace Ishibashi**. The representative from Puna is **Dean Au**. North Hilo/Hamakua's representative is **Ronald Gonzales**. Ka'u is represented by **Raylene Moses**. If you know any of these people, please let them know that you are in favor of our project. They also need to hear that THEY are the WINDWARD PLANNING COMMISSION, not the KAUMANA PLANNING COMMISSION. **We really need your written testimonies.** They can be emailed to Mr. Boyd at: eric_boyd@connectionspcs.org or given to any member of our staff. We will make copies of your testimony to submit to the Commissioners. If you have questions or concerns for me, please email me directly at john_thatcher@connectionspcs.org or call the Kress office (961-3664) or our high school office (959-6037). Please also consider writing letters to the editor of the Hawaii Tribune-Herald. Submissions can be made online at: <http://hawaiitribune-herald.com/content/lettereditor.html> or emailed to letters@hawaiitribuneherald.com.

com. Ultimately our presence at the next hearing will make the biggest impact. We are scheduled to appear on **December 6 at 12:00 pm.**

The Windward Planning Commission meets in the Aupuni Center Conference Room at 101 Pauahi St. **Please consider attending.** Invite your friends, family and neighbors to join us. **WE NEED EVERYONES HELP NOW!**

To Windward Planning Commission,

LIES

Mario Patino wrote a letter to the editor in the Hawaii Tribune Herald titled School Controversy. In his letter he states, "No traffic data was ever presented at the meeting, by the school or concerned residents. When making claims, there should always be supporting evidence, right?" This is a public lie. Dr. Henry Lee Loy provided compelling evidence of traffic statistics and images of a recent accident. Joy Mcleod gave factual evidence of traffic accidents for years 2011 and 2012 up till October. Phillip Rowell, who claims to have 40 years experience in traffic study but has a history of driving while intoxicated, gave questionable testimony of a survey he conducted in 2009 which he used to update his current traffic data from 2010. Phillip Rowell also claims in his 40 plus years of conducting traffic studies he has never been able to get accident stats from the police department. Mario Patino is a member of the Connections Public Charter School Local School board and obviously has no problem with putting false information in the local newspaper to try and sway public opinion in his favor.

Heather Forbes McDaniels wrote a letter to the editor Hawaii Tribune Herald stating, "Commissioners heard from very few of the 100-plus supporters who attended, because time ran out." Mr. Zendo Kern clearly announced, "We have about 65 people signed up to testify, that's over three hours of testimony." Not only did everyone present get to testify, but there was time for Ted Hong to rebut factual statements with his lies. Heather Forbes MacDaniel is the Head of Connections Public Charter School Local School Board and has no problem writing false statements in the local newspaper to garner public support of her employer's pet project. She also found it disturbing that people opposed to the project gave testimony she felt was not related to land use. Roman Kelley from Hakalau and other students from Connections gave testimony with no ties to land use and McDaniels is OK with that.

Ted Hong claims in his testimony to the Windward Land Use Commission, at the land board hearing, referring to the contractor and land clearing, he said, "These guys did it, they didn't have permission." The contractor Ted is referring to did in fact have a contract. They had more than permission, they had a contract and Ted knows it but blatantly lies to the commission.

(See DLNR charges) At the last Windward Land Use hearing Ted Hong questions, "So was this bulldozing legal? Yes it was." DLNR Land Board Hearing clearly charges Connections with "unauthorized bulldozing and land clearing" The fact that the fine was reduced from \$5000.00 to \$500.00 does not make the unauthorized bulldozing legal.

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(See Photo of completed fencing) At the end of the last Windward Land Use hearing, Ted Hong disputes Allen Novak's testimony that the project was completed stating, "The suggestion that we stopped it only after the project was done is misleading at best." The fence is done in accordance with the contract signed by On The Line Fencing. Feel free to drive by the site on Edita Street and take a look.

Aloha,

Jeff Gomes

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

October 26, 2012

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

HAWAII

Enforcement of Violation on Unencumbered Public Lands, Unauthorized Land Clearing, Construction of Perimeter Fence and Removal of Ohia Timber by Connections New Century Public Charter School, Kukuau, South Hilo, Hawaii; TMK (3) 2-5-06:141 portion.

PURPOSE:

Enforcement of violation of Hawaii Administrative Rules relating to unencumbered public lands, unauthorized bulldozing and land clearing construction of perimeter fence and removal of ohia timber by the Connections New Century Public Charter School and/or agents acting on their behalf occurring on State unencumbered lands makai of Edita Street, Hilo, further identified by tax map key 3rd/2-5-06:141 and shown as Exhibit A.

LEGAL REFERENCE:

Section 171-6, Hawaii Revised Statutes, as amended
Section 13-221-23, and 28, Hawaii Administrative Rules (HAR), as amended.

BACKGROUND:

On March 28, 2008 under agenda item D5, the Board of Land and Natural Resources approved in principle, the issuance of a direct lease to the Connections New Century Public Charter School (Connections) for school purposes pending the finding of no significant impact (FONSI) of their environmental assessment for the school site. Then, at its meeting of January 13, 2012 under agenda item D-4, the Board approved the direct lease to Connections for a period of sixty-five (65) years. There was no management right of entry agreement on either Board submittal and no authorization for the applicant to enter onto the State land prior to the lease document being fully executed.

**Connections Public Charter School
Local School Board Minutes
July 27, 2009
Kress Building, 2nd Floor, 1:30 p.m.**

Call to Order: The meeting was called to order by Mrs. McDaniel at 1:39 p.m.

Members Present: John Thatcher, Heather McDaniel, Linda Peters, Damien DeMello, Loretta Cantu, Michele Zane-Faridi, Sandy Kelley, Kate Wines.

Members Absent: Kaholo Daguman, Libby Oshiyama

Guests: Carol Gray, Erika Boyd, Eric Boyd, U KrsKrs

Approval of Agenda: Action Taken: Mr. DeMello made a motion to approve the agenda with changes. Ms. Peters seconded the motion and it was approved with consensus.

Approval of Minutes: Mr. Thatcher made a motion to table the approval of the June 2, 2009 minutes until the next meeting. Mr. DeMello seconded the motion and it was approved with consensus.

Approval of Public Input Conditions Statement Draft: Mrs. Wines made a motion to approve the Public Input Conditions Statement draft, with changes. Mrs. Kelley seconded the motion, and it was approved with consensus.

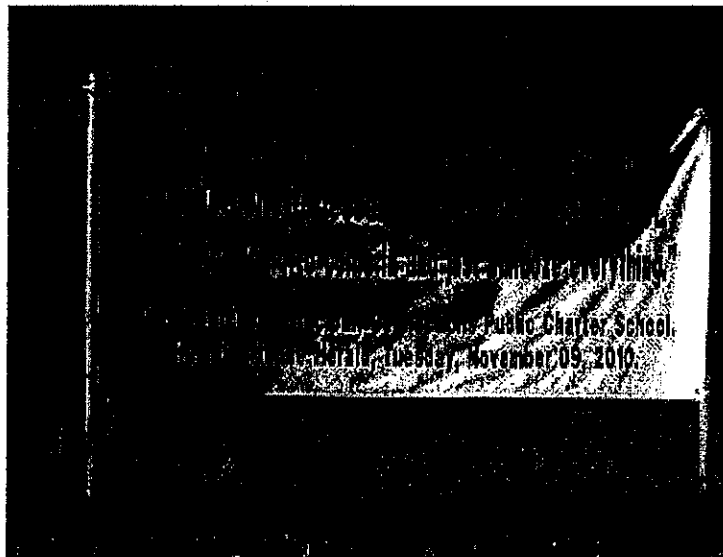
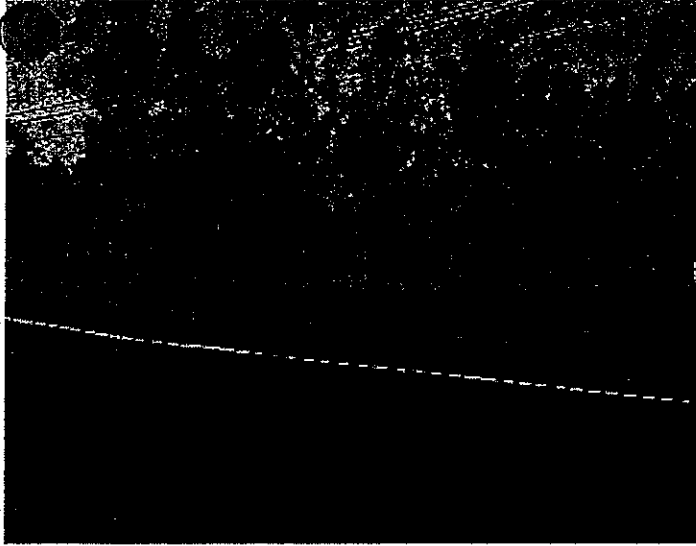
Old Business:

Discipline Policy Review Committee Recommendations: Discussion of input from Elsie Miyazono, Shelley Ebersole, Bill Ebersole, Carol Gray, Heather McDaniel, Nancy DeBono, and Eric Boyd regarding recommended changes to the Discipline Policy. Mr. Thatcher made a motion to approve the draft revision to the Discipline Policy, with some changes to the committee's recommendations. Mrs. Kelley seconded the motion, and it was approved with consensus, with Ms. Peters abstaining.

Public Input: High School 10th grade student U KrsKrs requested waivers to the CPCS Graduation Requirements, in order to be allowed to graduate in August, 2009. Some options were discussed with him that may enable him to complete the requirements, or to enroll in another high school and request waivers there. Mr. Thatcher offered to meet with him for further discussion of the requirements for graduation at CPCS.

Correspondence & Communications: Mrs. McDaniel reported that she received two letters stating interest in serving on the Local School Board, from Carol Gray (teacher) and Rosette Andrade (support staff).

Ted Hong, "The suggestion that we stopped it or [redacted] after the project was done is misleading at best." This project is done and locked.



Let's not forget the quote by John Thatcher
Hawaii Tribune Herald.

A 100 foot construction buffer overlaying Kaumana Cave is necessary to preserve biodiversity.

Matthew J Medeiros, Ph.D.
Department of Integrative Biology, University of California
and
Department of Entomology, Smithsonian Institute

Francis G Howarth, Ph.D.
Department of Entomology, B.P. Bishop Museum

Kaumana Cave is one of the world's longest known caves, at over 2500 m long (Crawford 1983), and is a unique and valuable natural resource. Bulldozing, building structures, or keeping livestock within 100 feet of the land overlying Kaumana Cave would very likely create irreversible and permanent harm to cave organisms and the subterranean environment. Of these activities, the biggest threat to the cave environment is any activity that removes or harms 'ohi'a (*Metrosideros polymorpha*) trees.

As Stone (1992) wrote, "Kaumana Cave has been colonized by at least 15 species of endemic cave invertebrates over its 110 year history. Survival of these species is dependent on the native 'ohi'a/uluhe successional forest overlying it. Sections of the cave which do not have *Metrosideros* ['ohi'a] roots, due to surface clearing, are virtually devoid of cave species."

Several cave invertebrate species rely on live 'ohi'a roots growing through the surface of the cave to provide food and would quickly perish upon removal of trees from the surface. These include species native to Hawaiian caves, such as *Oliarus* planthoppers, *Schrankia* moths, *Dimerogonus* millipedes, and *Caconemobius* crickets (Howarth 1973; Hoch and Howarth 1993; Medeiros *et al.* 2009). Additionally, although some of these species might also be able to subsist off the roots of other tree species, *Oliarus polyphemus* planthoppers are host specific and can only eat 'ohi'a roots (F. Howarth, personal observations).

Although some of these species have populations found in other Hawaii Island caves, at least two (and possibly more) are endemic to Kaumana Cave: The population of *Oliarus polyphemus* living in Kaumana Cave has a unique mating call (Hoch and Howarth 1993) and is currently being described by Hoch *et al.* as its own species (manuscript in preparation). A second, *Schrankia howarthi*, is a moth species found in numerous caves, but the population in Kaumana Cave is genetically distinct from other populations (Medeiros *et al.* 2009), and as such, appears to be in the process of evolving into a new, distinct species. Again, these are two examples of species that cannot survive without a healthy tree (and in the case of *O. polyphemus*, 'ohi'a tree) population overlying the cave. As 'ohi'a trees send their

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roots deeper than other tree species, they are the single most important resource to protect on the surface, in order to ensure survival of cave organisms.

To reiterate, we recommend a buffer of at least 100 feet in all directions from areas overlying Kaumana Cave. Maintaining such a buffer is the best way to preserve biodiversity unique to Kaumana Cave.

Matthew J Medeiros & Francis G Howarth
November 20, 2012

References Cited:

Crawford, R. 1983. The world's longest lava tube caves. *International Journal of Volcanospeleology, National Park Service*. 22(4):20-30.

Hoch, H., and Howarth, F. 1993. Evolutionary Dynamics of Behavioral Divergence among Populations of the Hawaiian Cave-dwelling Planthopper *Oliarus polyphemus* (Homoptera: Fulgoroidea: Cixiidae). *Pacific Science*, 47(4):303-318.

Howarth, F. 1973. The cavernicolous fauna of Hawaiian lava tubes, 1. Introduction. *Pacific Insects*, 15:139-151.

Medeiros, M., Davis, D., Howarth, F., and Gillespie, R. 2009. Evolution of cave living in Hawaiian *Schrankia* (Lepidoptera: Noctuidae) with description of a remarkable new cave species. *Zoological Journal of the Linnean Society*, 156:114-139.

Stone, F. 1992. Puainako Road Extention Environmental Impact Study: Kaumana Cave: Appendix D. Okahara and Associates, Hilo, HI.

To Windward Planning Commission,

We were never notified in accordance with HAR Title 11.

Aloha,

Wendy Gomes

~~John~~ ~~1/16~~
ye

HAWAII ADMINISTRATIVE RULES

TITLE 11

DEPARTMENT OF HEALTH

CHAPTER 200

ENVIRONMENTAL IMPACT STATEMENT RULES

Updated as of April 2008

Subchapter 6 Determination of Significance

11-200-9 Assessment of agency actions and applicant actions. (a) For agency actions, except those actions exempt from the preparation of an environmental assessment pursuant to section 343-5, HRS, or section 11-200-8, the proposing agency shall:

(6) Distribute, concurrently with the filing in paragraph (5), the draft environmental assessment to other agencies having jurisdiction or expertise as well as

[REDACTED]

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Members Absent: Kaholo Daguman, Libby Oshiyama

Guests: Carol Gray, Erika Boyd, Eric Boyd, U KrsKrs

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Public Input: High School 10th grade student U KrsKrs requested waivers to the CPCS Graduation Requirements, in order to be allowed to graduate in August, 2009. Some options were discussed with him that may enable him to complete the requirements, or to enroll in another high school and request waivers there. Mr. Thatcher offered to meet with him for further discussion of the requirements for graduation at CPCS.

Correspondence & Communication: Mrs. McDaniel reported that she received two letters stating interest in serving on the Local School Board, from Carol Gray (teacher) and Renette Andrade (support staff).

requested we would be doing a "No Significant Impact Statement" rather than an Environmental Impact Statement, and if approved, we may be able to begin work on the Kaumana property in early 2011, with a projected final completion date of 2021. There is also an opportunity for a pilot "Green Schools" demonstration project, which would enable us to invite funders.

- o **ISB Procedures & Background:** No discussion.
- o **High School Report:** No further discussion.

Finance Committee Report
Report for June 2009.

Mrs. Kelley submitted a Human Resources Monthly Report, outlining personnel budget allocations.

Mr. Thatcher reported that overall budget allocations reflect budget cuts for June 2009.

The committee submitted a list of checks written for over \$1000.

Business Manager's Report

- o **Operations Status:** Mrs. Kelley reported that electrical work was done over the summer to add outlets in the elementary classrooms, and reported that the ~~the~~ conditioning unit in the need of replacement or repair, which would cost \$50,000. She will continue to request additional bids for that, and the repair of the 2nd floor roof.

Mrs. Kelley discussed the recommended revisions to the Financial Operations Manual, including an improved process for Purchase Orders procedures ("Procurement Policy"), and a commitment to give preference to local vendors and use of recycled materials, with attention to "best value".

- o **Action Taken:** Mrs. Kelley made a motion to approve the revisions to the Financial Operations Manual, with changes. Mr. DeMello seconded the motion and it was approved with consensus.

- o **Approval of Financial Statements:** Action Taken: Mrs. Wines made a motion to approve the Financial Statements for June 2009. Mr. DeMello seconded the motion and it was approved with consensus.

Now Business:

Board Member Comments:

- o Mrs. McDaniel reported that two I.S.B. role groups (teachers and support staff) will be selecting their representatives for SY 2009-2010 at the staff meeting on Friday, July 31, 2009, by ballot. The Board will seat its members and elect officers for 2009-2010 at the next meeting.

Action Taken: Mrs. McDaniel requested a motion to go into Executive Session to discuss communication regarding a complaint against personnel. Mrs. Kelley made that motion at 3:30 p.m. Ms. Cantu seconded the motion and it was approved with consensus.

Executive Session: *Action Taken:* Mr. DeMello made a motion that the Board direct Mrs. McDaniel to respond in writing to a letter regarding a complaint against an employee, and to conduct a fact-finding effort to collect any other relevant information. Mrs. Wines seconded the motion and it was approved with consensus.

Action Taken: Mrs. Kelley made a motion to go out of Executive Session at 4:00. Mr. Thatcher seconded the motion and it was approved with consensus.

Operations Report

- **Administrator's Report**

Current Enrollment: Projected enrollment for SY 2009-2010 is 360.

- **Other Items:** Records for graduates from the class of 2009 were missing documentation of the Leadership Requirement for graduation, and a 0.5 elective requirement for one of those students, due to inadequate record-keeping rather than those students' failure to fulfill those requirements. Mr. Thatcher expressed a commitment to improve record-keeping at the high school, and suggested that the Board may want to revisit the document for High School Graduation Requirements for possible revision.

Action Taken: Mr. Thatcher made a motion to grant waivers to the Leadership Requirement for graduation for the class of 2009, and a waiver to the 0.5 elective credit for one of those students. Ms. Cantu seconded the motion, and it was approved with consensus.

Five students in grade 8 were not passing classes due to a few missing assignments. This was not discussed with Administration until the end of the school year. Board discussion included the need for more timely communication with Administration regarding the matter, and the need for much earlier intervention and discussion with students and parents (by mid-schoolyear) if retention is a possibility.

Action Taken: Mr. Thatcher made a motion to promote those students to grade 9, with the condition that they complete all assignments. Mrs. Wines seconded the motion and it was passed with consensus.

Recess: 4:15 to 4:22

Discussion of teachers' portfolios included information about one teacher who did not submit a portfolio, and those teachers who did not meet the criteria for Highly Qualified Teacher status. Mr. Thatcher reported that all portfolios that were submitted were vastly improved over last year's. Discussed the need for a procedure for possible probation when staff are not in compliance with points in the Staff Guidelines, or directives from Administration.

Facilities Update: Mr. Thatcher reported on a visit to a facility in Bellevue, Washington, that has LEED certification. He collected pictures and a list of possible vendors for building materials. He reported that our Environmental Assessment has been made available to relevant government agencies. If it is not questioned or

Action Taken: Mrs. McDaniel requested a motion to go into Executive Session to discuss communication regarding a complaint against personnel. Mrs. Kelley made that motion at 3:30 p.m. Ms. Cantu seconded the motion and it was approved with consensus.

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Action Taken: Mrs. Wines made a motion to permit those students in grade 8, with the condition that they complete all assignments. Mrs. Wines seconded the motion and it was passed with consensus.

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on the Kaumana property in early 2011, with a projected final completion date of
2021. There is also an opportunity for a pilot "Green Schools" demonstration
project, which would enable us to invite funders.

- o **LSB Procedures & Background:** No discussion
- o **High School Report:** No further discussion

Finance Committee Report: Ms. Peters referred to the LSB Finance Committee Report for June 2009.

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The committee submitted a list of checks written for over \$1000.

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Mrs. Kelley discussed the recommended revisions to the Financial Operations Manual, including an improved process for Purchase Orders procedures ("Procurement Policy"), and a commitment to give preference to local vendors and use of recycled materials, with attention to "best value".

Action Taken: Mrs. Kelley made a motion to approve the revisions to the Financial Operations Manual, with changes. Mr. DeMello seconded the motion and it was approved with consensus.

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New Business:

Board Member Comments:

- o Mrs. McDaniel reported that two LSB role groups (teachers and support staff) will be selecting their representatives for SY 2009-2010 at the staff meeting on Friday, July 31, 2009, by ballot. The Board will seat its members and elect officers for 2009-2010 at the next meeting.

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Graduation Requirements: Discussion of a student's requested waivers to the CPCS Graduation Requirements, in order to be allowed to graduate in August, 2009. Some options were discussed with him that may enable him to complete the requirements, or to enroll in another high school to complete the requirements for graduation at CPCS.

Correspondence & Communication: Mrs. McDaniel reported that she received two letters from a parent inquiring about the Local School Board's stance on the CPCS and the Washington Ambassadors (support staff).

BE THE MATCH®

**Ke`ala
(Pauline Kealoha)
Lee Loy**

Employed at Kamehameha Schools and a former teacher with the DOE, Ke`ala was recently diagnosed with acute myeloid leukemia and needs a bone marrow transplant.

Thousands of patients depend on the Be The Match Registry® to find a donor who can give them the chance for a cure.
Join us. Save lives.



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Date: Sunday, September 2, 2012

Time: 10:00 am to 2:00 pm

Location: KTA Center
50 East Puainako St.
Hilo, HI 96720

To join, you only need to be between the ages of 18-60; be willing to donate to any patient in need and meet the health guidelines.

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To join, give or volunteer with Be The Match, contact:

Roy Yonashiro
roy.yonashiro@hbmdb.org
808-547-6154



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R O Y

BeTheMatch.org

10883: APR 2011

1820

Good morning members of the Windward planning commission. I live on Mele Manu street. My name is Dr. Henry Lee Loy together with my wife Pauline Keala Kealoha Lee Loy we continue to object to the location of the proposed Connection charter school in Kaumana. My wife remains hospitalized for acute leukemia in Honolulu and once again is unable to attend this public hearing.

Let me recapitulate, as educators ourselves we strongly believe in the public school system. As graduates of Hilo high school and Honokaa high school we know the system works. Let me make this clear, we are not against the students of Connections public charter school. We object to the proposed location.

At the last planning commission meeting Chairman Dean Au asked the applicant to reach out to the community. We have had no such communication from the applicant. This morning I read in the Hawaii Tribune Herald that Atty. Hong said they haven't been able to schedule a community meeting because of the lack of facilities at Kaumana elementary school. Interestingly, the Kaumauna elementary school cafeteria holds almost the exact number of people as the Aupuni Center conference room where this public hearing is being held today. Instead I am greatly concerned about the recent newspaper articles regarding the ethical conduct of the Vice Principal.

We question the actions of their administration and leadership.

We ask the Windward planning commission to reject the special permit application for Connections public charter school.

#1 The intersection of Kaumana drive and Edita street is dangerous

#2 There is only one entrance and exit for the proposed school

#3 There is not enough water for 381 students and 50 faculty members

#4 The proposed septic system will find its way into the caves and sewage will flow into the groundwater and down into Hilo bay

#5 Development will irreparably damage the fragile ecosystem of the caves and the Ohia forest

watershed

#6 Kaumana elementary school is only half a mile away from the proposed project

#7 Ernest B. deSilva school is less than 2 miles away from the proposed project

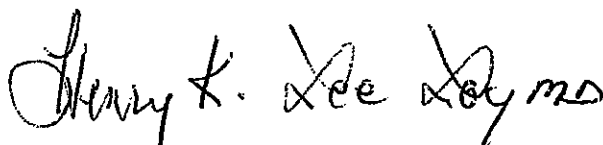
#8 The traffic impact analysis report is obsolete. It was done over three and half years ago. It did not account for the increase in traffic as a result of future build outs and other developments around the area , i.e. Pacific plantation II which has over 40 new lots, the new Hokulani subdivision, and the addition of the Hawaiian homes subdivision in upper Kaumana.

#9 There is not enough room for the applicant to provide full width 50 foot right-of-way road On Edita Street with concrete curbs and sidewalks on both sides of the roadway from the school entrance up to and including the Kaumana Drive intersection

#10 Problems will occur with two separate school properties bifurcated by Edita Street. Cross vehicular and pedestrian traffic will occur. A crosswalk in the middle of the block will be dangerous.

#11 Over 500 residents in Kaumana have signed the petition against the proposed project. There is no community support.

Very truly yours,



Henry K Lee Loy M.D.

To Windward Planning Commission,

In April of 2012, by invitation from John Thatcher and his wife Pam Thatcher I visited the Connections School at the Kress Building. I met a teacher Mr. Jim Thorpe who appeared to be a very nice man working on something called the Makery Project. I loved what he was doing with lasers. I have a laser business. I explained to him that I am opposed to the school being built in Kaumana but that I would be more than willing to help him with his project.

He emailed me and asked for help. I offered him what would have amounted to thousands of dollars in time and materials to assist him and his students. After my response I never heard from him again.

Since then, John Thatcher sent Eric Boyd to scare my family by taking pictures of my home and turned the picture into a video that has been posted on the internet. The video targets my home and subliminally asks supporters to target me and my family for opposing the project. It's working! Thefts and vandalism are occurring.

The latest correspondence I got from the school is this sick message on Face Book from John Thatcher accusing me of having something to do with a suicide that happened at the school. John and I are not friends on Face Book but he messaged me anyway.

I respectfully ask for your intervention and relief from this madness. Please deny this project today in order to prevent escalation of the schools harassment to me and my family. I know this behavior will only lead to violence and fear for the welfare of my family. This is very poor behavior for any type of school.

Aloha,

Jeff Gomes

12/12/12
2.0
x00



Hawaii Bookmark <hawaiibookmark@gmail.com>

Customer contact message for www.hawaiibookmarks.com

3 messages

billthorpeca@gmail.com <billthorpeca@gmail.com>
To: hawaiibookmark@gmail.com

Tue, May 1, 2012 at 8:38 AM

A visitor to www.hawaiibookmarks.com has sent a message through your form.

Customer contact: Main customer contact form

First Name: : William
Last Name: : Thorpe
Email: : billthorpeca@gmail.com
Mobile Phone: : 808-640-5295

Comments: : I met you at Connections Public Charter School on Saturday 4/28. I'm the lead teacher for the Makery Project. We're interested in starting to harvest and use the trees from the new property. We would like to meet with you and discuss working with you. You can contact me directly or through the school at 961-3664. The supervisor for the new school site is Eric Boyd and he can be reached through the school or at eric.boyd@connectionscharterschool.org. Thank you for taking the time to talk to us, we're excited to work with someone with your knowledge and experience.

Company: : Connections Public Charter School

Hawaii Bookmark <hawaiibookmark@gmail.com>
To: billthorpeca@gmail.com

Tue, May 1, 2012 at 11:19 AM

Hi Bill,

If you like, you may come by the shop next week and I would be happy to show you how to set up a kiln and mill your wood. You are also welcome to take a look at my production and see if it is something you may want to teach the children about manufacturing a product.

Aloha,
[Quoted text hidden]

Jeff Gomes
Owner
Hawaii Bookmark
16-175 Melekaheka Street #1
Keaau, HI 96749
WK (808) 966-5476
CEL (808) 987-6488
www.hawaiibookmarks.com

Hawaii Bookmark <hawaiibookmark@gmail.com>
To: matt.j.medeiros@gmail.com

Wed, Nov 14, 2012 at 1:26 AM

Hi Matt,

Back in April of this year, I visited Connections Public Charter School in hopes of finding out more about what they teach. I met Bill Thorpe. He is running the Makery Project. He teaches the students laser work and how to market the products. I was very impressed with this as I firmly believe that all students should graduate with a business license and some idea of how to run a small business, keep a balanced bank account, file taxes, buy a home, buy a car and a whole list of other life skills. I run a laser business and offered Bill to stop by and bring his class by for a tour and possibly training. This is our correspondence. Unfortunately, I think he was told I am the enemy and he never followed through with the visit.

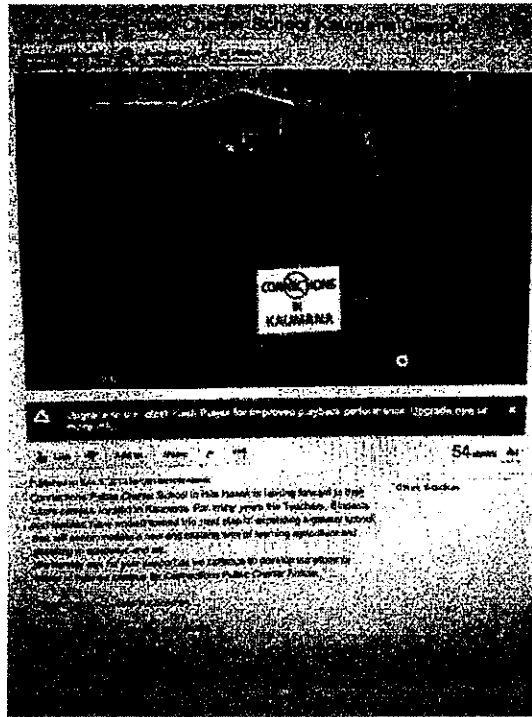
Aloha,
[Quoted text hidden]

My name is Jeffrey Gomes. This is a message I received from John Thatcher on Face Book. We are not friends on the site and I did not have any contact with him prior to receiving this.

Conversation started November 13



9:38am **John Thatcher** Just wanted to let you know that yesterday one of our high school students committed suicide. I am in no way blaming any of you, I just wanted to let you know. Emotions are running very high right now. Your signs are not helping. Please share our sad news with your friends and family.



Gomes family, crime free since buying this home in 1999 until November 2012. Since this video went online by direction of Ted Hong, John Thatcher and Connections Local School Board; 1 sign stolen, 4 newspapers stolen, 3 beer bottles found in rock garden, and 1 McDonalds bag of trash found in rock garden. Thank you William Eric Boyd and Connections Public Charter School. What a fine example you set for our community.

RECORD OF VOTING

**WINDWARD PLANNING COMMISSION
COUNTY OF HAWAII**

DATE: December 6, 2012

APPLICANT: Connections/CBESS SPP 12-000138

ACTION: MOVED GONZALES SECOND ONO

*Motion
Passes
4-0*

- APPROVE AS RECOMMENDED BY PLANNING DIRECTOR
- APPROVE WITH AMENDMENTS
- DENY
- CONTINUE/DEFER To The Next Windward PC
- OTHER/REMARKS Meeting on 1/10/13.

COMMISSIONERS: AYE NO EXCUSED ABSTAIN ABSENT

GONZALES, Ronald	(1)	<input checked="" type="checkbox"/>				
ISHIBASHI, Wallace		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		
MOSES, Raylene	-	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		
ONO, Stephen	(2)	<input checked="" type="checkbox"/>				
AU, Dean (Chairman Pro Tem)		<input checked="" type="checkbox"/>				

WINDWARD PLANNING COMMISSION
COUNTY OF HAWAI'I

HEARING TRANSCRIPT
DECEMBER 6, 2012

A regularly advertised hearing on the application of **CONNECTIONS NEW CENTURY PUBLIC CHARTER SCHOOL/CBESS (SPP 12-138)** was called to order at 12:44 p.m. in the County of Hawai'i, Aupuni Center Conference Room, 101 Pauahi Street, Hilo, Hawai'i, with Chairman Pro Tem Dean Au presiding.

COMMISSIONERS PRESENT: Dean Au, Ronald Gonzales, Wallace Ishibashi, and Stephen Ono

STAFF PRESENT: Ryan Kanakaole (Deputy Corporation Counsel), B. J. Leithead Todd (Planning Director), Daryn Arai (Planning Program Manager), Phyllis Fujimoto (Staff Planner), Maija Cottle (Staff Planner), Jeff Darrow (Staff Planner), and Sharon Nomura (Secretary)

ABSENT AND EXCUSED: Raylene Moses

And approximately 36 people from the public in attendance.

APPLICANT: CONNECTIONS NEW CENTURY PUBLIC CHARTER SCHOOL/CBESS (SPP 12-138)

Continued hearing on an application for a Special Permit to develop a K to 12 charter school campus with dorm facilities and related uses on approximately 70 acres of land situated in the State Land Use Agricultural District. The property is located on both the southwest and northeast sides of Edita Street near its intersection with Kaūmana Drive and adjoining the Pacific Plantation Subdivision in Kaūmana, South Hilo, Hawai'i, TMK: 2-5-006:141.

AU: Okay, we're on Item No. 5. Applicant: Connections New Century Public Charter School (SPP 12-138). Continued hearing on an application for a Special Permit to develop a K to 12 charter school campus with dorm facilities and related uses on approximately 70 acres of land situated in the State Land Use Agricultural District. The property is located on both the southwest and northeast sides of Edita Street near its intersection with Kaūmana Drive and adjoining the Pacific Plantation Subdivision in Kaūmana, South Hilo, Hawai'i, TMK: 2-5-006:141. Staff presentation, please.

DARROW: Thank you, Mr. Chairman. We're not going to do a long presentation as we did at our first meeting. Our last meeting was November 9, 2012 at which time the Planning Commission voted to continue the hearing to allow an opportunity to pursue an alternate access route from Puainako Street and also to submit water consumption estimate addressing the concern of an inadequate water supply by its next meeting, which is today. Additionally, we sent out another letter asking, encouraging the applicant to meet with the adjoining and surrounding community in hopes of addressing the concerns that were expressed at the last meeting. So, again, this is a continued hearing.

I wanted to bring to your attention some submittals that have been submitted to the Planning Department since our last meeting. We have a letter dated November 21st, this was submitted by the

applicant. It was addressed to the Department of Water Supply and it actually has the preliminary estimate of potable water consumption. So that is one of the items requested from the Planning Commission that has been submitted to the Department of Water supply.

Additionally, there was a request to work on an alternate access through the south adjoining property. A meeting was held between Mr. Bill Brilhante, Sr., the Planning Director, as well as the applicant, on December 5th in regards to that issue. And if I could ask the Planning Director to just speak briefly about the meeting results.

AU: Madam Director?

LEITHEAD TODD: I'm sorry, I -?

DARROW: I was just asking if you could just briefly summarize our meeting that we had with the applicant and Mr. Brilhante regarding the alternate access.

LEITHEAD TODD: Mr. Brilhante is in the process of applying for a subdivision which would lie between the applicant's property and the Puainako Extension. We don't have a final map yet. We're kind of in negotiations. But the reality is, is that there's no specific timeline on any subdivision that Mr. Brilhante would put in. And if anyone is familiar with subdivisions in, on this island, between the time that somebody applies for a map to designate how many lots they're going to put in and where the roads are going to be, it can be years before something is actually built. I live off of Wilder in a subdivision where there have been plans for, I think, the 900 acres makai of me going back to probably the 1970s or '80s. But I know that I first saw it on the Council agenda back in like 1993 when Brian De Lima was a Council Member, and we've been waiting. And I've been there since '89 and nothing has happened next door. So the reality is although the potential for connection to Puainako that could be accessed by Connections could be there in the future, the likelihood that it would be there in the near future or could be used as a primary access is highly speculative and probably cannot be a basis for a recommendation in terms of the actual application. If the application is going to proceed and be considered it has to be considered on the basis of access coming off of Edita and Kaumana as the primary. You know, and if in the future there's an opportunity to connect to Puainako that would be great. But it would be speculative because there's no timeline on when or if Mr. Brilhante would actually build his subdivision.

AU: Okay, any questions for staff?

DARROW: Mr. Chairman, I'm sorry, I still need to -.

AU: Oh, okay. You're still doing your presentation?

DARROW: Yeah. Sorry about that, yeah. Okay. So in regards to the request from the Planning Commission, we've received the water calculations that have been submitted to the Department of Water Supply.

The applicant and the Planning Director and Mr. Brilhante have had a meeting. Additionally, the Planning Commission asked the applicant to make an effort to meet with the community. At this time,

they haven't met with them. But if you could look at this packet that has been submitted to you, these larger colored packets, this is information regarding the previous public community meetings, I'm sorry, the previous community meetings, as well as one that they are scheduling on December 17, 2012. And so that information is right at the beginning of this packet. So that's the third item that was requested by the Planning Commission.

Along with these items the Planning Department has received letters of support, as well as this morning we've received additional letters. I haven't had a chance to go through them, but they have been passed out to the Planning Commission. Lastly, we've received two letters from the applicant, one dated November 16th, and the second one dated December 5, 2012. The applicant is requesting a continuance of this hearing matter. He has the reasons for their continuance on the December 5th letter. It goes into the matter that the Planning Director spoke about earlier regarding representation from the Attorney General's Office. And with that, that concludes our presentation. Are there any questions?

AU: Any questions for staff?

ONO: I'm not very good at geo -.

AU: Microphone, Commissioner Ono,

ONO: Oh, I'm sorry. Would you kind of orient me on the map again.

DARROW: Sure. Okay, our subject property is identified with two black outlines. The property is actually cut in half by Edita Street. Just for reference going through the middle of the map, we have Kaumana Drive, the white line. As well as on the lower portion of the map, we have Puainako Street. So this property falls in between these two main streets. Again, we have Edita, which would be considered the primary access for the Kaumana, the Connections School. At this time, it appears that the majority of structures would be located on the, what we consider the lower portion of the school. The only thing that is proposed on the upper parcel is an elevated walkway that would be at least 100 feet away from Kaumana Cave, which runs underneath a portion of the subject property. The different colors on the map represents zonings. The subject property is zoned Agriculture 1-acre. The darker yellow and the lighter yellow represent Residential zoning. The blue and the darker green represent Agricultural zoning as well.

ONO: Excuse me. And the light green, is that the -? I'm really poor at judging.

DARROW: No problem. This area here, the subject property is light green, which is Agriculture 1-acre.

ONO: And that's what they're using -?

DARROW: Correct.

AU: Okay, Thank you.

DARROW: Thank you.

AU: Okay, now we'll go into a brief applicant presentation. So I think you guys are all sworn in. Maybe just you two -?

HONG: No, just the last -.

AU: Yeah, could you raise your hand. Do you affirm to tell the truth in front of the Windward Planning Commission today?

TESTIFIERS: Yes.

AU: Okay, thank you. So, Mr. Hong, go ahead.

HONG: Thank you, Mr. Chairman. Just so for everybody's introduction, the gentleman wearing the blue shirt, aloha shirt, is John Thatcher, principal of Connections Charter School. Celia Shen is the far right, right. So I'm going to start again, you know, consistent with my theme this morning of starting with a song, I'm going to quote Jimmy Hendrick's version of "All Along The Watch Tower," "So let us not talk falsely now, the hour is getting late." We are here this morning asking for a continuance for two reasons. One are, the three conditions that were previously asked of us: We've provided the water calculations, consumption calculations. Two, we've actually had two meetings with Mr. Brillhante; one with the Planning Director, one with Sue Lee Loy who met with Mr. Brillhante personally prior to that meeting. And the third meeting with the community we have scheduled it, we had problems trying to get Kaumana Elementary School cafeteria because it was not available. We scheduled it for the 17th.

One of the things that we wanted to bring to the Commission's attention is that we are willing to hire a facilitator, and actually trying to hire a facilitator to conduct the meeting instead of us doing it ourselves at our own cost. And unfortunately we just couldn't schedule that before today's meeting. The second major reason and the reason we are asking for the courtesy of continuing this particular hearing is after today the Atty. Gen.'s office will be representing Connections Charter School. They're concerned about the issues of land use and the appropriate uses for agricultural zoned areas. They've consulted with Mr. John Thatcher and are concerned about some of the issues that were brought up. So at that point, after today fortunately you don't have to hear me quoting corny songs. But you will be addressing, and the Attorney General will be representing Connections Charter School. I will have no further participation with Connections, unfortunately. But it is a great project. I anticipate testifying on my own.

But we would ask for the courtesy of an extension or continuance to allow the Attorney General to appear personally on behalf of Connections Charter School. I would note that the Deputy Attorney General Monica Morris could not be here this afternoon because she had a previously scheduled deposition on another issue, in another litigation matter, that she could not break away from. Thank you

AU: Okay, so would anybody else like to speak for the applicant? Can you state your name, where you reside, and you may begin.

THATCHER: My name is John Thatcher. I reside in Kaumana. I just want to touch on a couple of things on my testimony, my three page of testimony. I don't want to go through the whole thing. But earlier today Mr. Hirakami talked about the issue of charter school facilities. So we have been a charter school since 2000. And we do not receive any money from the state to build facilities. This is despite an Article X of the Hawaii State Constitution that says "The State shall provide for the establishment, support and control of a statewide system of public schools free from sectarian control, a state university, public libraries and such other educational institutions as may be deemed desirable, including physical facilities therefor." So this is an issue for all charter schools. That is why you're seeing charter schools having to come to you with facility issues.

Our school has been working since 2007 to try to secure this land and get the permits needed, do all the studies. We have informed the community since 2008, when we were first granted the provisional lease of the land by the Board of Land and Natural Resources. And this came about, our ability to work with the Board of Land and Natural Resources, because a law was passed in 2006, I believe it could have been 2007, that allowed for the Board of Land and Natural Resources to take State land and give it to charter schools to use for their facilities. So this was the State's way of trying to help the charter schools without really spending a lot of money on facilities. We understand the position of the state. We are not opposed to not having facilities built for us like our, are built for other public schools. When we first decided on, when we were first looking at the lots that were given to us in 2007 we looked at the educational specifications for school documents that were put out by the State Department of Education. One of the findings there, one of the suggestions there is if the school had a high school campus that it should be 50 acres or less, or 50 acres or more. It also had other specifications. They had three documents actually - one for elementary, one for middle schools, one for secondary schools. We looked at the properties that were sent to us by the Department of Land and Natural Resources; and of the seven properties that they gave us to look at, two were in residential areas and five were in Kaumana, and they were zoned Agriculture. Now in 2007 when we started looking at this, we also looked at County regulations. And we looked at the County plan and the General Plan because there was no CDP, or there it is no CDP that I believe is current now. The last one for Hilo proper was developed in 1975. There is a CDP for a Downtown Hilo, but there is not one since 1975; and I don't believe that that one actually applies nowadays.

But in the General Plan it did say that, it mentioned charter schools. And it said that charter schools are responsible for selecting their own sites. We also looked at a memo that came from, I think it came from Planning. The memo defined the applicability of State laws; and it said "Charter schools are exempt from state laws, except those relating to health and safety and a few other exceptions (i.e. building, fire, and sanitation codes). The major effect of this exemption is that charter schools located in State Land Use Agricultural districts do not have to obtain a Special Permit."

Now I understand that there have been changes, there have been court cases that have dealt with this. We did not intend to proceed with that guidance after the court cases. We had no intention of trying to bypass the County special use permit.

Another issue that I think is relevant here, and when we looked at the properties, we did look for agriculturally zoned properties. So the five that were in Kaumana, the only one that was bigger than 50 acres is the one that we have obtained the long-term lease on. The others were smaller, they were more landlocked. One had utility lines running through it, and they would have been much more

difficult to develop. So we chose that one. And I think part of the reason we chose it was because our school has always had a focus on sustainable industries. We want our students to be able to get an education that will allow them, if they choose, to find a job on the Big Island, or at least in the State of Hawai'i.

So this is important to us because the Constitution again makes a point for agriculture land and the preservation of agricultural land. Article XI says "The State shall conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands." For us, it was very important that we are able to do something that we wanted to do from the beginning. We've only be able to do it on a limited basis; and that's to develop a strong agricultural program at our school. So this site was, looked like a good site when we looked at it. All of the surrounding, or most of the surrounding neighbors were in agriculturally zoned houses. So when people in Pacific Plantations first bought their houses, they knew that they were buying homes on 1-acre agriculturally zoned lots. In looking at the map for the area, you'll see that there are a lot of agricultural lands in the area. In fact, as you go up Kaumana Drive, or out the new Puainako Extension, there are over 2,000 acres of land that is zoned Agriculture. And the land is also, if you look at County documents, you'll see that the majority of that area is also deemed for future urban expansion. And so as a school, we saw two things. We saw that there's a lot of agriculture land, we saw that the majority of the neighbors were on agricultural lots; and we did not feel that that would be a problem.

If you look at the zoning issues between the State and the County, over the years, I would reference Nathan Pohakea Roehrig's article in 2002 in the University of Hawai'i Law Review; and I'm not going to read all of that. But he did make a case for preserving agriculture land and not taking large agricultural lots, subdividing them out into smaller lots which are not even used for agriculture. So I think this is an important document to look at and I reference it in here.

I also want to point out that the General Plan that was updated in 2005, and I'm not sure if it has been updated since then, but it does -. With no CDP to look at to give you guidance, I think you have to fall back to the General Plan. If you look in the General Plan in Section 14.9.2, the goals, two of the goals that are talking about State land say "Utilize publicly owned lands in the best public interest and to the maximum benefit for the greatest number of people, acquire lands for public use to implement policies and programs contained in the General Plan." And one of the policies, 14.9.3 says "Encourage uses of public lands that will satisfy specific public needs, such as housing, recreation, open space and education." In our mind, this makes it clear that this Planning Commission needs to look at the use of this land that will impact the greatest number of people.

Now I understand that there are neighbors that have done petitions in Kaumana and I've heard a number of 500 signatures mentioned. Okay, so if we say here's 500 opposed to the school, our population at our school is 360 students, about 60 staff members, and probably at least 200 other family members that are impacted by our school directly. If you look at the area that we service, charter schools are not defined by a single geographic location. Our school draws students from as far away as Pahoa in that direction, to Keaau, from Keaau up through Volcano. And we have two families now that live in Naalehu that are actually coming into Hilo and renting a house in Hilo so their children can attend our school. We have students from throughout the Hilo area, including Kaumana; and we have students as far away up to the north as Laupahoehoe. So I'm asking you to consider that

this is a large area and a large population that is potentially impacted by our school and the programs that we're trying to provide. And I believe that a number of these people appreciate the choice on the Big Island of what programs they can go to, whether it be a traditional public school or a public charter school. And I believe that their voices perhaps are being overlooked when we look at the voices of a few. Thank you.

HONG: Mr. Chair, just in conclusion, I know Mr. Thatcher felt strongly about making sure that the record was clear; and I agreed with him. But, again, the only decision that we're asking before the Commission this afternoon is to continue this to allow the Attorney General the opportunity to represent Connections. And I would note that it's a welcomed opportunity because I think this is actually unprecedented where now the Attorney General is going to step into this issue of potential land use. So I would urge the Commission to allow them the opportunity to adequately represent Connections Schools, hopefully at the next hearing. Thank you.

AU: Thank you, Mr. Hong. Would you like to say a few words, would you like to say something?

S. LEE LOY: No.

AU: Okay, very good. Okay, well, that concludes the presentation by the applicant. We have, we currently have 12 people signed up to testify. I'll bring you guys up in groups of five. Okay, so it's a reminder now, you know, we may have heard a lot of you testify the last time and, you know, Just please keep it brief and get the point. You have three minutes to testify. So I have Eden Patino, Allen Novak, Melvin Yoko -.

YOKOTA: Yokota.

AU: Yokota, Layne Novak, and Dr. Henry Lee Loy. So five of you can come up and I'll swear you in. Okay, can you please raise your right hand. Do you swear to tell the truth in front of the Planning Commission today?

TESTIFIERS: I do. Yes.

AU: Thank you. We'll start off with Eden Patino. Please your state your name, and where you reside, and you have three minutes.

PATINO: My name is Eden Patino. I live in the Kaumana area. I wanted to say good afternoon, and thank you for giving us an opportunity to come and listen to us. On behalf of the Connections Parents/Teachers/Students Ohana, our PTSO, I am their president, and I wanted to ask you to approve the special permit in consideration to build our school at the Kaumana area, mainly because the students are our leaders and they deserve to have one school. It is difficult right now to have the Kress Building and the Nani Mau campuses in two different areas for the school. We just ask that we be in one location and that be the Kaumana area. Pretty much it's just look at the whole picture, look at the keikis. They're the ones that are the most important part of this process. It's not, I mean I know everyone has their opinions and there are the traffic concerns and the water concerns; but this is manageable.

For us, my biggest concern as a parent is having a tsunami hit the Kress Building and not having my keiki out in time. It's one of my biggest concerns. That has always been my concern since Day 1. So I just ask that you look at the consideration of the Kaumana area and just make it a safe place for our children. And pretty much that's all I have to say - It's a simple request for the Holidays, "Dear Santa, all I want to Christmas is our school to be built." Thank you.

AU: Thank you. Any questions for the testifier? Okay, we'll move on to Allen Novak.

A. NOVAK: Yes, thank you. I'm Allen Novak. I have lived on Mele Manu Street going on 19 years now. And today I would just like to request that the Commission deny the special use permit request today. I feel that the issue I wish to address isn't the program of the charter public school, I have no qualms about what they're doing for the students. And I think a lot of the testimony they have given you about the quality of their program is valid. However, I feel that the location that they have chosen is inappropriate; and I feel that for a number of reasons. One is that in selection of the location that's before you, they had mentioned that they looked at seven different sites. They have also in the public meetings mentioned that the majority of their students come from the Puna area. The sites that they considered for building the school were not in the Puna area. Those were not a consideration. Makes one wonder if the fact that the principal John Thatcher's home is within walking distance of the current proposed location was a factor in selecting that over a location that would be more convenient to the community where the majority of students reside.

Another factor continues to be the infrastructure. We know that water supply is questionable. The 8" main that supplies the entire neighborhood, there's a question about whether or not that's going to be adequate and still hasn't been addressed.

Sewage disposal, there is no piped sewage. It would be cesspool or leach field for this fairly large quantity of staffs, students and faculty; and we do have the Kaumana Cave extensions directly in this area. So how well the sewage affects those factors -.

DARROW: One minute.

A. NOVAK: But the biggest concern probably continues to be the traffic. We've learned today that access from Puainako Extension is not feasible. That means that the access for all 385 students, faculty, staff and visitors is going to be going up Kaumana Drive, down that little narrow two-lane Edita Street, and entering that school from that one area in a very short period of time in the morning and exiting in the evening. That has not been mitigated.

On the requirement of meeting with the community, I'm here to testify that I have received no notification of any planned meeting with Connections as of today. In fact, Ted Hong's mentioning earlier, today is the first that I heard of any meeting.

AU: Okay, thank you very much. Any questions for the testifier?

ONO: Yes.

AU: Okay, Mr. Ono, Commissioner Ono.

ONO: You mentioned a great portion of the student population will be coming from Pahoia or that area. And yet the, I guess my concern here is do you know if there were any properties offered to them in terms of developing a campus in that area?

A. NOVAK: No. I'm not familiar with what they requested, what they provided, and what they considered. All that I know is what they're told us at the public meetings.

ONO: Yes. So, but your comment about moving the campus to an area that's more suitable to the student population is a suggestion. You don't have any facts to move the campus to the Puna area?

A. NOVAK: I think in the environmental impact study they did mention sites that were considered.

ONO: Not Puna?

A. NOVAK: Yeah, and they were not in the Puna area. So what I'm saying is they didn't look to see if there was a suitable location closer to where the majority of their students reside.

ONO: Okay, thank you.

AU: Any more questions for the testifier? Okay, moving on to Melvin Yokota, Yokota.

YOKOTA: Yeah, I've been a resident of Pacific Plantations for 21 years. And my concern continues to be the increased traffic on Kaumana Drive.

In a recent letter to parents Mr. Thatcher pointed out an example of the skilled-nursing facility that is scheduled to be built on the lower end of Kaumana, and he points out that that facility will have approximately 50 full time employees coming to that facility per shift. From the numbers that they have given us as to the population of their campus, they envision a staff of about 30 to 60 employees, plus approximately 400 students. Now in talking about the skilled-nursing facility, Mr. Thatcher stated that that facility "Will negatively impact the traffic on Kaumana Drive!" So by comparison, just his school staff without the students will also negatively impact traffic on Kaumana Drive. Unfortunately their staff and student traffic will affect a greater amount of Kaumana Drive than the skilled-nursing facility. Since he says that it will negatively impact traffic, it appears to be in contradiction to what's stated in their special permit application where they previously said that there will be no significant impacts from traffic. And -.

DARROW: One minute.

YOKOTA: Yeah. I'm not sure how you resolve that discrepancy between what he's saying now and what's in the special permit application. Thank you.

AU: Any questions for the application, I mean, sorry, for the testifier? I have a question. Have you been notified about this upcoming meeting?

YOKOTA: No.

AU: Okay. Have you attended any meetings?

YOKOTA: I have attended meetings in the past.

AU: Okay, okay. Any more questions?

LEITHEAD TODD: Mr. Chair, I just want to make a note that the date of the letter that is going out to the community is dated December 5th. So since today is the 6th, I suspect that the reason that they haven't gotten it, it is in the mail. Cause I have checked, and you are on the mailing list. But, so it will probably be in your mailbox today, tomorrow, or the next day.

LEITHEAD TODD: Thank you very much. Next testifier, Layne Novak. Okay, please state your name and where you reside.

L. NOVAK: Layne Novak, I live on Mele Manu Street. I apologize.

AU: Microphone, please.

L. NOVAK: I apologize, I didn't pass this out to you earlier. But I'm testifying on behalf of Terence Yoshioka. I'm sorry. Applicant has attempted to create the illusion that the 70 acre property is the only suitable property for its school. It has done so by making the following representations: [1] that it will develop an agricultural program for its students; [2] that its agricultural program will require 20 acres of land; and [3] that the subject 70 acres is "uniquely suitable" for its program.

But nowhere in its application has Applicant provided proof that an agricultural program is needed or wanted by its students. There is no basis, therefore, to assume that applicant will actually develop such a program. And any conclusion based upon the presumption that the program will materialize is unsupported.

You folks can read the rest. What he does say is that the Commission can, also, find, and I urge that it do so, that the property is not "uniquely suited" for applicant's program. To be "unique", the property must "exist as the only one", or "have no like or equal". This would mean that if the property's "D" or poor rated soil is "uniquely suited" for the program, then all other properties with better-rated "C", "B", and "A" soils would not be "uniquely suited" for the program. It goes without saying that this is illogical, incomprehensible and unbelievable.

What I want to add to this is that Mr. Thatcher talked about the entire green section as 1-acre ag land. When we moved there, we had no idea that the, a school was going to be built. Everything was going to be 1-acre properties; and that's what we had agreed upon; and that's why we bought in there.

If you look at the soil, there is no soil. It's built on lava, it's built on a 1980 lava field. How they proposed to have agriculture on this type of land, I can't even grow citrus fruits on my land. That's how bad it is. I have to bring in soil. In fact, when Mr. Bill Brillhante, Sr. developed that property -

DARROW: One minute.

L. NOVAK: Thank you. He had to bring in soil for, just to make our lawn. That's how bad the property is. No. 2, in our subdivision covenants, we cannot have any farm animals. We're not allowed to have "agricultural type of industry" within our 1-acre lot. So for them to come in and decide that they want to have this large agricultural property is, I think, a little overwhelming, and that's an understatement, it's quite overwhelming for our neighborhood. Thank you.

AU: Thank you. Madam Director?

LEITHEAD TODD: Yeah, I just wanted to make a comment. Those types of restrictive covenants on agricultural land are now illegal under State law. They were done commonly by people who were taking agricultural land to try and create basically residential subdivisions. Since then because of the concern of agricultural land being taken out of agriculture or potential agriculture and turned into residential high-end subdivisions, the State Legislature -. It doesn't change your restrictive covenants cause they're grandfathered. But the fact that you have restrictive covenants is not necessarily something that prevents somebody else from actually taking agricultural lands surrounding you and doing agricultural production. And that's a mandate of, under State law.

L. NOVAK: I just want to add that our covenant is, was just recently extended to 70 years. So it's essentially our life time.

AU: Okay, any questions for the testifier? Okay, next one, Dr. Henry Lee Loy. Please state your name, where you reside, and your three minutes.

H. LEE LOY: Good morning, Members of the, good afternoon, Members of the Windward Planning Commission. I live on Mele Manu Street. My name is Dr. Henry Lee Loy. Together with my wife Pauline Kealoha Lee Loy, we continue to object to the location of the proposed Connection Charter School in Kaumana. My wife remains hospitalized in Honolulu and once again is unable to attend the public hearing.

Let me recapitulate, as educators ourselves we strongly believe in the public school system. As graduates of Hilo High School and Honokaa High School we know the system works. Let me make this clear, we are not against the students of Connections Public Charter School. We object to the proposed location.

At the last Planning Commission meeting Chairman Dean Au asked the applicant to reach out to the community. We have had no such communication from the applicant. Instead, I'm greatly concerned about the recent newspaper articles regarding the ethical conduct of the Vice Principal. We question the actions of the administration, of their administration and leadership.

We ask the Windward Planning Commission to reject the special permit application for Connections Public Charter School.

The intersection of Kaumana Drive and Edita Street is dangerous. Once again I'm going to show you the photograph of a recent accident right at the very intersection of Kaumana Street and Edita. There's only one entrance and exit to the proposed school. This is dangerous. There is not enough water for

381 students and 50 faculty members. The proposed septic system will find its way into the caves, and sewage will flow into the groundwater and down into Hilo bay. Development will irreparably damage the fragile ecosystem of the caves and the 'Ōhi'a forest watershed which presently protects Hilo. Kaumana Elementary School is half a mile away. Ernest B. deSilva is less than 2 miles away from the proposed project. The traffic impact analysis is obsolete. It was done over three and a half years ago. It did not account for increases in traffic as a result of future build outs and other developments around the area, that is Pacific Plantation II, the new Hokulani Street Subdivision and the addition of the Hawaiian Home Subdivision in upper Kaumana. There is not enough room for the applicant to provide a full width 50-foot right-of-way on Edita Street with concrete curbs, and sidewalks on both sides. There is a concrete channel that cannot be moved. No. 10, problems will occur when two separate school properties are bifurcated by Edita Street. Here's your lower section and here's the upper section. Cross vehicular traffic and pedestrian traffic will occur. A crosswalk in the middle of the block will be dangerous. Lastly, over 500 residents in Kaumana have signed the petition against the proposed project. There is no community support. Thank you for listening.

AU: Thank you. Any questions for the testifier? Okay, thank you. You all may be seated. We'll bring on the next five people. Okay, Norine Okuhara, Jan Yokoyama, Ming Peng, Arnold Fergerstrom, and Jeff Gomes.

(Ms. Leithead Todd at this time announced that the 1:30 Item 6 on the geothermal asset fund and guidelines for impact mitigation projects will not be taken up as there is not quorum on that item.)

AU: Okay, can you all raise your right hand. And do you swear and affirm to tell the truth on this matter in front of the windward Planning Commission?

TESTIFIERS: Yes.

AU: Okay. We'll start with Norine. And please state your name, where you reside, and your three minutes will begin.

OKUHARA: Okay. Thank you very much. My name is Norine Okuhara. I live at 1209-B Kaumana Drive. My husband and I have lived there for 40 plus years. And so I'll reiterate it, at last month's meeting, you know, I'm very concerned about the water rights. Because I live, I will live right below the school. And cherish the thought - what if a fire should happen in my home and I don't have enough water to put the fire out? What's going to happen to me? We've never been on welfare or anything; and I don't expect to do it at this point in time either. And, you know, as a retired teacher I am not against education. I am very pro education. But the way Connections has handled things, that goes against my grain. Because we had, I had no prior notices of their meetings. I have yet to receive the letter dated December 5th. And from my understanding, they were mandated by you to have a meeting with the constituents around that area. Why do they have to wait so long? They had over a month to plan this meeting. Why is the meeting on Connections? As far as I'm concerned the meeting should be on a neutral ground. If Kaumana School was busy, they couldn't use it, we've got deSilva School, we've got Hilo Union School, we've got Hilo Inter, Hilo High School. So what's the big deal? Not all schools will be busy. And why that timeframe, 12 to 2?

DARROW: One minute.

OKUHARA: You know, people are working. Not everybody is a retired person or everybody is, you know, a teacher who will be on vacation. People would have to take off from work. When we've had our meetings, our meetings were always during the evening time. So this did not interfere with people's working status, that they have to take off from work to attend the meeting, or they have to do this or that. You know, as far as I'm concerned, it's not fair. Thank you very much.

AU: Thank you. Any questions for the testifier? Okay, moving on to Jane Yokoyama.

YOKOYAMA: Jan, it's Jan.

AU: Jan Yokoyama representing Kaumana Drive Neighborhood Watch.

YOKOYAMA: Yes.

AU: Okay, please state your name, where you reside, and your three minutes.

YOKOYAMA: My name is Jan Yokoyama. I live at 1300 Kaumana Drive. I did receive the letter right before I came here. My concern, like Norine said, it's between 12 and 2 when most of our community members are working. It's also scheduled at Connections School which I do not consider a neutral ground. However, if so be it, I will attend. But I want to address my quality of life. I'm a lifelong resident of Kaumana Drive. I will probably die there also. This school is proposed to be a 24/7, 365 days a year school. They're going to have dorms, they're going to have a horse barn. You know, most regular public schools close at a certain time. They're closed on weekends and holidays. So we're going to be subject to smells, noises, of course increased traffic. And I just want to live the rest of my life in peace. Thank you.

AU: Thank you. Any questions for the testifier? Okay, next testifier, Ming Peng. You can go ahead.

L. NOVAK: My name is Layne Novak. I'm testifying on behalf of Ming Peng. Ming Peng has lived on Mele Manu Street -. Sorry, this is his written testimony that I didn't pass out. This is what he says:

I live on Mele Manu St. I am still opposed to the proposed construction of Connections Charter School on Edita Street and would like to follow up on testimony since the last meeting on November 9. As you have heard and read from testimony, there is overwhelming opposition within the community, with no community support for this project.

By Connections administrator's own admission, this project has been planned for at least seven years. Therefore, they have had years to consider and develop plans that would not impact the community, including access roads and water usage. They have had attorneys and other professionals to help them along the way. For example, as Commissioner Gonzales astutely realized during the last meeting, the increase in traffic along Edita Street of up to 200 additional cars per day will be significant, such that alternatives should have been considered. Yet, this was not done.

Connections administrators have had years to garner community support. I realize that the Land Use Commission suggested that the community and Connections administrators continue to meet.

However, there is a pattern of behavior (as testified by neighbors in the last meeting) that has resulted in a broken trust. This is a trust that is unlikely to be mended. There has been no testimony, no specifics given, from Connections administration as to how their use of the land will, in fact, elevate and improve the surrounding neighborhood. There has only been deflections and obfuscations from the administration.

If approved, there will be no oversight during the construction of this school. Because the pattern of behavior has been lacking from the Connections administration, neighbors will be forced to wonder if regulations are being followed in an ethical and appropriate manner. Neighbors will feel forced in being the permit, land use, and ethics police.

As the Windward Planning Commission, please hear the Kaumana community, who will be most impacted and the ones condemned to endure increase in traffic and utilization of resources by this project. Connections have had years to get "all the ducks in a row". They have not. Please deny the continuance and deny this project. The Kaumana Community should not have to make allowances for the Connections administrators poor planning. Thank you. Dr. Ming Pen.

AU: Thank you. Any questions for the testifier? Okay, moving on to Arnold Fergerstrom. Please state your name, where you reside, and you have three minutes.

FERGERSTROM: My name is Arnold Fergerstrom. I live in the Kaumana Area, 1065 Kaumana Drive. I've lived in the Kaumana area, as well as with my family, from when we were about four years old running around. And this development again is something I'm against because when I was growing up in the area about 12 years old, 11 years old, my mom used to take us to school. And she always used to say Wing Kong Chong, you vote for Wing Kong Chong. And what happened is somebody was taking care of things besides Wing Kong Chong. She said Wing Kong Chong is going to make everything better for us because they're going to build a complex for basketball, and baseball, and all for the subdivisions. They make all these promises about development and they're going to take care of the public first. But never came through yet. The roads up there have not been improved. We called it a skinny trail when we were small.

And I've worked throughout the island; and I feel that the best service that can be done for this school is to do it in the area of Keaau. Because Keaau, the value of land is not real high. You have Fire Department, you have Police Department, you have all these things right in the area of Keaau. I work in Keaau, they have lot of land, all that land on top. That little land that you're talking about 70 acres is a little scratch besides, of the land we do have. So we have, already we have the Fire Department, Police Department, all situated where they're working out of, and we have room over there. And I think that's where it should be made and done, and it would service the community.

And I never heard anything about our value of our land after they make this thing. You know, they have, when you pay your taxes, they tell you pay so much or you lose your land, yeah? I haven't heard, maybe I missed a meeting, but I never heard anything about who cares about the people that -. Me, I get land in Kaumana. I buy, I bust my okoloe, take care. And I like my kids get place to come. That's my prerogative I think as one citizen to go buy the land and say, you know, I going buy this land for my kids because I like them, when I old, they can take me, do things, this and that and what have you. No such thing now because it's, you never can count on keeping the land. You might as

well sell them because I don't know what they going catch you on the low on how much you going sell the land. So I have land in Kaumana. I have several different lands. And now I sit down in the evening and I wonder what's going happen now? I get the kids, I get everything set up, my retirement, everything. Now going happen, now go get one school. Keaau get plenty room for schools. I don't know why they have to come here, but -. I guess that's all have to say. What happens is, in reality, I'm very not prepared. And that's because I was doing some work and my truck tire cut, and I get my boy down there putting four new tires on for 800 something dollars, and I left the tablet in the car. Thank you for your time.

AU: Thank you. Any questions for the testifier? Okay, last testifier for this group, Jeff Gomes. Please state your name, where you reside.

GOMES: Before I start, would you mind looking at the handouts I gave you. I spent a lot of time and money making them and preparing them for you. And I want to summarize and not have to read them all. May I show you which ones I have.

AU: You can just go ahead and begin your testimony.

GOMES: Okay, my name is Jeff Gomes.

AU: Do you want to be specific and talk about certain ones?

GOMES: I want to touch on all of them.

AU: Okay, well, okay, go ahead. You have three minutes.

GOMES: My name is Jeff Gomes. I live in Kaumana. I'm right next door to the side of the property. I reached out to the school in April. I went down to the school cause I was invited by the principal. I met with Bill Thorpe. He does great work at the school. He does the Makery Project. He works with lasers, I work with lasers. I offered him help. This is the emailed he sent me. He asked me for help. I wrote back, said no problem. I offered him thousands and thousands of dollars in time and equipment and supplies. I offered him to bring the kids, I'll show you how to do it. And no response after that. I believe I was labeled the bad guy.

October 8th, Eric Boyd, the, whatever he is at the school, stands outside my home and takes pictures of my home terrorizing my wife and daughter. I called the police, they tell me what he's doing is legal, he's on County property, he can take pictures. All right, it's done. On the 10th Ted Hong comes to my home for the cave inspection. Jeff Darrow was there. A bunch of my neighbors were there. And Ted Hong tries to pick a fight with me in front of everybody -- Any of my neighbors that were there, raise your hands -- for no reason. Ted knew I was upset about Eric Boyd taking pictures of my home, and so he brings it up again. And we're not there to take pictures of signs, we're there to take a look at the cave. But since then Ted has been picking on me and trying to get me to do something negative in public, I don't know why.

And then recently I get this message from John Thatcher. If you don't have it, should I read it?

PUBLIC: Read it.

GOMES: He messages to me on Facebook. We're not friends on Facebook. This is what he writes, "Just wanted to let you know that yesterday one of our high schools students committed suicide. I am in no way blaming any of you, I just wanted to let you know. Emotions are running... high.... Your signs are not helping. Please share our sad news with your friends and family." This is the kind of sick behavior I've got to deal with from the school.

They take a picture of my home to make a video. I was told the video was made by a pastor to put it on the Internet. And now my home is a target. They steal signs, trash my yard. I've got to put up with this. I need intervention and relief. You need to tell them stop it, knock it off, act like adults, become a responsible school. Tell me now how am I supposed to go to that meeting at the school? I know they're going to try and hit my home again while I'm gone. It doesn't make sense. This is their behavior.

DARROW: Time.

AU: Okay, thank you, Mr. Gomes. Any questions for the testifier? Okay, thank you guys very much. You may be seated. We'll bring up the next, we have four more testifiers. We have Jeff Gomes representing Matt Medeiros, Carol Zimmerman and Tom Raffipiy. So please be seated. Okay. So can you guys raise your right hand, the two of you I did swear you in already. Do you swear and affirm to tell the truth in front of the windward Planning Commission today?

TESTIFIERS: Yes.

AU: Okay, thank you. Jeff Gomes, you go ahead. You've already stated your name so you go ahead. You've got three minutes.

GOMES: This is a letter from Matthew J. Medeiros, Ph.D., Department of Integrative Biology, University of California and Department of Entomology, Smithsonian Institute, and Francis G. Howarth, Ph.D., Department of Entomology, B.P. Bishop Museum. Kaumana Cave is one of the longest known caves, at over 1500 meters long. As Stone wrote, "Kaumana Cave has been colonized by at least 15 species of endemic cave invertebrates over a 110-year history. Survival of these species is dependent on the native 'ōhi'a/uluhe successional forest overlying it. Sections of the cave which do not have *Metrosideros* ['ōhi'a] roots, due to surface clearing, are virtually devoid of cave species."

Several cave invertebrate species rely on live 'ōhi'a roots growing through the surface of the cave to provide food and would quickly perish upon removal of the trees from the surface. These include species native to Hawai'i caves, such as *Oliarus* planthoppers, *Schrankia* moths, and a few others, I can't pronounce it. Additionally, although some of these species might also be able to subsist off the roots of other tree species, planthoppers are host specific and can only eat 'ōhi'a roots. Basically what the letter is saying is the world is watching and your decision on what you allow to happen on top of the caves is going to be noted. So please deny this project.

AU: Any questions of the testifier? I've got a question. Matthew J. Medeiros, does he live here?

GOMES: No, he lives in Oakland, California.

AU: Okay, moving on Carol Zimmerman, and please state your name and where you reside; and you have three minutes.

ZIMMERMAN: Is this thing turned on?

AU: Yeah.

ZIMMERMAN: My name is Carol Zimmerman. I live at 94 Laimana Street in Hilo. And I'm asking, thank you by the way for allowing us to testify. And I'm asking the Commission to consider a continuance of this request for the Kaumana Connections site. I would like, request that, so that all voices and other voices can be heard, the voice of our children. And the voices of our children of Hawai'i, if they can be heard too. I would like all voices to be heard, including the children. I am a parent of a child that attends Connections High School, I mean Connections School; and I'm one of three, not two as Mr. Thatcher said, one of three families that has chosen to leave my home every week to travel to Hilo on Sunday and come to this school at great expense to my family. All three, all three of these families, we rent homes here in Hilo in order to do that, to go to this school in Hilo. And then on the weekends, I travel back, we all three travel back to our, to the rest of our family that lives in Kau because we don't have an alternative, a good alternative to education in Kau. We've chosen to come here at that expense, our out-of-pocket expense, because an education is very important to our children. And I can list off the top of my head dozens, maybe dozens more families that would like to do the same thing if they had an opportunity to better their educational chances for their children. I have written something that, it was in an email. You probably have it now. I'll just read this to you now.

I understand that there are concerns about having a school in the Kaumana neighborhood. Fear is concomitant with change. But, we cannot make decisions for the future of our children, the future leaders of this community, this country, based on fear.

I want what every parent wants for her child, the best education possible, an education where my child, he, is challenged at all levels, from creativity to critical thinking. I want a school that is willing to go beyond just teaching to the "Test", for that is not an education. I want a school that he looks forward to attending every day, because his innate desire for the love of learning, and his love of learning is supported, and not snuffed out. And, finally, it is very important that the school provides a safe environment so that learning can occur.

I believe, based on my personal experiences with Connections School, that the Kaumana site will allow all of these aspects of education to be addressed, from Environmental, Energy Design, Agriculture, Business and Marketing hands-on experiences.

The school can impact not but a few, but thousands of Hawaii's children. And all of the children of Hawai'i deserve this kind of education.

Maybe someday, with this school as a model, we, as parents, aunties, uncles, grandpops and grandmoms, can give all of our children what they deserve - the best education possible, the brightest future.

AU: Thank you very much.

ZIMMERMAN: Please support the Kaumana campus site. Thank you.

AU: Thank you, thank you very much. Okay, any questions for the testifier?

ONO: Yes.

AU: Commissioner Ono.

ONO: Thank you. You mentioned that there were several parents from Kau that were interested in this program. If they could afford to, they would like to participate in the Connections program?

ZIMMERMAN: I, I, is this on?

AU: Yes.

ZIMMERMAN: I believe there's at least a dozen or more of the concerned parents that would want alternative education for their children in the Kau area and that would, if financially possible, would consider, would do this, would move to Hilo and participate in the school.

ONO: If I may suggest to you to add credibility your testimony, I'd be interested in having their names on the list saying that they openly support your position.

ZIMMERMAN: Yes, that'll be fine. I can do that, sure.

AU: Thank you. Any more questions to the testifier? Okay, we're adding in one more testifier. Is there anybody else from the public would like to testify?

BOTELHO: Sure.

AU: Okay, one more. Okay, so how about before I hit Tom Raffipiy, how about I swear you in first. Can you raise your right hand. Do you swear and affirm to tell the truth on this matter before the Hawai'i County Planning Commission?

TESTIFIERS: I do.

AU: Okay, so now Mr. Tom Raffipiy, state your name, where you reside, and your three minutes.

RAFFIPIY: Thank you, Mr. Chairman. Thank you, Commissioners. Tom Raffipiy, I live in the Puna, Ainaloa area. And I have two children that are attending the public charter school, Connections Public Charter School. I'm going to kind of, I'm going to speak on traffic and community-based school and

transportation that is very, that it is of a concern to the community. And I appreciate these kinds of open dialogues, because I believe that it is through open dialogues that we are able to resolve issues. We'll come up with creative ideas that we can all resolve issues and be able to work together and live together and, and do things together.

On the issue of traffic, I know, I've seen a lot myself when I used to travel to Kona to go work and the traffic accidents on that road before they came up with the new road. But I think putting, having a school over there and installing signs that that is a school zoned area, I think it will actually alleviate or reduce the risk of having traffic accidents in that area, because now we'll have a school zoned area.

Transportation, we have a bus system. Although we may have 384, whatever the population of the school is, we do have a bus system that, you know, they meet up, they meet up in certain areas. For example, like in Keaau by the intersection of Keaau-Pahoa Road and the Volcano Road, they meet out there. And they are carpooling in to alleviate traffic coming into town, and I think that will be continued.

A community-based school, Mr. Thatcher talked about Connections or charter school being not community based. So no matter where you take this school or any school, public charter school, you will never have that kind of support because it's not community based. It's not, you know, it is for, opened to all communities, as opposed to these schools that we have here that are community based where they serve the community that they're in. Charter schools they serve the whole island, it's open to the whole island.

So with that, I urge you to consider all that, you know, when you make your decisions. And I really urge you to see if you can continue these hearings, the hearing process of the special use permit for the school. And I just really want to see those kids have a better place other than what they have right now than two, two separate areas. So please consider that in your thinking. Thank you very much for our time.

AU: Okay, any questions for the testifier? Okay, would Lee Botelho, please state your name, where you reside, and your three minutes.

BOTELHO: My name is Lee Botelho; and I live on Mele Manu Street. I apologize for being a last-minute person to sign up to speak. But I've been, I was here at the last month's meeting. And listening to the testimony today, a lot of people are talking about whether or not charter schools are good. They're testifying on behalf of the program of the Connections Charter School. That's not what the issue is here. The issue should be whether or not the application for a school to use this property is the appropriate use of the property, and considering the amount of County water is insufficient to build a school or to support school, much less the additional water required for a caretaker's residence which they plan to build and for agricultural use. So that's one of the main concerns, is the amount of water that they will have access to. Is it part, you know, so is the school an appropriate use for this parcel of land -- I'm very nervous, sorry -- when there's not enough water to support it?

In addition, the access to the property, to the school, will it adversely impact the surrounding properties? Yes, it will. We talk about Kaumana Drive. But Edita Street is the only access for this subdivision. When you add 200 cars every day, twice a day, to everyone who also has to go to work

and take our kids to school at the same times that these people will be coming in, turning around, and needing to get back out on Kaumana Drive, it will severely impact the traffic, and the access and egress for the residents of the subdivision. That's really all I have to say, is to remind you folks just whether or not this is an appropriate use of the property. Thank you.

AU: Okay, thank you. Any questions for the testifier? Okay, we have three more people signed up. Thank you, guys. Three more people signed up. And anybody else? Last call. Okay, we have three more.

TORIGOE: One more.

AU: Oh, and there's one more signed in. Okay, we have four. We have Alan McNarie, Steve Hirakami, and Wayne Kanemoto. And I understand we have somebody else.

Okay, I'll just take you three right now. Why don't you raise your right hands. Do you swear and affirm to tell the truth on this matter in front of the Windward Planning Commission?

TESTIFIERS: I do

AU: Okay, thank you. Okay, we'll start off with the first guy, Alan McNarie.

MCNARIE: Hello. This is an odd position for me. Normally when I'm at these hearings I'm covering it as a reporter, so -. But in this case, I have a direct interest. My son is a student at Connections. My son is very bright but he has ADHD. I can't address a lot of the issues about the exact site, but I do know that he needs the school. He works much better in small classrooms. There are only two, as far as I know, charter high schools on this side of the island. And, I mean, I would love it if it was a -. He started out here at the Volcano School; but there's not enough high school kids up there to have a high school there. And to get critical mass even for a small charter school, you've got to have a huge area. And I'm very, very glad that I got him into Connections.

And just a couple of things. I'm not going to cover the stuff like the access, although people are coming in on buses. It's not as high an impact as say a small shopping center. And I know that this Commission has approved such things in agricultural communities. Usually a neighborhood school is a talking point for a neighborhood. If someone is coming in to look at a house they ask is there a school within bicycling distance or even walking distance? So it's not necessarily a bad thing for, to be in a community.

And only one other small point. I've written a lot of articles about ecology. As many of you know, I've written articles about Kaumana Cave. This is not, the welfare of Kaumana Cave has not necessarily been a strong concern of this neighborhood. When people were exploring that, mapping that cave out a few years ago, they were flushed on. People were using that cave, they found reefs of toilet paper and diapers in there. If you're going to address that cave, there's a lot of things you'd fix besides -. I mean, the high school should, of course, have a proper septic system. A lot of these houses don't. That's something to think about. And that's about all I have to say.

AU: Thank you. Any questions for the testifier? Okay, we have Steve Hirakami. You're already sworn yourself, you've already stated your name. So go ahead, three minutes.

HIRAKAMI: Thank you. I'd like to just mention that I wanted to address the fact that there are a lot of students here this morning that are eager to testify. I know that our Shady Grove went first so the students didn't have time. But, you know, this is a great educational experience for them to see government in action. You know, this is more of a global issue. You know, Connections have been involved in a lot of projects that have contributed to the community. I know for sure that they've received some BEWED (phonetic) grants, they've studied the stream, they've studied the ecosystem out there in Hilo Bay. They are absolutely adding to the community now. There's never going to be a perfect location for any kind of development. As you know, geothermal is an issues. And what's the perfect location? There is always going to be setbacks, there's always going to be things that get in the way. But I think that you have to really weigh the benefits over the disadvantages and see if those can be mitigated through working cooperatively with each other. Not like taking a, drawing a line in the center and saying you can't do that. Because you know what, things can be mitigated -- traffic, bussing, all of those issues.

But the greater issue is that is Connections School properly located now in the old store building, right in the downtown in Urban, with homeless people right here? Or will they be able to really contribute to solving problems that haven't even been created yet about sustainability, about our food project? We're lucky enough to be on 25 acres out in Pahoa; and we have fishponds, we have taro gardens, we have, we're raising animals. We've got a macadamia nut orchard. These kinds of activities are so valuable to the life and breath of a student in our society, especially on Hawai'i island. Come on, we depend so much oil, we depend so much on importing food. These kids are answers to some of our problems. These are the future engineers that are going to design the kind of renewable energy sources and contribute to the food industry in our sustainability of our island. These schools, we're -. We're not takers. Our school is all about giving. We teach our kids first to give, volunteer and to give community service. And I think that you have to weigh the benefits of creating community givers right in front of you. So on behalf of the children that were here today, I would like you to consider them, consider their voices that you haven't heard and you probably will hear at a later meeting, you know, consider the children of Hawai'i, of this island. Thank you.

AU: Thank you. Any questions for the testifier? Okay, can Kerri Marks -? Please sit. But we're going to hear Wayne Kanemoto first. So, Wayne, can you state your name, where you reside and your three minutes.

KANEMOTO: My name is Wayne Kanemoto, and I live on Mele Manu Street. The point I haven't heard is, and I'm not sure if it's appropriate for this Planning Commission or not, but my biggest concern is the financial commitment the charter school has for this project. I've been a school principal; I've run Laupahoehoe School; and I've been an administrator at different school. And as you already know, the schools have faced tremendous pressure because of money. I taught at Laupahoehoe School. I was there when it was the, they had the Centennial Celebration. And look, it has become a charter school; and I frankly don't think that they'll be able to survive because of the financial condition. You have to have revenues coming in. And I haven't seen a financial commitment base for Connections. They're undertaking a very large project because they're doing construction. And even the operational cost really needs to be addressed; and I don't see that. So I

don't see the appropriateness. Yes, they are going to be built and they're trying to build in our community, but I don't see it as being appropriate. They haven't been a good neighbor as far as I'm concerned.

But my biggest point is that if they start and they don't finish and they can't continue, what's going to happen then? Who's going to be responsible for whatever they put in? That's all, you know, that would be one big question that I have, is -. And I don't whether it's under your purview to consider those things, but financially times are hard. I don't know how they're going to do this. For a lot of charter schools I don't think they're going to exist. They're going to have to change the way they do business. Thank you.

AU: Any questions for the testifier? Okay, Kerri Marks. You've already stated your name, so go ahead, three minutes.

MARKS: Aloha. Back to the traffic, last time we were here we spoke about the traffic study that was done; and you mentioned about the light down by the gas station. I didn't hear, or maybe there was, but I didn't hear that there was any study done on that traffic coming up Puainako Road to Wright (sic) Road, and then down. Cause as I stated last time, that's how you get from upper Kaumana to Puna and back. So you have to take that into account. And if you've only studied that traffic light and how the cars are going to stack up at that hill, then you have not done Kaumana any service at all. Because I guarantee you people are not going to drive all the across town to get to Waianuenue or Kaumana and turn up there. They're going to filter up as they can as they get across town. And if you live off of Wright Road you will know that, I come down Kaumana to bring my kids to school in the morning. As I'm coming down Kaumana, almost every day there is a car that comes up to the stop sign, blows right on through it, and takes a right down the road. That's how they do. It's a roll through. Nobody stops there. So please take that into account. Please reassess the traffic situation. Don't delude yourself into thinking that everybody is going to come through that stoplight. They're not.

I also take exception to the fact that everybody thinks that this traffic situation only affects Edita Street and the neighbors that live immediately around it. It affects everybody that lives above Edita Street. That's how I get to my house and back. So that's what I wanted to say. I just wanted to make sure that you take that into account.

Like I said it's already kind of a problem with the roll through stop. It will get worse, especially as you add - I don't care if it's 50 cars, not 200 - if you add cars to that situation, it's going to be a problem. That's all. Mahalo.

AU: Okay. Thank you. Any questions for the testifier? Okay, we have our last testifier, Jeff Gomes for his wife Wendy Gomes.

GOMES: Hawaii Administrative Rules, Title 11, Department of Health, Chapter 200, 11-200-9, Chapter 6, Distribute, concurrently with the filing in paragraph (5), the draft environmental assessment to other agencies having jurisdiction or expertise as well as citizen groups and individuals, like myself and my neighbors, which the proposing agency reasonably believes to be affected. Now if they didn't think we'd be affected living in Pacific Plantation, they've got to be crazy. Everybody living in there is going to be affected. And none of us were notified, none of us.

Please look at my handout that I made for you. Turn to the second page on the bottom, this is the school minutes, local school board minutes, July 2, 2009. Mr. Thatcher reported "...our Environmental Assessment has been made available to relevant government agencies. If it is not questioned or contested, we would be doing a 'No Significant Impact Statement' rather than an Environmental Impact Statement." He had no intention of notifying us. The School had no intention of letting us know they were going to sneak this EA by. It's right there.

AU: Okay, any questions for the testifier? No? Okay, well, with that, the public testimony is done. So I'd like to entertain a motion for discussion. So what we have on the table now is Planning Department is recommending we continue this special permit. Any questions, Commissioners? Would you like to ask the applicant questions? Would you like to ask staff questions? If not, we'll be ready to entertain a motion.

ONO: I have a question for the Director.

AU: Go ahead.

ONO: I wasn't quite clear on this, the announcement about the Attorney General's office in the paper, what's the rationale behind that?

LEITHEAD TODD: The Attorney General's office has indicated that they wish to take over representation for Connections School. So they will be replacing Mr. Hong.

ONO: I'm assuming we're talking about the State Attorney General?

LEITHEAD TODD: The State Attorney General's office is going to be, Connections is a State School.

ONO: So in terms of being a party representing a group, in this case Connections – this is what I'm concerned about. Does that mean that they're siding with one party over the other?

LEITHEAD TODD: Connections is a State public school. The Attorney General's Office represents the State and its agencies. And so this would be like an agency or department, or just as if a State employee had an action, in certain circumstances the AG's office would represent the State employee. So this is no different. And this is somewhat, I mean we don't have this issue come up very often in our meetings, but this is very analogous to Court proceedings where you start off with one attorney, another attorney is going to come in so the first one withdraws. And typically the courts routinely grant the continuance in the interest of, in fairness to the applicant. Because it's basically, you know, no one is really disadvantaged in the sense of a continuance. You know, it's a little inconvenient for people who have to come back out again. But the disadvantage to the applicant if you deny them the opportunity to have their new attorney represent them and have time to come in, as Mr. Hong indicated the reason the AG couldn't come today is that they had another deposition which was also scheduled, there's a tremendous disadvantage to the applicant if you don't allow the continuance. And, you know, it's my recommendation that you allow the continuance. Because, frankly, let me be blunt, if you deny the continuance, that's appealable. That would go to court, a judge would look at this and say we have been unreasonable in denying the continuance, and they would send it right back down to

us, except everybody would have to write legal briefs on the issue. So I think it's, the wiser course of action is to grant the continuance and allow the AG. Cause we don't know what the AG is going to say, but we should have that opportunity to hear from them and give the applicant that benefit.

ONO: I also have one more question -.

AU: Go ahead, Commissioner Ono.

ONO: Cause it's bothering me. Whatever the decision of this Commission is, let's say for the Charter or recommend that we do not, the very position of the Attorney General representing the Charter School, does that mean that he would have to side with the Charter School at the next level?

LEITHEAD TODD: Well, if he is representing the Charter School, he is taking their side because he is advocating for them. He is their attorney.

ONO: Oh, that's right.

LEITHEAD TODD: You don't have a client and advocate against your client. But you have to understand this is, we have a situation here where the State Land Board has already approved the lease. So you have the State having taken that position. The State Office of Planning has already submitted testimony supporting this saying that this is consistent with special use permits and that they support this application. So now you just have one more State agency, which in this case is the AG's office, coming in. But the way that the special use permit process works is that the, if the County Planning Commission recommends approval, it then goes to the State Land Use Commission, because this is more than 15 acres of land. The State Land Use Commission is the body that then determines whether the special use permit is granted or not. However, if the Windward Planning Commission says that they want to deny the application, then the application dies. Because under the process set up under State Law, you have to have a favorable recommendation from the local planning commission, which would be this one, before it can proceed to the State Land Use Commission.

ONO: That's where I have a question. Assuming that we deny, the representative of the AG's office would appeal?

LEITHEAD TODD: They would then represent Connections in appeal to Circuit Court.

ONO: Okay, thank you.

LEITHEAD TODD: And then Mr. Kanakaole would represent the Commission; and I guess Mr. Brillhante, not the property owner, or possibly Ms. Self would represent the Planning Department and the Planning Director.

ONO: Thank you. That's it. Thank you.

AU: Okay, any more questions for staff?

GONZALES: I -.

AU: Commissioner Gonzales.

GONZALES: Excuse me. Yes, I have a question. Actually I just want to make this clear. So if we say yes, this gets kicked up to the State Land Use Committee or Commission?

LEITHEAD TODD: Yes.

GONZALES: If we say no, if we say no, the application dies, they're going to appeal it -?

LEITHEAD TODD: Well, we don't know that they will appeal it. But I would assume that there's a likely appeal which would go to Circuit Court. And they would look at whether we had been arbitrary, capricious, whether, you know, we have valid reasons. They would look at all of that in terms of looking at our decision. There are a set of rules that they would look at. But you shouldn't base your decision on whether there's going to be an appeal or whether it's going to the Land Use Commission. You should be exercising independent judgment on whether you believe that this qualifies for a special use permit; and then, you know, vote appropriately.

GONZALES: Thank you.

AU: Okay, so just to clarify, we are voting, what's agendized is the continuance to a future meeting with us. Is that correct?

DARROW: Correct.

AU: Okay, yeah, I thought I heard the conversation it's a continued meeting to the Land Use Commission.

DARROW: Mr. Chairman, the -.

AU: It's a continued meeting to the Windward Planning Commission, right?

DARROW: Correct. And the next Windward Planning Commission meeting would be January 10, 2013.

AU: Okay. With that said, anybody interested in making a motion?

GONZALES: Mr. Chairman, I would like to put forth a motion to continue the application SPP 12-138 for Connections New Century Public Charter School until the next Windward Planning Commission meeting on January 10, 2013.

AU: Thank you. Commissioners, can I have a second?

ONO: Second.

AU: Okay, into discussion, I'd like to see what happens with this at our next meeting, that the applicant has with the community. I want to see the results, the water credits. I guess we have it in written documents. You know the applicant is doing what they're asked of from us, so I think I would support this continuance. So I just wanted to share that with my Fellow Commissioners. Anybody want to make a comment, so, for discussion? Okay, if not, ready to take a vote.

DARROW: Thank you, Mr. Chairman. The motion before us is to continue this application until our next Windward Planning Commission meeting to be held on January 10, 2013. With that I'll take the roll. Commissioner Gonzales?

GONZALES: Aye.

DARROW: Commissioner Ono?

ONO: Aye.

DARROW: Commissioner Ishibashi?

ISHIBASHI: Aye.

DARROW: And Mr. Chairman?

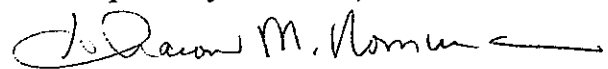
AU: Aye.

DARROW: The motion passes four to zero.

AU: You'll be notified in writing; and so will all the neighbors; and we'll see you guys at the next meeting.

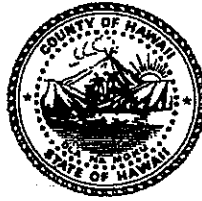
The discussion ended at 12:44 p.m.

Respectfully submitted,



Sharon M. Nomura, Secretary
Windward Planning Commission

William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

West Hawai'i Office
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PLANNING DEPARTMENT

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December 10, 2012

Ms. Monica Morris, Deputy
Office of the Attorney General
425 Queen Street
Honolulu, HI 96813

Dear Ms. Morris:

Special Permit Application (SPP 12-000138)
Applicant: Connections New Century Public Charter School and Community
Based Education Support Services
Request: To Develop a K to 12 Charter School Campus with Dorm Facilities,
Intergenerational Programs, a Sustainable Agriculture Program and a
Forestry/Conservation Program
Tax Map Key: 2-5-006:141

The Planning Commission at its December 6, 2012 meeting voted to continue the hearing at the request of Attorney Ted H. S. Hong pursuant to his December 5, 2012 letter.

The continued hearing, among others, is scheduled for 10:00 a.m. on Thursday, January 10, 2013, in the County of Hawai'i Aupuni Center Conference Room, 101 Pauahi Street, Hilo, Hawai'i. Your presence or the presence of an authorized representative will be appreciated in order that all questions relative to the request may be clarified. A copy of the public notice is attached for your information.


In accordance with the Planning Commission Rule 6 (Special Permits) and pursuant to Rule 4 (Contested Case Procedure), you are required to notify the surrounding property owners and lessees of record within 500 feet of the perimeter boundary of the property of the continued hearing.

Proof of service to surrounding property owners shall be submitted to the Planning Commission prior to the date of public hearing. Proof may consist of certified mail receipts, affidavits, declarations or the like. The list of names, addresses and tax map keys of those individuals notified shall also be submitted.

Ms. Monica Morris, Esq.
Page 2
December 10, 2012

Should you have any questions regarding the above, please do not hesitate to contact Jeff Darrow of this department at 961-8288, ext. 8158.

Sincerely,


BJ LEITHEAD TODD
Planning Director

Att.

cc: Connections New Century Public Charter School & CBESS

NOTICE OF PUBLIC MEETING AND HEARINGS

**WINDWARD PLANNING COMMISSION
COUNTY OF HAWAI'I**

NOTICE IS HEREBY GIVEN of the following matters to be considered by the Windward Planning Commission of the County of Hawai'i in accordance with the provisions of Chapters 91 and 92, Hawai'i Revised Statutes, Section 6-7.5(a) of the Charter of the County of Hawai'i, and the Planning Commission's Rules of Practice and Procedure.

DATE: Thursday, January 10, 2013
TIME: 9:00 a.m.
PLACE: County of Hawai'i Aupuni Center Conference Room
101 Pauahi Street, Hilo, HI 96720

STATEMENTS FROM THE PUBLIC – Note that statements from the public regarding any particular item on this agenda will be taken at the time the particular item is called to order.

NEW BUSINESS – 9:00 a.m.

1. **APPLICANT: AGUINALDO 4, LLC (REZ 12-159)**
Application for a Change of Zone from a Single-Family Residential–10,000 square feet (RS-10) to a Village Commercial–20,000 square feet (CV-20) zoning district for approximately 1.545 acres of land. The subject property is located at the southeast corner of the intersection of Pāhoa-Kalapana Road (Highway 130) and Pāhoa-Kapoho Road (Highway 132), east of Pāhoa High School at Kaniahiku Homesteads, Puna, Hawai'i, TMK: 1-5-003:037.
2. **APPLICANT: PARADISE HELICOPTERS (SPP 12-143)**
Application for a Special Permit to allow the construction and establishment of a helicopter landing area on a 10,000 square-foot portion of a 1.003-acre parcel situated within the State Land Use Agricultural District. The property is located at the southwestern corner of Plumeria Street and Hoku Avenue in Royal Gardens Subdivision, Puna, Hawai'i, TMK: 1-1-114:022.
3. **APPLICANT: MATTHEW W. CASTRO (SPP 12-144)**
Application for a Special Permit to allow the construction and operation of an approximately 225 square-foot certified cold kitchen facility for the preparation of dried fish on a one-acre parcel situated within the State Land Use Agricultural District. The subject property is located along the southwest (mauka) side of 29th Avenue, approximately 1,200 feet from its intersection with Paradise Drive, Hawaiian Paradise Park Subdivision, Puna, Hawai'i, TMK: 1-5-033:130.

NEW BUSINESS – 9:30 a.m.

4. INITIATOR: COUNTY COUNCIL (Bill No. 291)

Bill No. 291 regarding a proposed amendment to Chapter 25, Article 6, Division 1 of the Hawai'i County Code 1983 (2005 Edition, as amended), relating to Planned Unit Development (P.U.D.). The purpose of Bill No. 291 is to clarify procedural guidelines, define the requirements of a P.U.D. permit, and to add the Planning Commission(s) and the County Council to the review and approval process for a P.U.D. permit. Initiates amendments to Chapter 25 (Zoning Code), Article 6, Division 1, relating to P.U.D: Amends Section 25-6-1 relating to Purpose. Deletes Section 25-6-2 relating to Minimum land area required. Amends Section 25-6-3 relating to application for P.U.D. permit. Amends 25-6-4 relating to Notice of action on a P.U.D. application. Deletes Section 25-6-5 relating to Procedure for processing P.U.D. application when use not permitted in district. Amends Section 25-6-6 relating to Actions by director on P.U.D. permit applications and replaces it with Procedure for processing P.U.D. application, adds Section 25-6-7 relating to Conditions imposed on P.U.D., and Section 25-6-8 relating to Review and approval of final site plans. Deletes Section 25-6-10 relating to Criteria for granting a P.U.D. permit. Replaces Section 25-6-11 relating to Height exceptions authorized with Construction in conformity with approved final site plans, and Section 25-6-12 relating to Approval of variances, use permits and plan approvals issued under P.U.D. permit with Plan approval issued by approval of final site plans. Amends Section 25-6-13 relating to Effect of P.U.D. permit on other zoning provisions. Amends Section 25-6-14 relating to Time extension and amendments. Amends Section 25-6-15 relating Appeals to Appeal of director's actions on P.U.D. final site plans.

UNFINISHED BUSINESS – 10:00 a.m.

5. APPLICANT: CONNECTIONS NEW CENTURY PUBLIC CHARTER SCHOOL /CBESS (SPP 12-138)

Continued hearing on an application for a Special Permit to develop a K to 12 charter school campus with dorm facilities and related uses on approximately 70 acres of land situated in the State Land Use Agricultural District. The property is located on both the southwest and northeast sides of Edita Street near its intersection with Kaūmana Drive and adjoining the Pacific Plantation Subdivision in Kaūmana, South Hilo, Hawai'i, TMK: 2-5-006:141.

UNFINISHED BUSINESS – 1:00 p.m.

6. INITIATOR: PLANNING DIRECTOR

Discussion of possible amendments to Planning Commission Rule No. 12 regarding the Geothermal Asset Fund relating to procedures and guidelines for the processing of proposed community approved geothermal impact mitigation projects within the District of Puna.

MINUTES

Approval of Minutes of the December 6, 2012 meeting

ADMINISTRATIVE MATTERS

1. Discussion regarding letter dated August 2, 2012 from Council Chairperson Dominic Yagong to Windward Planning Commission Chairperson Zendo Kern requesting information on the process for requesting use of the Geothermal Asset Fund to fund a health study as a community approved mitigation project for the Puna community to address the alleviation or attenuation of direct detrimental effects of geothermal operations permitted under Geothermal Resources Permit No. 2.
2. Discussion regarding letter dated August 8, 2012 from Councilperson Fred Blas to Windward Planning Commission Chairperson Zendo Kern requesting information on procedures for requesting use of the Geothermal Asset Fund to fund a health study for Puna to determine the possible negative impacts of geothermal power producing activities at the Puna Geothermal Venture Plant.
3. Status of applications heard by Windward Planning Commission that are pending before County Council.

ANNOUNCEMENTS

ADJOURNMENT

The purpose of the public hearings is to afford all interested persons a reasonable opportunity to be heard on the above matters.

Submitting Testimony: According to Rule 1 (General Rules) of the Planning Commission, a person desiring to submit oral or written testimony shall indicate her/his name; residence address; and whether the testimony is on her/his behalf or as a representative of an organization or individual. If testimony is being submitted on behalf of an organization, documentation showing membership ratification should accompany the testimony. Written testimony shall be submitted with an original and nine copies prior to testifying. The Commission would appreciate timely submittal to the Planning Department at least one week prior to the hearing date to allow for mailing and thorough Commission review. Testimony that is irrelevant or unduly repetitious may be limited by the Chairperson pursuant to Rule 1.

Pursuant to Rule 4, Contested Case Procedure, of the County of Hawai'i Planning Commission Rules of Practice and Procedure, any person seeking to intervene as a party to a contested case hearing on Agenda Item Nos. 2 & 3 above is required to file a written request which must be received in the office of the Planning Department no later than seven (7) calendar days prior to the Planning Commission's first public meeting on the matter. Such written request shall be in conformity with Rule 4, in a form as provided by the Planning Department entitled "Petition for Standing in a Contested Case Hearing." The written petition/request shall be filed with the Planning Commission at Aupuni Center, 101 Pauahi Street, Suite 3, Hilo, Hawai'i 96720, and accompanied by a filing fee of \$200 payable to the Director of Finance. Any party may retain counsel if that person so desires. Rule 4 may be inspected or purchased (\$2.50) at the above-cited location. Rule 4 may also be viewed at the County of Hawai'i website (<http://www.co.Hawaii.hi.us>).

Notice to Lobbyists: If you are a lobbyist, you must register with the Hawai'i County Clerk within five days of becoming a lobbyist {Article 15, Section 2-91.3(b), Hawai'i County Code}. A lobbyist means "any individual engaged for pay or other consideration who spends more than five hours in any month or \$275 in any six-month period for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials." {Article 15, Section 2-91.3(a)(6), Hawai'i County Code} Registration forms and expenditure report documents are available at the Office of the County Clerk, 25 Aupuni Street, Room 1402, Hilo, Hawai'i 96720.

Copies of the applications and maps showing the general locations and boundaries of the areas under consideration and/or plans of the proposed developments are on file and open to inspection during office hours at the Planning Department, Aupuni Center, 101 Pauahi Street, Suite 3, Hilo, Hawai'i and at the Planning Department–West Hawai'i Office, West Hawai'i Civic Center, 74-5044 Ane Keohokālole Highway, Kailua-Kona, Hawai'i.

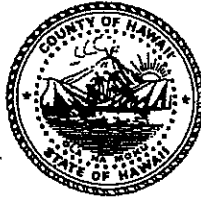
Anyone who requires an auxiliary aid or service, other reasonable modification, or language interpretation to access this meeting please contact Sharon Nomura (961-8155) or Daryn Arai (961-8142) of the Planning Department as soon as possible, but no later than five days prior to the meeting date, to arrange for accommodations. "Other reasonable modification" refers to communication methods or devices for people with disabilities who are mentally and/or physically challenged.

Hawai'i County is an Equal Opportunity Provider and Employer.

WINDWARD PLANNING COMMISSION
DEAN AU, Chairperson

(Hawaii Tribune Herald: Friday, December 14, 2012)
(West Hawaii Today: Friday, December 14, 2012)

William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

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PLANNING DEPARTMENT

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December 20, 2012

Ms. Monica Morris, Deputy
Office of the Attorney General
425 Queen Street
Honolulu, HI 96813


Dear Ms. Morris:

Special Permit Application (SPP 12-000138)
Applicant: Connections New Century Public Charter School and Community
Based Education Support Services
Request: To Develop a K to 12 Charter School Campus with Dorm Facilities,
Intergenerational Programs, a Sustainable Agriculture Program and a
Forestry/Conservation Program
Tax Map Key: 2-5-006:141

Please replace the agenda sent with our December 10, 2012 letter with the attached.

Should you have any questions regarding the above, please do not hesitate to contact Jeff Darrow
of this department at 961-8288, ext. 8158.

Sincerely,


BJ LEITHEAD TODD
Planning Director

Att.

cc: Connections New Century Public Charter School & CBESS

DEC 21 2012

**NOTICE OF PUBLIC MEETING AND HEARINGS
WINDWARD PLANNING COMMISSION
COUNTY OF HAWAI'I
Thursday, January 10, 2013 Agenda**

NOTICE IS HEREBY GIVEN of the following matters to be considered by the Windward Planning Commission of the County of Hawai'i in accordance with the provisions of Chapters 91 and 92, Hawai'i Revised Statutes, Section 6-7.5(a) of the Charter of the County of Hawai'i, and the Planning Commission's Rules of Practice and Procedure.

DATE: Thursday, January 10, 2013
TIME: 9:00 a.m.
PLACE: County of Hawai'i Aupuni Center Conference Room
101 Pauahi Street, Hilo, HI 96720

STATEMENTS FROM THE PUBLIC – Note that statements from the public regarding any particular item on this agenda will be taken at the time the particular item is called to order.

NEW BUSINESS – 9:00 a.m.

1. **APPLICANT: AGUINALDO 4, LLC (REZ 12-159)**
Application for a Change of Zone from a Single-Family Residential–10,000 square feet (RS-10) to a Village Commercial–20,000 square feet (CV-20) zoning district for approximately 1.545 acres of land. The subject property is located at the southeast corner of the intersection of Pāhoa-Kalapana Road (Highway 130) and Pāhoa-Kapoho Road (Highway 132), east of Pāhoa High School at Kaniahiku Homesteads, Puna, Hawai'i, TMK: 1-5-003:037.
2. **APPLICANT: PARADISE HELICOPTERS (SPP 12-143)**
Application for a Special Permit to allow the construction and establishment of a helicopter landing area on a 10,000 square-foot portion of a 1.003-acre parcel situated within the State Land Use Agricultural District. The property is located at the southwestern corner of Plumeria Street and Hoku Avenue in Royal Gardens Subdivision, Puna, Hawai'i, TMK: 1-1-114:022.
3. **APPLICANT: MATTHEW W. CASTRO (SPP 12-144)**
Application for a Special Permit to allow the construction and operation of an approximately 225 square-foot certified cold kitchen facility for the preparation of dried fish on a one-acre parcel situated within the State Land Use Agricultural District. The subject property is located along the southwest (mauka) side of 29th Avenue, approximately 1,200 feet from its intersection with Paradise Drive, Hawaiian Paradise Park Subdivision, Puna, Hawai'i, TMK: 1-5-033:130.

NEW BUSINESS – 9:30 a.m.

4. INITIATOR: COUNTY COUNCIL (Bill No. 291)

Bill No. 291 regarding a proposed amendment to Chapter 25, Article 6, Division 1 of the Hawai'i County Code 1983 (2005 Edition, as amended), relating to Planned Unit Development (P.U.D.). The purpose of Bill No. 291 is to clarify procedural guidelines, define the requirements of a P.U.D. permit, and to add the Planning Commission(s) and the County Council to the review and approval process for a P.U.D. permit. Initiates amendments to Chapter 25 (Zoning Code), Article 6, Division 1, relating to P.U.D.: Amends Section 25-6-1 relating to Purpose. Deletes Section 25-6-2 relating to Minimum land area required. Amends Section 25-6-3 relating to application for P.U.D. permit. Amends 25-6-4 relating to Notice of action on a P.U.D. application. Deletes Section 25-6-5 relating to Procedure for processing P.U.D. application when use not permitted in district. Amends Section 25-6-6 relating to Actions by director on P.U.D. permit applications and replaces it with Procedure for processing P.U.D. application, adds Section 25-6-7 relating to Conditions imposed on P.U.D., and Section 25-6-8 relating to Review and approval of final site plans. Deletes Section 25-6-10 relating to Criteria for granting a P.U.D. permit. Replaces Section 25-6-11 relating to Height exceptions authorized with Construction in conformity with approved final site plans, and Section 25-6-12 relating to Approval of variances, use permits and plan approvals issued under P.U.D. permit with Plan approval issued by approval of final site plans. Amends Section 25-6-13 relating to Effect of P.U.D. permit on other zoning provisions. Amends Section 25-6-14 relating to Time extension and amendments. Amends Section 25-6-15 relating Appeals to Appeal of director's actions on P.U.D. final site plans.

5. INITIATOR: PLANNING DIRECTOR

Amendment to Chapter 25, Article 6, Division 1 of the Hawai'i County Code 1983 (2005 Edition, as amended), relating to Planned Unit Development (P.U.D.). The purpose of the proposed bill is to clarify the purpose of a P.U.D., clarify procedural guidelines for submitting a P.U.D. application, define the requirements of a P.U.D. project, and to provide an opportunity for greater community involvement in the approval process for a P.U.D. permit. Initiates amendments to Chapter 25 (Zoning Code), Article 6, Division 1, relating to P.U.D. Amends Section 25-6-1 relating to purpose. Amends Section 25-6-3 relating to requirements of application for P.U.D. permit. Amends Section 25-6-4 relating to notice of action on P.U.D. application. Amends Section 25-6-5 relating to procedure for processing application when use not permitted in district. Amends Section 25-6-6 relating to actions by director on P.U.D. permit applications. Adds Section 25-6-7 relating to community meeting required prior to submittal of an application for a P.U.D. Amends Section 25-6-10 relating to criteria for granting a P.U.D. permit. Amends Section 25-6-11 relating to height exceptions authorized. Amends Section 25-6-12 relating to approval of variances, use permits and plan approvals issued under P.U.D. permit. Amends Section 25-6-13 relating to effect of P.U.D. permit on other zoning provisions. Amends Section 25-6-14 relating to time extensions and amendments. Amends Section 25-6-15 relating to appeals.

UNFINISHED BUSINESS – 10:00 a.m.

6. APPLICANT: CONNECTIONS NEW CENTURY PUBLIC CHARTER SCHOOL /CBESS (SPP 12-138)

Continued hearing on an application for a Special Permit to develop a K to 12 charter school campus with dorm facilities and related uses on approximately 70 acres of land situated in the State Land Use Agricultural District. The property is located on both the southwest and northeast sides of Edita Street near its intersection with Kaūmana Drive and adjoining the Pacific Plantation Subdivision in Kaūmana, South Hilo, Hawai‘i, TMK: 2-5-006:141.

UNFINISHED BUSINESS – 1:00 p.m.

7. INITIATOR: PLANNING DIRECTOR

Discussion of possible amendments to Planning Commission Rule No. 12 regarding the Geothermal Asset Fund relating to procedures and guidelines for the processing of proposed community approved geothermal impact mitigation projects within the District of Puna.

MINUTES

Approval of Minutes of the December 6, 2012 meeting

ADMINISTRATIVE MATTERS

1. Discussion regarding letter dated August 2, 2012 from Council Chairperson Dominic Yagong to Windward Planning Commission Chairperson Zendo Kern requesting information on the process for requesting use of the Geothermal Asset Fund to fund a health study as a community approved mitigation project for the Puna community to address the alleviation or attenuation of direct detrimental effects of geothermal operations permitted under Geothermal Resources Permit No. 2.
2. Discussion regarding letter dated August 8, 2012 from Councilperson Fred Blas to Windward Planning Commission Chairperson Zendo Kern requesting information on procedures for requesting use of the Geothermal Asset Fund to fund a health study for Puna to determine the possible negative impacts of geothermal power producing activities at the Puna Geothermal Venture Plant.
3. Status of applications heard by Windward Planning Commission that are pending before County Council.

ANNOUNCEMENTS

ADJOURNMENT

The purpose of the public hearings is to afford all interested persons a reasonable opportunity to be heard on the above matters.

Submitting Testimony: According to Rule 1 (General Rules) of the Planning Commission, a person desiring to submit oral or written testimony shall indicate her/his name; residence address; and whether the testimony is on her/his behalf or as a representative of an organization or individual. If testimony is being submitted on behalf of an organization, documentation showing membership ratification should accompany the testimony. Written

testimony shall be submitted with an original and nine copies prior to testifying. The Commission would appreciate timely submittal to the Planning Department at least one week prior to the hearing date to allow for mailing and thorough Commission review. Testimony that is irrelevant or unduly repetitious may be limited by the Chairperson pursuant to Rule 1.

Pursuant to Rule 4, Contested Case Procedure, of the County of Hawai'i Planning Commission Rules of Practice and Procedure, any person seeking to intervene as a party to a contested case hearing on Agenda Item Nos. 2 & 3 above is required to file a written request which must be received in the office of the Planning Department no later than seven (7) calendar days prior to the Planning Commission's first public meeting on the matter. Such written request shall be in conformity with Rule 4, in a form as provided by the Planning Department entitled "Petition for Standing in a Contested Case Hearing." The written petition/request shall be filed with the Planning Commission at Aupuni Center, 101 Pauahi Street, Suite 3, Hilo, Hawai'i 96720, and accompanied by a filing fee of \$200 payable to the Director of Finance. Any party may retain counsel if that person so desires. Rule 4 may be inspected or purchased (\$2.50) at the above-cited location. Rule 4 may also be viewed at the County of Hawai'i website (<http://www.co.Hawaii.hi.us>).

Notice to Lobbyists: If you are a lobbyist, you must register with the Hawai'i County Clerk within five days of becoming a lobbyist {Article 15, Section 2-91.3(b), Hawai'i County Code}. A lobbyist means "any individual engaged for pay or other consideration who spends more than five hours in any month or \$275 in any six-month period for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials." {Article 15, Section 2-91.3(a)(6), Hawai'i County Code} Registration forms and expenditure report documents are available at the Office of the County Clerk, 25 Aupuni Street, Room 1402, Hilo, Hawai'i 96720.

Copies of the applications and maps showing the general locations and boundaries of the areas under consideration and/or plans of the proposed developments are on file and open to inspection during office hours at the Planning Department, Aupuni Center, 101 Pauahi Street, Suite 3, Hilo, Hawai'i and at the Planning Department—West Hawai'i Office, West Hawai'i Civic Center, 74-5044 Ane Keohokālole Highway, Kailua-Kona, Hawai'i.

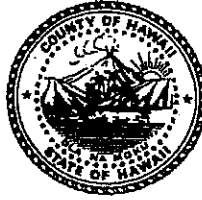
Anyone who requires an auxiliary aid or service, other reasonable modification, or language interpretation to access this meeting please contact Sharon Nomura (961-8155) or Daryn Arai (961-8142) of the Planning Department as soon as possible, but no later than five days prior to the meeting date, to arrange for accommodations. "Other reasonable modification" refers to communication methods or devices for people with disabilities who are mentally and/or physically challenged.

Hawai'i County is an Equal Opportunity Provider and Employer.

WINDWARD PLANNING COMMISSION
DEAN AU, Chairperson

(Hawaii Tribune Herald: Thursday, December 27, 2012)
(West Hawaii Today: Thursday, December 27, 2012)

William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

West Hawai'i Office
74-5044 Ane Keohokalole Hwy
Kailua-Kona, Hawai'i 96740
Phone (808) 323-4770
Fax (808) 327-3563

County of Hawai'i
PLANNING DEPARTMENT

East Hawai'i Office
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720
Phone (808) 961-8288
Fax (808) 961-8742

December 20, 2012

Connections New Century Public Charter School
174 Kamehameha Avenue
Hilo, HI 96720

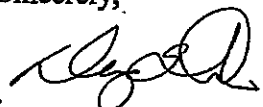
Dear Representative of Connections New Century Public Charter School:

Special Permit Application No. 12-000138 (SPP 12-000138)
Applicant: Connections New Century Public Charter School/CBESS
Subject: Receipt for Continuance Filing Fee
Tax Map Key: 2-5-006:141

This is to acknowledge receipt of the submittal of the filing fee for a continuance for the above referenced application. We are enclosing a receipt for your records.

If you have any questions, please feel free to contact Jeff Darrow at 961-8158.

Sincerely,


BJ LEITHEAD TODD
Planning Director

Enclosure: Receipt for Continuance Filing Fee

JWD:smn

P:\wpwin60\Jeff\Letters\Acknowledge Receipt Letters\LConnections-SPP12-138-AckReceiptForCont.doc

Route Slip Date: _____

2012 DEC 17 PM 3:10

- Director _____
- Deputy _____
- Pvt. Secretary _____

Long Range Division

- Manager _____
- Planner _____

Administrative Permits

- Manager _____
- Planner _____

- Zoning Inspector _____
- Zoning Clerk _____

Planning Division

- Manager _____
- Planner _____

DA / *12/18/2012*
 DEC 18 2012

- Sec. to Commission _____

West Hawaii Office

- Manager _____
- Planner _____

- Inspector _____

Drafting Section

- Draftsman _____

General Administration

- Personnel Clerk _____
- Account Clerk _____

- File _____
- See Me _____
- Circulate _____
- Draft Reply _____
- Review & Comment _____
- Appropriate Action _____
- Investigate & Report _____
- Recommendation _____

Remarks: *Request for Continuance*

SCANNED

DEC 18 2012

By: 082713

RECEIPT DATE DEC 17 2012 No. 554713

RECEIVED FROM *Connections New Century Publics* \$ *250.00* DOLLARS
 174 Kanehameha Ave. *Charter School*
 FOR RENT *174 Kanehameha Ave. #104 96720*
 FOR *5PP 12-00138 FIF. Reg west for continuance*

ACCOUNT	
PAYMENT	<i>250.00</i>
BAL. DUE	

CASH
 CHECK *8073* FROM *TRAC: 2-5-006.18*
 MONEY ORDER
 CREDIT CARD
 BY *M. Deary*

PLANNING DEPARTMENT
 County of Hawaii
 101 Pauahi St., Ste. 3
 Hilo, Hawaii 96720

RECEIPT

DATE: DEC 17 2012

No. 554713

RECEIVED FROM: Connections New Century Public \$ 250.00 DOLLARS

174 Kamehameha Ave. Suite 301 Hilo HI 96720

FOR RENT: SPP 12-000138 F.I.F. Reg. west for ambulance

ACCOUNT	
PAYMENT	<u>250.00</u>
BAL. DUE	

FROM: 8073 TO: 2-5-006-Y-1

BY: M. Drey

PLANNING DEPARTMENT
 County of Hawaii
 101 Pauahi St., Ste. 3
 Hilo, Hawaii 96720



**CONNECTIONS NEW CENTURY
 PUBLIC CHARTER SCHOOL**

174 Kamehameha Avenue
 Hilo, HI 96720-2834

First Hawaiian Bank

KAMEHAMEHA BRANCH
 HILO, HI 96720

59-101/1213

12/14/2012

8073

PAY TO THE ORDER OF: County Director of Finance

\$ **250.00

Two Hundred Fifty and 00/100 ***** DOLLARS

County Director of Finance
 County of Hawaii
 Planning Commission Section
 101 Pauahi St. Suite 3
 Hilo, HI 96720

Heather J. McDaniel
Phyllis Cabral

MEMO
 SPP 12-000138

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT.

1100008073 12130151 90034820

Ted H.S. Hong
Attorney at Law

Employment, Workplace Law & Litigation

Sue Lee Loy
Planner and Legal Assistant

PLANNING DEPARTMENT
COUNTY OF HAWAII

2013 JAN -7 PM 2: 29

December 31, 2012

The Honorable Bobby Jean Leithead-Todd, Director
County of Hawaii Planning Department
101 Pauahi Street, Suite 3
Hilo, Hawaii 96720

RE: Special Permit Application (SPP12-000138)
Connections New Century Public Charter School ("Connections") and Community Based
Education Support Services ("CBESS")
TMK(3)2-5-006:141

Dear Ms. Leithead-Todd:

On or about December 28, 2012 at the direction and permission of Community Based Education Support Services ("CBESS") our office mailed a notification of surrounding property owners that included information related to Special Permit Application – SPP 12-000138 and its continuance before the Windward Planning Commission.

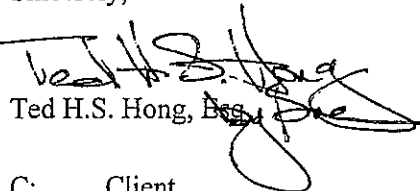
Enclosed please find the following that completes the Applicant's Notice to Surrounding Property Owners.

The items are:

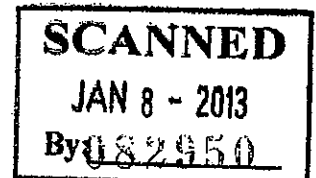
- Declaration of Mailing
- True copy of the Notice to Surrounding Property Owners.
- List of Surrounding Property Owners with 500-feet of the subject property.
- A radius map of 500-feet.

Should you have any questions or concerns regarding this submittal, please call me or Sue Lee Loy of my office at (808)933-1919. Your time and kind attention in this matter is greatly appreciated.

Sincerely,


Ted H.S. Hong, Esq.

C: Client



DECLARATION OF MAILING

PLANNING DEPARTMENT
COUNTY OF HAWAII

2013 JAN -7 PM 2: 29

I, SUSAN L.K. LEE LOY, hereby declare under penalty of perjury that the following statements are true and correct:

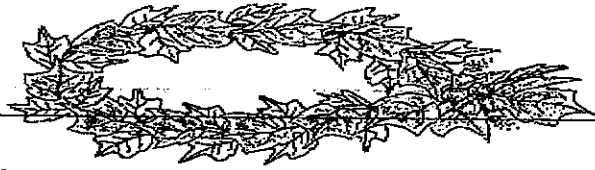
1. On or before December 28, 2012, I was given permission and direction to prepared and transmit a Notice to Surrounding Property Owner of Special Permit Application (SPP12-000138).
2. On or before December 28, 2012, the Notice to Surrounding Property Owner provided information about Special Permit Application - SPP12-000138 continuance.
3. A true and correct copy of Connections Public Charter School/CBESS Notice to Continue to Surrounding Property Owners of Special Permit Application - SPP12-000138 is attached hereto as **Exhibit 1**.
4. I prepared the List of Surrounding Property Owners of Record within 500 feet based on information available from the County of Hawaii Planning Department, County of Hawaii Real Property Tax Office and Hawaii Information Services, a true and accurate copy is further identified and attached hereto as **Exhibit 2**.
5. On or before December 28, 2012 I caused **Exhibit 1** to be mailed to the surrounding property Owners of Record identified in **Exhibit 2**.

Further your Affiant Sayth Naught.

DATED: Hilo, Hawaii, December 31, 2012



SUSAN L.K. LEE LOY



'O'ohē pau ka 'i'he i ka hālau ho'ohāhi

Connections Public Charter School

December 28, 2012

RE: Special Permit Application (SPP 12-000138)

Applicant: Connections New Century Public Charter School and Community Based Education Support Services

Request: To Develop a K to 12 Charter School Campus with Dorm Facilities, Intergenerational Programs, a Sustainable Agriculture Program and a Forestry/Conservation Program

Location: TMK: (3)2-5-006:141

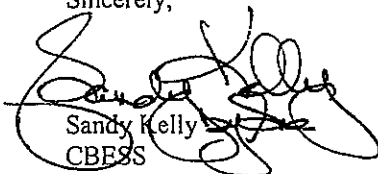
Dear Landowner, Lessee or Neighbor:

The Planning Commission at its December 6, 2012 meeting voted to continue the hearing on the above matter to allow the Office of the Attorney General an opportunity to provide legal counsel to Connections New Century Public Charter School for the above-reference matter and allow for another meeting with area residents. The above matter has been continued to January 10, 2012 and a copy of the public notice is attached for your information.

Connections New Century Public Charter School ("Connections") and Community Based Education Support Services ("CBESS") provides notice that on July 25, 2012, Connections and CBESS submitted a application for a Special Permit (SPP12-000138) that will allow for the development of a K to 12 Charter School Campus with Dorm Facilities Intergenerational Program, a Sustainable Agriculture Program and a Forestry/Conservation Program located at TMK: (3)2-5-006:141. Again, to reorient you, a copy of the Tax Map Key showing the precise location of the property is attached as Exhibit A and a copy of the Conceptual Site Plan is attached as Exhibit B. SPP12-000138 is available for public review at the County of Hawaii Planning Department located at 101 Pauahi Street, Suite 3, Hilo, Hawaii 96720 and their office can be contacted at (808)961-8288. The property is 70.15 acres of land and is located south of Kaumana Drive and is separated into two parcels by Edita Street. The upper (mauka) parcel comprises of roughly 33 acres and the lower (makai) parcel is approximately 37 acres.

If you chose you may express your support or opposition in writing or by oral testimony at the Planning Commission hearing. Please refer to the enclosed public notice (agenda) for the time in which the matter will be discussed.

Sincerely,



Sandy Kelly
CBESS

NOTICE OF PUBLIC MEETING AND HEARINGS

WINDWARD PLANNING COMMISSION

COUNTY OF HAWAI'I

Thursday, January 10, 2013 Agenda

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testimony shall be submitted with an original and nine copies prior to testifying. The Commission would appreciate timely submittal to the Planning Department at least one week prior to the hearing date to allow for mailing and thorough Commission review. Testimony that is irrelevant or unduly repetitious may be limited by the Chairperson pursuant to Rule 1.

Pursuant to Rule 4, Contested Case Procedure, of the County of Hawai'i Planning Commission Rules of Practice and Procedure, any person seeking to intervene as a party to a contested case hearing on Agenda Item Nos. 2 & 3 above is required to file a written request which must be received in the office of the Planning Department no later than seven (7) calendar days prior to the Planning Commission's first public meeting on the matter. Such written request shall be in conformity with Rule 4, in a form as provided by the Planning Department entitled "Petition for Standing in a Contested Case Hearing." The written petition/request shall be filed with the Planning Commission at Aupuni Center, 101 Pauahi Street, Suite 3, Hilo, Hawai'i 96720, and accompanied by a filing fee of \$200 payable to the Director of Finance. Any party may retain counsel if that person so desires. Rule 4 may be inspected or purchased (\$2.50) at the above-cited location. Rule 4 may also be viewed at the County of Hawai'i website (<http://www.co.Hawaii.hi.us>).

Notice to Lobbyists: If you are a lobbyist, you must register with the Hawai'i County Clerk within five days of becoming a lobbyist {Article 15, Section 2-91.3(b), Hawai'i County Code}. A lobbyist means "any individual engaged for pay or other consideration who spends more than five hours in any month or \$275 in any six-month period for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials." {Article 15, Section 2-91.3(a)(6), Hawai'i County Code} Registration forms and expenditure report documents are available at the Office of the County Clerk, 25 Aupuni Street, Room 1402, Hilo, Hawai'i 96720.

Copies of the applications and maps showing the general locations and boundaries of the areas under consideration and/or plans of the proposed developments are on file and open to inspection during office hours at the Planning Department, Aupuni Center, 101 Pauahi Street, Suite 3, Hilo, Hawai'i and at the Planning Department-West Hawai'i Office, West Hawai'i Civic Center, 74-5044 Ane Keohokālole Highway, Kailua-Kona, Hawai'i.

Anyone who requires an auxiliary aid or service, other reasonable modification, or language interpretation to access this meeting please contact Sharon Nomura (961-8155) or Daryn Arai (961-8142) of the Planning Department as soon as possible, but no later than five days prior to the meeting date, to arrange for accommodations. "Other reasonable modification" refers to communication methods or devices for people with disabilities who are mentally and/or physically challenged.

Hawai'i County is an Equal Opportunity Provider and Employer.

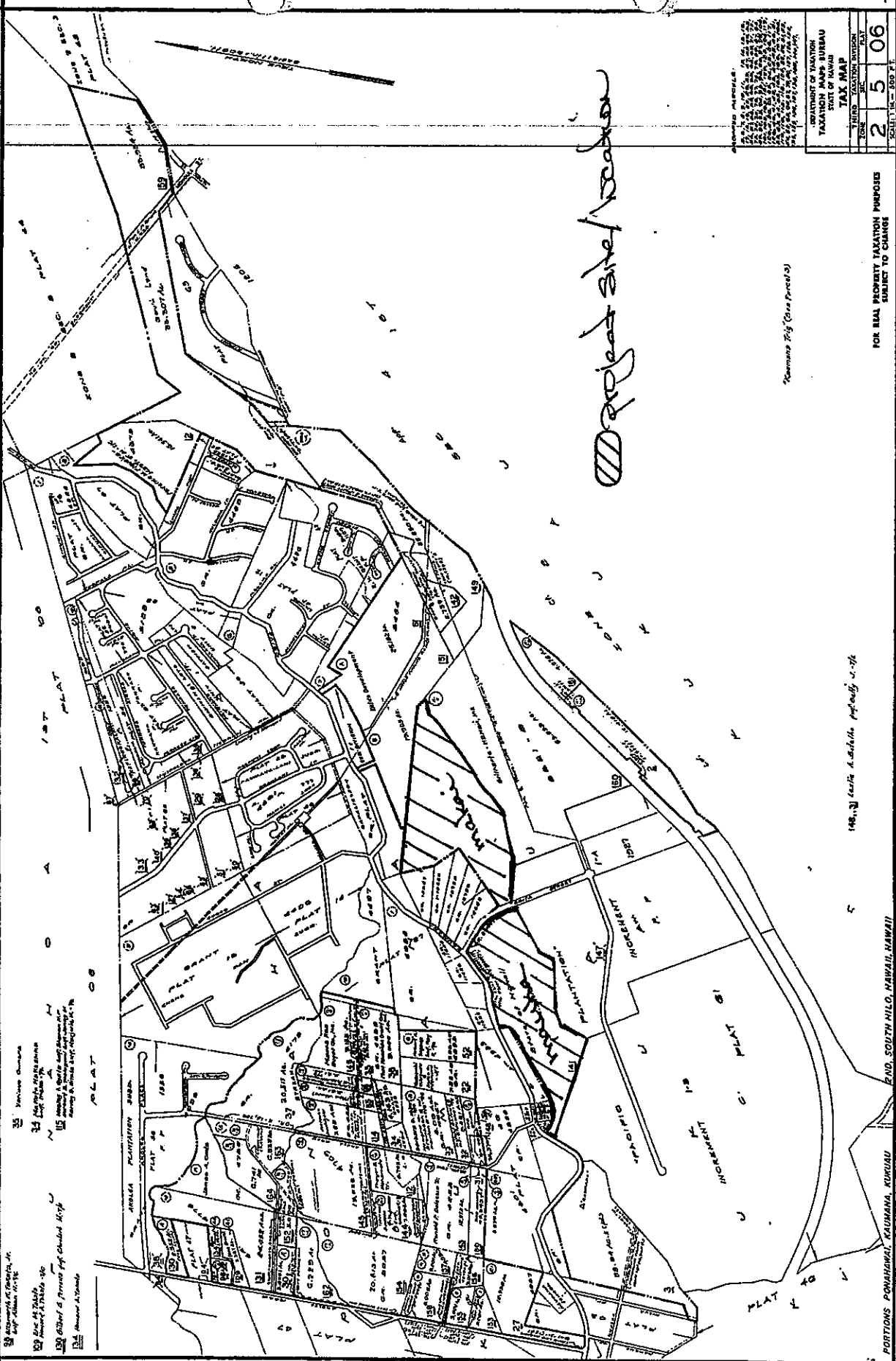
WINDWARD PLANNING COMMISSION

DEAN AU, Chairperson

(Hawaii Tribune Herald: Thursday, December 27, 2012)

(West Hawaii Today: Thursday, December 27, 2012)

2-5-06 3RD DIV



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 REPRODUCED BY THE
 TERRITORY OF HAWAII
 DEPARTMENT OF LAND AND NATURAL RESOURCES
 HONOLULU, HAWAII

TERRITORY OF HAWAII	
TAXATION MAPS BUREAU	
STATE OF HAWAII	
TAX MAP	
ZONE	2
TAXATION DISTRICT	5
PLAT	06
SOUTH HILLO - 100 FT.	

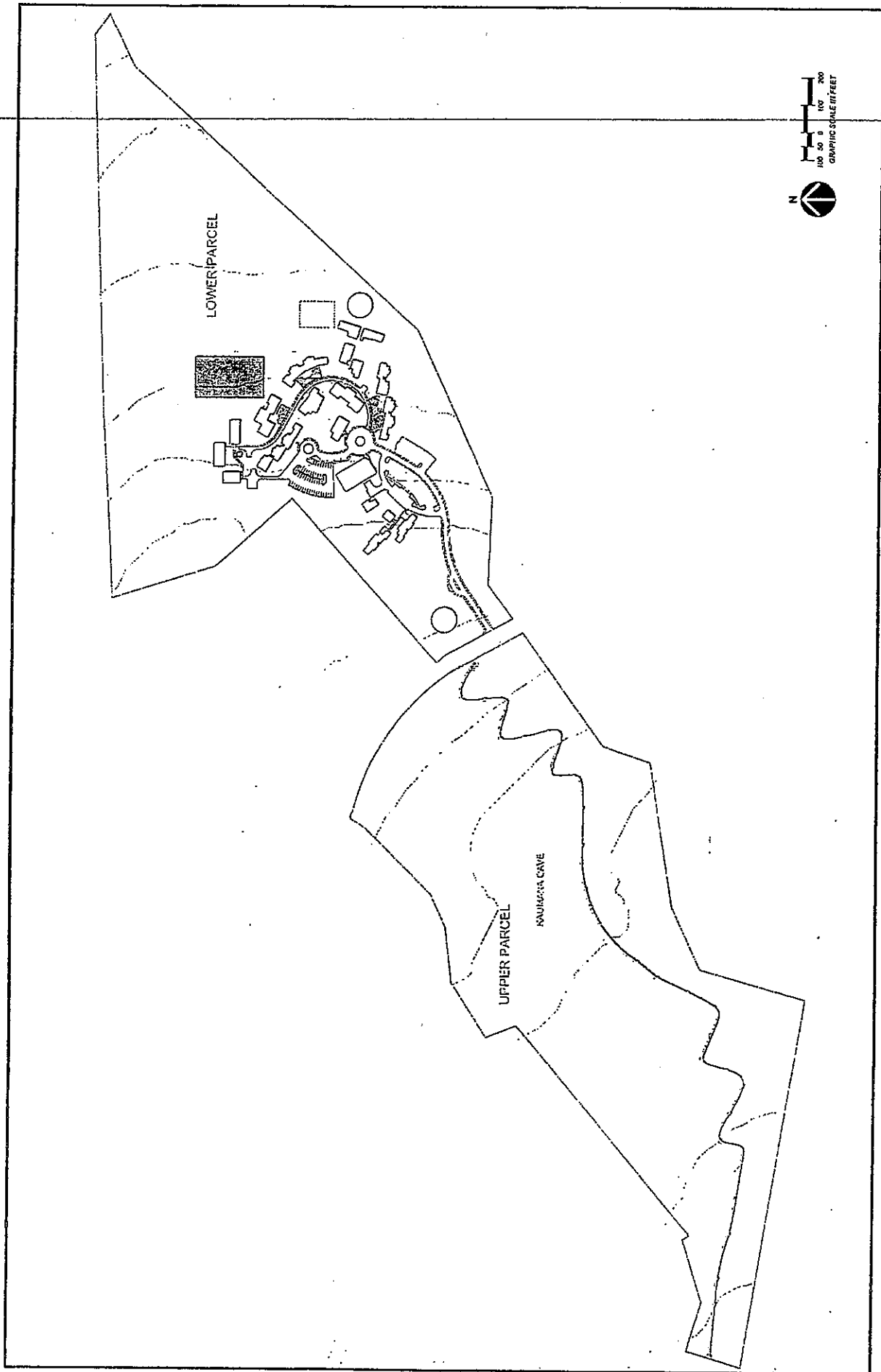
Kaunawa Hwy (Case Parcel 5)

FOR REAL PROPERTY TAXATION PURPOSES
SUBJECT TO CHANGE

1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025

PORTIONS PONAHIWA, KAUMANA, KUKUUA, END, SOUTH HILO, HAWAII, HAWAII

Exhibit A



PROJECT SITE PLAN
Final EA - Connections Public Charter School

FIGURE 2 - 3
Kauai, South Hill, Hawaii

Exhibit 9

TMK	Owner(s)	Owner's Mailing Address
2-5-006:003	State of Hawaii	N/A
2-5-006:052	Segawa, Wesley R Segawa, Phyllis E	19 Puuko Street Hilo, Hawaii 96720
2-5-006:061	Kidds Development c/o James Pappas, Treasurer	616 Moaniala Street Honolulu, Hawaii 96821
2-5-006:160	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720
2-5-006:151	Pappas, Marilyn J. Trust	616 Moaniala Street Honolulu, Hawaii 96821
2-5-061:033	Riley, Randell A	282 Edita Street Hilo, Hawaii 96720
2-5-061:032	Batalia, Roxanne-Joy Cano	272 Edita Street Hilo, Hawaii 96720
2-5-061:031	Yamashiro, Lorna Y Yamashiro, Neil	50 Manulele Street Hilo, Hawaii 96720
2-5-061:029	Iwasaki, Alan Iwasaki, Patsy	232 Edita Street Hilo, Hawaii 96720
2-5-061:028	Mochida, Ivan S. Trust	77 Kukila Street Hilo, Hawaii 96720
2-5-061:001	Gomes, Jeffrey, Kalani Gomes, Wendy Keiko	281 Edita Street Hilo, Hawaii 96720
2-5-061:002	Tada, Glenn K Tada, Karyn N Y	259 Edita Street Hilo, Hawaii 96720
2-5-061:003	Sakamoto, Ernest A Trust	1416 Pu'u Ale Place Hilo, Hawaii 96720
2-5-061:012	Akamine, Chun Y Trust	1360-D Mele Manu Street Hilo, Hawaii 96720
2-5-061:011	Araujo, Lorrin T Araujo, Margareta	1358-D Mele Manu Street Hilo, Hawaii 96720
2-5-061:010	Fuke, Aileen S Fuke, Sidney M	1358 Mele Manu Street, Apt. C Hilo, Hawaii 96720
2-5-061:013	Shiro, Douglas T	1360 C Mele Manu Street Hilo, Hawaii 96720
2-5-061:014	Bevington Family Trust	1360 Mele Manu Street #B Hilo, Hawaii 96720
2-5-061:017	Camacho, Brenda M K Camacho, david W Jr.	1414-A Mele Manu Street Hilo, Hawaii 96720
2-5-061:018	Nishimoto, Nelson N Omoto, Patty Kiyoko	1414 Mele Manu Street, Apt. B Hilo, Hawaii 96720
2-5-061:019	Novak, Allen L Novak, Layne Y M	1414 C Mele Manu Street Hilo, Hawaii 96720
2-5-061:020	Ludoff, Elaine L H Wilhelm, Steve K Wilhelm, Patricia J	1416 C Mele Manu Street Hilo, Hawaii 96720
2-5-061:021	Takata, Brice Hiroshi Takata, Christine Leiko	c/o 777 Ainako Avenue Hilo, Hawaii 96720
2-5-061:030	Chun, Mark Richard Takamiya, Marianne Yasuko	250 Edita Street Hilo, Hawaii 96720
2-5-061:022	Herzog, Markus 2010 Trust	P.O. Box 5915 Hilo, Hawaii 96720

2-5-061:041	Mok, TR	1464 Mele Manu Street Hilo, Hawaii 96720
2-5-061:042	Arzaga, Noemi L Arzaga, Rudy D	1468 Mele Manu Street Hilo, Hawaii 96720
2-5-061:043	Hudak, Daniel Robert	1488 Mele Manu Street Hilo, Hawaii 96720
2-5-061:044	Veriato, Franklin D Veriato, Virginia L	1500 Mele Manu Street Hilo, Hawaii 96720
2-5-061:045	Murai, Gary Murai, Jacqueline K	299 A. Alu Road Wailuku, Hawaii 96793
2-5-061:046	Kanahale, Kip Masao Kanahale, Valerie-Ann Leiko	1520 Mele Manu Street Hilo, Hawaii 96720
2-5-061:106	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720
2-5-061:105	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720
2-5-061:104	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720
2-5-061:103	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720
2-5-061:102	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720
2-5-061:107	Brilhante-Hawaii, Inc.	1342 Kilauea Avenue Hilo, Hawaii 96720
2-5-061:049	Truesdell, Joel W Truesdell, Elizabeth French	250 Kristiano Street Hilo, Hawaii 96720
2-5-061:048	Santos, Robert J Tr Santos, Celeste G Tr	1540 Mele Manu Street Hilo, Hawaii 96720
2-5-061:047	Wilson, Lee Michael Morita Wilson, Adriann Misae Morita	1536 Mele Manu Street Hilo, Hawaii 96720
2-5-061:068	Kimura, Larry L	243 Mikala Street Hilo, Hawaii 96720
2-5-061:069	Ogawa, Glenn Kouchi-Ogawa, Gail H	1495 Mele Manu Street Hilo, Hawaii 96720
2-5-061:070	Bishop, Michael K/zak, Pamela V Trust Botelho, Lee Uilani	1485 Mele Manu Street Hilo, Hawaii 96720
2-5-061:071	Yamane, Raymond Iwao Trust	1473 Mele Manu Street Hilo, Hawaii 96720
2-5-061:072	Yamashita, Gary M Yamashita, Rochelle A	1457 Mele Manu Street Hilo, Hawaii 96720
2-5-061:073	Iida, Erwin Y Lam-Iida, Julie C Y	1449 Mele Manu Street Hilo, Hawaii 96720
2-5-061:026	Sakamoto, Lester S Trust	1439 Mele Manu Street Hilo, Hawaii 96720
2-5-061:025	Ignacio, Michael L Ignacio, Claudia D	1411 Mele Manu Street Hilo, Hawaii 96720
2-5-061:024	Tokuuke, Jon P Taira-Tokuuke, Patti H	1395 Mele Manu Street Hilo, Hawaii 96720
2-5-061:016	Shozuya, Eric M Shozuya, Barbara L	1380 Mele Manu Street Hilo, Hawaii 96720

2-5-061:015	HIHL Melemanu LLC	c/o Dana Kenny Hawaiian Island Homes Ltd 162 Kinoole Street, Ste 201 Hilo, Hawaii 96720
2-5-061:008	Yokota, Melvin H Yokota, Jan	1358-A Mele Manu Street Hilo, Hawaii 96720
2-5-061:009	Kanemoto, Wayne K Trust Kanemoto, Amy Emiko Trust	1358B Mele Manu Street Hilo, Hawaii 96720
2-5-061:007	Sugiyama, Bryan Hiroaki Family Trust	72 Palua Loop Hilo, Hawaii 96720
2-5-061:006	Kimura, John T TTEE Kimura, Gail K Trust	1300 Mele Manu Street Hilo, Hawaii 96720
2-5-061:005	Leong, Kelly / Alyson Y Kakugawa Trust	1290 Mele Manu Street Hilo, Hawaii 96720
2-5-061:004	Hirano, Wataru Sano, Phyllis Anne Hirano-Omizo, Naomi Y Trust Hirano, Shinae	235 Edita Street Hilo, Hawaii 96720
2-5-061:038	various	
2-5-061:039	various	
2-5-061:080	County of Hawaii	25 Aupuni Street Hilo, Hawaii 96720
2-5-011:011	Nagai, Masaru/Nancy Trust Nagai, Nancy	1035 Kaumana Drive Hilo, Hawaii 96720
2-5-011:012	Cling, Carroll D Cling, Donnie Faye	1045 Kaumana Drive Hilo, Hawaii 96720
2-5-011:013	Papalimu, Joseph Kaimi Papalimu, Kahiolani Juanita	1053 Kaumana Drive Hilo, Hawaii 96720
2-5-011:014	Fegerstrom, Norma R Fegerstrom, Arnold TR	1065 Kaumana Drive Hilo, Hawaii 96720
2-5-011:015	Crivello, Ronald Anthony Crivello, Loretta Alejandro	1073 Kaumana Drive Hilo, Hawaii 96720
2-5-011:016	Sato, Mark M Sato, Melissa A	P.O. Box 529 Kaneohe, Hawaii 96744
2-5-011:017	Fegerstrom, Arnold TR	20 Wawai Loop Hilo, Hawaii 96720
2-5-011:018	Rushlow, John Howard	1147 Kaumana Drive Hilo, Hawaii 96720
2-5-011:019	Spencer, Thomas S Trust Spencer, New Tan Dec'd	1110 Kaumana Drive Hilo, Hawaii 96720
2-5-011:020	Wilson, Aiko T Wilson, Cyrus H	1090-A Kaumana Drive Hilo, Hawaii 96720
2-5-011:038	Carvalho, John G	1131 Kaumana Drive Hilo, Hawaii 96720
2-5-011:039	Carvalho, John G	1131 Kaumana Drive Hilo, Hawaii 96720
2-5-011:043	Correa Family Trust	c/o Barbara Brickwood-Correa 1068 B Kaumana Drive Hilo, Hawaii 96720
2-5-011:009	Hardenbrook, Christopher Graves Sears, Leslie Elizabeth	1013 Kaumana Drive Hilo, Hawaii 96720

2-5-011:010	Sasamura, Theodore Hajime Sasamura, Janet Reiko Leong, Sandra H Sasamura, Craig T	1023 Kaumana Drive Hilo, Hawaii 96720
2-5-011:021	Correa Family Trust	c/o Barbara Brickwood-Correa 1068 B Kaumana Drive Hilo, Hawaii 96720
2-5-011:022	Correa Family Trust	c/o Barbara Brickwood-Correa 1068 B Kaumana Drive Hilo, Hawaii 96720
2-5-011:023	Zane, Clifford K S Zane, Linda K O	553 Hillei Place Wailuku, Hawaii 96793
2-5-011:024	Kusch, Matthias Walfrid	P.O. Box 166 Pepeekeo, Hawaii 96783
2-5-011:025	Phillips, William J Jr Sweet-Phillips, Drenna M	1036 Kaumana Drive Hilo, Hawaii 96720
2-5-011:044	Nakano, Sharon Matsuyo Nakano, Owen Tadashi	1005 Kaumana Drive Hilo, Hawaii 96720
2-5-011:048	Hinck, Steven James Hinck, Krystn Lee	4646 Fort Davis Street Simi Valley, California 93063
2-5-011:050	Arruda, Jo Ann R Trust	993 C Kaumana Drive Hilo, Hawaii 96720
2-5-027:021	Carvalho Family Trust	P.O. Box 2463 Kailua-Kona, Hawaii 96740
2-5-027:001	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822
2-5-027:002	Yamamoto, Fujie F Trust	c/o Yamamoto, Elise CO-TTEE 1245 Kaumana Drive Hilo, Hawaii 96720
2-5-027:003	Okutsu, Randal S Trust	1876 Hale O Kea Street Hilo, Hawaii 96720
2-5-027:058	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822
2-5-027:059	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822
2-5-027:060	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822
2-5-027:061	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822
2-5-027:062	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822
2-5-027:063	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822
2-5-027:064	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822
2-5-027:065	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822
2-5-027:066	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822
2-5-027:067	Mitsunaga, Edith S Trust	3572 Nipo Street Honolulu, Hawaii 96822







2-5-027:024	Otani, Katsuko Trust	1215 Kaumana Drive Hilo, Hawaii 96822
2-5-027:025	Otani, Jean S Otani, Jean S Trust	1215-B Kaumana Drive Hilo, Hawaii 96720
2-5-027:026	Ushijima, Dean K Ushijima, Else H	1215 Kaumana Drive Apt. C Hilo, Hawaii 96720
2-5-027:027	Segawa, Rodney Macy F Segawa, Susan Marie	1215 D Kaumana Drive Hilo, Hawaii 96720
2-5-027:068	Ebesu, Royce T Jr Ebesu, Jane L A	1215 G Kaumana Drive Hilo, Hawaii 96720
2-5-027:069	Ebesu, Janey L A Trust	1215 G Kaumana Drive Hilo, Hawaii 96720
2-5-027:070	Segawa, Rodney M F Segawa, Susan Marie	1215 D Kaumana Drive Hilo, Hawaii 96720
2-5-027:005	Sato, Sandra	1213 A Kaumana Drive Hilo, Hawaii 96720
2-5-027:046	Hasegawa, Edward K Hasegawa, Caroline G C	250 N Judd Street Honolulu, Hawaii 96817
2-5-027:043	Perez, Catalina A	1209 A Kaumana Drive Hilo, Hawaii 96720
2-5-027:044	Okuhara, Henry S Okuhara, Norine N	P.O. Box 945 Hilo, Hawaii 96721
2-5-027:045	Turner, Jason Phillip Turner, Jennifer Sims	1209C Kaumana Drive Hilo, Hawaii 96720
2-5-027:053	Tsuchiya, Karl K	823 Kaumana Drive Hilo, Hawaii 96720
2-5-027:054	Paiva, Paul P Paiva, Shawn M	1169 Kaumana Drive Hilo, Hawaii 96720
2-5-027:055	Komatsu, Garret T	1155 Kaumana Drive Hilo, Hawaii 96720
2-5-027:056	Inouye, Tatsuo Trust Inouye, June Trust	2230 Apoepoe Street Pearl City, Hawaii 96782
2-5-027:047	Goya, Melvin H Trust Goya, Kiyono Trust	1170 Kaumana Drive Hilo, Hawaii 96720
2-5-027:057	Kuwahara, Bryson T Kuwahara, Lorna T	1142 Kaumana Drive Hilo, Hawaii 96720
2-5-027:007	Kuwahara, Bryson T Kuwahara, Lorna T	1142 Kaumana Drive Hilo, Hawaii 96720
2-5-027:008	Oliveira, Mary Jane Oliveira, Manuel III Oliveira, Manual Jr	1150 Kaumana Drive Hilo, Hawaii 96720
2-5-027:009	Yahata, Michiko	98-459 Hono Street Pearl City, Hawaii 96782
2-5-027:042	Mattos, David J Mattos, Lauri M	P.O. Box 5599 Hilo, Hawaii 96721
2-5-027:052	Luiz, Ezekiel Harvey Trust Luiz, Noreen Mai Luiz Trust	P.O. Box 116 Pepeekeo, Hawaii 96783
2-5-027:034	Nakamura, Bryce H Nakamura, Sharyl S	P.O. Box 294 Captain Cook, Hawaii 96704
2-5-027:035	Robledo, Paulette A Trust	1260 Kaumana Drive Hilo, Hawaii 96720

2-5-027:036	Perreira Family 2008 Trust	1266 Kaumana Drive Hilo, Hawaii 96720
2-5-027:014	Hoshide, Miyoko M	1280 Kaumana Drive Hilo, Hawaii 96720
2-5-027:040	Shinjo, Hajime Shinjo, Aileen C	1272 Kaumana Drive Hilo, Hawaii 96720
2-5-027:037	Kaneko, Ryan T Kaneko, Aimee A	1294 Kaumana Drive Hilo, Hawaii 96720
2-5-027:038	Yokoyama, Jan K	1300 Kaumana Drive Hilo, Hawaii 96720
2-5-027:039	Fujisawa, Stanley K Fujisawa, Tammy L Fujisawa, Curtis S Fujisawa, Minerva S	1296 Kaumana Drive Hilo, Hawaii 96720
2-5-027:015	State of Hawaii	
2-5-027:023	Nakamoto, Tsuruyo Trust	1348 Kaumana Drive Hilo, Hawaii 96720
2-5-027:016	Otani, James M	1360 Kaumana Drive Hilo, Hawaii 96720
2-5-027:041	Matsu, Russell Matsu, Lorraine H	1352 Kaumana Drive Hilo, Hawaii 96720
2-5-027:020	Ota, Hiroshi/Shizoho Trust	6 Pokole Way Hilo, Hawaii 96720
2-5-027:013	Site Engineering, Inc.	c/o Masutani M K 545 Kaaahi Street Honolulu, Hawaii 96817
2-5-027:032	Quioco, Leandro Jr Quioco, Wanda A	1222-A Kaumana Drive Hilo, Hawaii 96720
2-5-027:076	Chock, Kyle Trust	1100 Launa Street Hilo, Hawaii 96720
2-5-027:012	Chock, Laura Y Trust	555 Naniakea Street Hilo, Hawaii 96720
2-5-027:072	Chock, Laura Y Trust	555 Naniakea Street Hilo, Hawaii 96720
2-5-027:073	Chock, Theone Keam Yung	1051 Hoomaikai Street Honolulu, Hawaii 96817
2-5-027:079	Chock, Theone Keam Yung	1051 Hoomaikai Street Honolulu, Hawaii 96817
2-5-027:030	Takai, Wesley T Takai, Sandra Y	1222 E Kaumana Drive Hilo, Hawaii 96720
2-5-027:010	Long, Kerry Keith	P.O. Box 1481 Hilo, Hawaii 96720
2-5-027:011	Takai, Wesley T Takai, Sandra Y	1222 E Kaumana Drive Hilo, Hawaii 96720
2-5-027:028	Thatcher, John L II Thatcher, Pamela R	1188 Kaumana Drive Hilo, Hawaii 96720
2-5-027:022	Thatcher, John L II Thatcher, Pamela R	1188 Kaumana Drive Hilo, Hawaii 96720
2-5-027:071	Segawa, Herbert A Segawa, Kay K	
2-5-027:004	various	

2-5-027:074	Chock, Lorrin S K Trust Takemoto-Chock, Naomi Trust	1978 Komohana Ext Hilo, Hawaii 96720
2-5-027:080	Chock, Lorrin S K Trust Takemoto-Chock, Naomi Trust	1978 Komohana Ext Hilo, Hawaii 96720
2-5-027:081	Chock, Kyle Trust	1100 Launa Street Hilo, Hawaii 96720
2-5-027:077	Chock, Laura Y Trust	
2-5-027:078	Chock, Laura Y Trust	
2-5-027:033	Abril, Carole Y Abril, Mark A	1222 B Kaumana Drive Hilo, Hawaii 96720
2-5-027:019	Ahia, Lily Auld Ahia, William Kalaemakani	
2-5-040:011	Leao, Tara Kalelehuaokaleilani Lee, Doreen Kanani	1503 Kaumana Drive Hilo, Hawaii 96720
2-5-040:010	Tomota, Kelli Jennifer Leihua	98 Kulaloo Road Hilo, Hawaii 96720
2-5-040:009	Otani, Noriaki Otani, Fujie Otani, Brad Hiro Otani, Max Norio Paiva, Shawn Morie	1489 Kaumana Drive Hilo, Hawaii 96720
2-5-040:008	Hirayama, Ellen Etsuko Hirayama, Ellen Setsuko Kitamura, Kimiko Kitamura, Susan Setsuko Kitamura, Tadayuki Kitamura, Wayne Kazuyuki	1479 Kaumana Drive Hilo, Hawaii 96720
2-5-040:007	Oldfield, Frances Oldfield, Richard	1473 Kaumana Drive Hilo, Hawaii 96720
2-5-040:006	Almeida, Jewels Anuenue Almeida, Mark Kaipo	561 Alihi Place Kailua, Hawaii 96734
2-5-040:036	Hennessey, Brendan J Johnson, Melissa Ann	1447 Kaumana Drive Hilo, Hawaii 96720
2-5-040:005	Yoshimura, Chiseko Yoshimura, Gary K	1441 Kaumana Drive Hilo, Hawaii 96720
2-5-040:035	Hasegawa, David A C Trust	250 N Judd Street Honolulu, Hawaii 96817
2-5-040:004	Tiogangco, Anne A Tiogangco, Jordan L	1391 Kaumana Drive Hilo, Hawaii 96720
2-5-040:003	Enoki, Calvin H Trust Sayama-Enoki, Sandra H Trust	1381 Kaumana Drive Hilo, Hawaii 96720
2-5-040:002	Kaitoku, George M Kaitoku, Joyce H	1375 Kaumana Drive Hilo, Hawaii 96720
2-5-040:040	Hinez, Matthew F	P. O. Box 4305 Hilo, Hawaii 96720
2-5-040:001	Oblero, Dain M Oblero, Sean W Rezentes, Henry J Rezentes, Raquel K	1367 Kaumana Drive Hilo, Hawaii 96720
2-5-040:039	Toma, Bryson	1374 Kaumana Drive Hilo, Hawaii 96720

2-5-040:041	Shaver, James R	1027 Kagawa Street Pacific Palisades, California 90272
2-5-040:015	Lee-Ching, Richard Trust	1468 Kaumana Drive Hilo, Hawaii 96720
2-5-040:014	Fujimoto, Byron S Iwase, Shirley T	142 Puhili Street Hilo, Hawaii 96720
2-5-040:018	Rodillas, Francis Herbert Rodillas, Martha Ann	50 Akala Road Hilo, Hawaii 96720
2-5-040:042	Rodillas, Francis Herbert Rodillas, Martha Ann	50 Akala Road Hilo, Hawaii 96720
2-5-040:013	Rubio, Karen Leiko Rubio, Lloyd J	226 Akala Road Hilo, Hawaii 96720
2-5-040:012	State of Hawaii	Kaumana Cave Park
2-5-040:019	Butz, Marc Giangregorio, Desiree	55 Akala Road Hilo, Hawaii 96720
2-5-040:020	Flood, Jeanie L Flood, Shawn G	1600 Kaumana Drive Hilo, Hawaii 96720
2-5-014:001	Chong, Wallace F Trust	788 Haihai Street Hilo, Hawaii 96720
2-5-014:005	Kearns, Glenn E Trust Kearns, Virginia V Trust	33 W Naauao Street Hilo, Hawaii 96720
2-5-027:048	Chong, Albert W Chong, Sharon Ann	1476 Kikaha Street Hilo, Hawaii 96720

Legend

-  Project Location
-  300-foot Buffer
-  500-foot Buffer
-  TMK Parcels
-  Agriculture
-  Urban





PLANNING DEPARTMENT
COUNTY OF HAWAII

2013 JAN -8 AM 10: 49

KAUMANA COMMUNITY INFORMATIONAL OUTREACH MEETING

December 17, 2012

Please sign in

Name	Mailing address
Dr. Jason Turner	1209C KAUMANA DR.
Jennifer Turner	1209C Kaumana Dr
Norine Okuhara	1209B Kaumana Dr
LESJUNE SAKAMOTO	1439 MELE MANU ST
PYDRA KAWAHA	1294 KAUMANA DR.
Jennifer Grouley	744 Ahuna Rd
Venus Matonga	1265-E. Kaumana Dr. (Edita)
KRIS KUA	PO BOX 1424 HILO, HI 96721
Allen Novak	1414 Mele Manu, Hilo
WAKIWE KANEKAWA	1358 Mele Manu, Hilo
Shitae Hitano	235 Edita St.

SCANNED

JAN 08 2013
By: 0829 1886

Nolin Ang 1547 Mele Manu St.
Jan Yokajama 1300 Kaulmana Dr. 410

HENRY LEE LOY 1579 MELE MANU ST

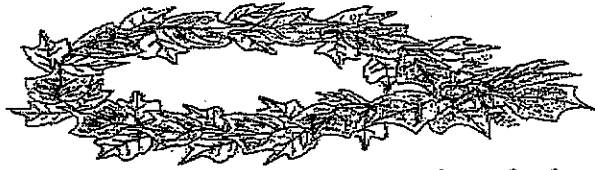
WILSON PENE 1547 Mele Manu St

David Camueho 1414 Mele Manu St

Kamh Tada 259 Edith St

KERRI MARKS 25-180 PUKANA LA ST.

LAYNE NOVATL 1414 MELE MANU ST



'A'ole pau ka 'ike i ka hualau ka'ohala

Connections Public Charter School

A Community, Business & Education Learning 'Ohana

KAUMANA COMMUNITY INFORMATIONAL OUTREACH MEETING

(sign-in sheet attached)

Eric Boyd, facilitator

December 17, 2012.

12:00 Mr. Boyd called the meeting to order. He thanked guests for attending, and went over the agenda: a Q&A opportunity, brief video outlining the project, and review of the community meetings timeline (attached). Mr. Boyd offered an apology for any misunderstandings and miscommunications.

Wayne Kanemoto: So the property was selected for its size?

Eric: Yes, partly

WK: Then 50 acres for a K-13 school is substantial, there's no need for 50 acres of ag land. Also, it's not good ag land. Your cost projection is not possible. I don't want to see this project left unfinished with vacant buildings. The trust has been broken. You have not done a good job. And don't you have a Board? I have not heard from the Board.

The adjacent properties were never informed (no letters or notices). A Monday noon meeting is not a way to bridge a broken trust.

Eric: I understand the meeting time is difficult. We first tried to get the facility at Kaumana Elementary as in the past, but it was unavailable.

Ryan Kaneko: So the traffic and water concerns: what have you done to address them? If the permit is approved, the we're left high and dry?

Sue Lee Loy: The County would require an 8' shoulder, under the County's jurisdiction, which would be the applicant's responsibility.

RK: And the Kaumana/Edita intersection?

SL: We have not seen any modification requests from the County.

RK: Are you being asked to fix Kaumana Drive and Edita Street?

SL: I appreciate your questions, it enables me to build the plan. The County holds the applicant responsible for permit compliance.

RK: If the permit is granted, building begins, and compliance not met, then what?

SL: the project will be phased accordingly.

??: Are there conditions regarding the mauka lot?

SL: Yes-no occupied structures. The language is being reviewed, and will include "in perpetuity" (for the extent of the lease).

??: and the makai side?

SL: yes, there is a buffer. We are trying to include a larger buffer to accommodate adjacent property owners.

Norine Okuhara: who decides?

SL: it's collaborative - applicant, property owners, County, Planning Dept.

NO: You should allow me to have my say. Stop until all questions are addressed. My main concern is the water rights. What if I have a fire, and I turn on the faucet and there's no water? You will have a lawsuit!

SL: the property is allocated 4200 gal/day. That is among the conditions. That calculation is based on an adjustable scale.

NO: I hear you plan to include catchment. Catchment won't "pass county". We have had less and less rain, no way will you be able to catch enough. I'm a retired teacher, fixed income, my husband is handicapped, I can't count on him. I do everything.

SL: We appreciate your feedback, it helps me collaborate with the County.

NO: Donald Ikeda heard your unkept promises, he's totally against it.

Amy Miwa (from Ikeda's office): The County is looking at Kaumana to Edita. How will you include a turn lane? It's too narrow. Who at County told you there's no traffic signal needed?

?: So you're saying you will only do the minimum required by the County, not what's requested b the community?

AM: There's no proactive attempt to accomodate neighbors regarding traffic?

Eric: both the O'ahu company's traffic study and the County's agreed there would be no significant impact.

AM: I'm trying to clarify the water questions and requirements

Eric: the project is phased. The calculation will be reviewed, per phase. We will have to be in compliance.

SL: OK, this is where I disclose my participation on the Water Board. I am a member. The Board is reviewing Celia's (Celia Shen, Wil Chee Planners) calculations and may revise them. Some problem solving will happen as the project progresses. The LEED (Leadership in Energy and Environmental Design) certification criteria and catchment will be factors. We are looking for answers from the Water Dept., too.

Jason Turner: You're asking us to trust you without having any answers.

Eric: We do have a plan, and we are working with the County.

SL: Mr. Brilhante has kept an open door regarding alternate access.

?: (to Sue): what's your role here?

SL: I'm a consultant, separate from my work with Mr. Hong's office.

Henry Lee Loy: and your position on the Water Board.

SL: I'm a member there, not an officer.

HL: and there's no conflict with Monica Morris (also a LeeLoy) fro the AG representing?

SL: it will all be vetted out.

?: Is the school open to looking for an alternate site?

Eric: We are invested here.

?: What criteria were specified (in the request to DLNR)?Were you looking only in Hilo?

Eric: We looked for somethong that would be appropriate for ag, and for our demographic, and the right size.

?: so you have no "plan B" in terms of location?

Eric: based on what we asked, this was the choice remaining, given our needs and criteria. This is what we're working toward.

Layne Ncvak: The infrastructure is not adequate. You're too big.

?: It's reprehensible that you involved your students.

LN: Thatcher and Hong played it out in the media. That's reprehensible.

JT: You've broken the trust. It doesn't matter what you do, we will never agree (with the project).

Eric: so you're saying that even if we address all the concerns, you will never support the project?

JT: We don't trust you. It doesn't matter what you do.

LN: You need to tell your boss to keep quiet. You need to tell your boss to shut up.

Mr. Boyd adjourned the meeting at 1:50 p.m.

Status Report of Community Meeting
Regarding Special Permit Application No. 12-000138
December 17, 2012

A community meeting held on December 17, 2012 to listen to concerns from area residents. The common concerns raised were related to water (availability and ability to support the campus at build-out) and increased traffic some of which is specific to the intersection of Kaumana Drive with Edita Street. These and other concerns raised appeared to be based in some form of a lack of understanding of the land use process, land use regulations and entitlements, misinformation or information taken out of context.

In an effort to aid other concerns raised at the community meeting held on December 17, 2012, the following conditions are restated or offered.

CONDITION 3 – Prior to the issuance of a water commitment by the Department of Water Supply, the applicant(s) shall submit the anticipated maximum daily water usage calculations as prepared by a professional engineer licensed in the State of Hawaii and a water commitment deposit in accordance with the “Water Commitment Guidelines Policy” to the Department of Water Supply with 180 days from the effective date of this permit. The calculations must include the estimate peak flow in gallons per day. Should the applicant utilize more than the maximum average daily usage of potable water (4,200 gpd) from the existing County 8-inch water line, the applicant will be required to secure or construct an additional source of potable water or limit the amount of students to the amount of potable water available.

RESTATEMENT – The Applicant support this condition which provides assurance to the area residents that the concerns about water availability and ability to support the campus are met.

CONDITION 12 – The applicant shall design project driveways/road, parking and loading areas so all school traffic and congestion is confined to the project site and does not overflow onto County road. Should adjoining lands be developed in a manner that would provide a reasonable opportunity to provide an alternative means of access to the proposed school site from Puainako Street extension, the applicant shall provide necessary improvements within its own property to facilitate access to Puainako Street extension across adjoining lands when directed by the Planning Director.

RESTATEMENT – The Applicant support this condition which provides assurance to the area residents that should reasonable opportunity arise with adjoining land to provide alternative means of access the Applicant will provide the necessary improvement within its own property. This also supports the position of the Planning Director and the Department of Public Works to create road connectivity opportunities.

Re'd at 1/10/12	mtg by
Dist'd	Read
FILE COPY	

PROPOSED ADDITIONAL CONDITIONS

Condition - A

The Applicant, successors or assigns shall provide a 50-foot buffer around the perimeter of the makai parcel in which no occupiable¹ structures shall be permitted.

Rationale

This condition is proposed to address the concerns of adjacent property owners and provide owners a continued sense of open space and a quality of life previously anticipated while minimizing impacts to adjacent lands to the subject property.

Condition - B

The Applicant it successors and/or assigns shall maintain the mauka parcel for educational offerings and opportunities related to forestry, conservation and open space as represented in the conceptual plans presented before the Windward Planning Commission within the Special Permit Application for the duration of the Direct Lease with the State Department of Land and Natural Resources and at the consent of the Board of Land and Natural Resources. No occupiable structures shall be permitted on the mauka parcel.

Rationale

This condition is proposed to address the concerns of the neighbors and provide adjacent property owners a continue sense of open space and provide a quality of life as previously anticipated and minimize impacts to their property.

Condition - C

Should the need arise to provide additional lands to improve Kaumana Drive, the Applicant it successors and/or assigns shall solely upon the direction of the State Department of Land and Natural Resources and at the consent of the Board of Land and Natural Resources amend the Direct Lease to address real property and its title interest related to the road right-of-way along Kaumana Drive.

Rationale

This condition is proposed to facilitate any future roadway widening and/or right-of-way need the County or State of Hawaii may have related to improvements to Kaumana Drive adjacent to the subject property (mauka piece) and provide a commitment to amend the Direct Lease as solely directed by the Department of Land and Natural Resources and at the consent of the Board of Land and Natural Resources.

¹ As defined by International Building Code (IBC) which defines an occupiable space as a room or enclosed space designed for human occupancy in which individuals congregate for amusement, educational or similar purposes or in which occupants are engaged at labor, and which is equipped with means of egress and light and ventilation facilities meeting the requirements of this code.

January 10, 2013

TO: THE WINDWARD PLANNING COMMISSION

FROM: ROBERT WAGNER, RESIDENT, PACIFIC PLANTATION

This morning as usual, at about 7:20 am., I drove from my residence on Mele Manu Street to work. I exited Edita Street making a right turn onto Kaumana Drive. As I drove down, traffic was as usual for a school day, the traffic began backing up at Terrace Drive and slowed to about 4 or 5 miles per hour once you reached Luana Way. If you are coming out of Luana Way, or the street below (Aipuni Street), you rely on people letting you out, otherwise you cannot enter Kaumana Drive, especially those exiting Aipuni Street, which is roughly a quarter mile away from the intersection of Ainako/Kaumana Drive.

Traffic is heavy at this time on Kaumana Drive, it takes me 15 minutes to get to work which is 4 miles away. You can experience this yourself if you want, just drive down Kaumana Drive at about 7:30.

The problem I am having is the increase in traffic that will occur as a result of a charter school that has 370 students, not including staff, exiting onto Edita Street, then onto Kaumana Drive. To increase the traffic to those proportions will result in traffic being backed up probably to Hokulani Street, which is roughly a mile away from the Kaumana Drive/Ainako intersection. There are other factors as well that will also increase traffic on Kaumana Drive in the near future:

- 1) In the very back of Hokulani Street, they opened up several lots, not sure how many, but somewhere in the area of 40. This subdivision is completed and they are selling the lots.
- 2) Kumulani Gardens, which is a new subdivision opening at the bottom of Alahelenui Street, and also will have an entry exit across from Iiwipolina Street, will have 88 lots, this is a 201H Affordable Housing Project. These exits both enter Kaumana Drive.


I have been a resident of Pacific Plantation for 20 years, built my home in 1992, I have lived on this island all my life, and in particular Kaumana area for 50 years. A great majority of those living in this area are opposed to the charter school, I would estimate in the high 90 percent range. I only know of one person in my subdivision that is for the charter school, that is one home out of about 70, I do respect their position.

There are other reasons why I do not wish to have the Connections Charter School move in to our subdivision, but these are my main concerns.

Also realize that I do not trust those in charge of this charter school, they clearly have been deceptive to the outstanding members of my community, and they have also vilified my community in the newspaper, which is very sad. I have seen an email in which they (The Charter School Principal) has refer to the Windward Planning Commission as the Kaumana Planning Commission, clearly implying that the

1/10/13
NO YES

Windward Planning Commission has taken sides and is also against them. This type of attitude makes it very difficult for our community to work with them.


Robert Wagner
1590 Mele Manu Street
Hilo, Hawaii 96720

January 10, 2013

Windward Planning Commission

RE: Special Use Permit Application – Connections Charter School

I testified at the December 6 commission meeting emphasizing that the commission focus on the proposed use of the property and whether or not building an educational facility would be appropriate. Again, I would like to provide comments on why the proposed use would not be an appropriate use of the subject property.

Although it may be an acceptable use, building a school would not be an **appropriate** use of this parcel based on the following:

- Based on County per person requirements for water, the County Department of Water Supply has determined that they are unable to provide the property with the required gallons per person.
- During the December 6, 2012 meeting, principal Thatcher testified that this property was selected based on the State DOE Educational Specifications because it was the only property that met the criteria of 50 acres or more. Since the upper portion of the property has been deemed unusable due to the location of the Kaumana Cave system, the lower parcel (approximately 37 acres) no longer meets the State's specifications.
- In addition to not meeting the criteria of usable acreage, the specifications also requires a minimum of two vehicular access points each on a different side of the property. The subject parcel has only one access point from Edita Street. As noted by the Planning Director at the December 6 meeting, future access if any, granted by Mr. Brilhante cannot be a consideration for approval or disapproval of the Special Use Permit Application. As such, you must consider the fact that there is only one vehicular access to this property.
- The Projection of Resident Population by District, contained in the County's General Plan clearly shows a steady increase in the projected population of the Puna district. The Hilo district projections remain the same from 2000 to 2020. Based on this, and the goals of the General Plan, there is a greater need to develop public facilities and services in the Puna district.
- Also in the General Plan, Section 10.2.3, Education Standards, refer the compliance with the State's education specifications and standards for facilities. As stated above, the useable portion of the proposed site does not meet the State's specifications.

Thank you for your time and I hope that you will look closely at the appropriateness of this request based on the above.


Lee Botelho

Re'd at	10/13
Dist'd	
JEB	

RULE 6. SPECIAL PERMITS

6-1 Authority

This rule governs special permit procedures pursuant to authority conferred by Chapter 205-6, Hawai'i Revised Statutes, as amended.

6-2 Standing to Submit a Petition for a Special Permit

Any person who desires to use its land within a State Land Use agricultural or rural district other than for an agricultural or rural use may petition the Commission for permission to use its land in the manner desired.

6-3 Petition and Content

A petition for a Special Permit shall be filed with the Commission's office and shall include the following:

- (a) Non-refundable filing and processing fee of five hundred dollars.
- (b) Original and twenty copies of:
 - (1) Application form;
 - (2) Description of the property in sufficient detail to determine its precise location;
 - (3) A plot or site plan of the property, drawn to scale, with all existing and proposed uses and/or structures shown thereon;
 - (4) Building elevations, if required, of the proposed structures;
 - (5) A statement of the reasons for the granting of the Special Permit citing how the proposed use would promote the effectiveness and objectives of Chapter 205, HRS, and why the proposal is an unusual and reasonable use of the land. The following criteria shall also be addressed:
 - (A) Such use shall not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations;
 - (B) The desired use shall not adversely affect surrounding properties;
 - (C) Such use shall not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, and police and fire protection;
 - (D) Unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established;

6-7 Grounds for Special Permit

The Commission shall not approve a Special Permit unless it is found that the proposed use:

- (a) Is an unusual and reasonable use of land situated within the Agricultural or Rural District, whichever the case may be; and
- (b) Would promote the effectiveness and objectives of Chapter 205, Hawai'i Revised Statutes, as amended.

The Commission shall also consider the criteria listed under Section 6.3(b)(5)(A) through (G).

6-8 Action

Within thirty days after the close of the hearing or within a longer period as may be agreed to by the applicant, the Commission shall:

- (a) For a Special Permit involving fifteen acres of land or less, approve it by stating the reasons and attaching appropriate performance conditions; or
- (b) For a Special Permit involving greater than fifteen acres of land, recommend approval to the State Land Use Commission by stating the reasons and attaching appropriate performance conditions; or
- (c) Deny it by stating the reasons.

An application recommended for approval to the State Land Use Commission shall be forwarded within sixty days after the decision is rendered by the Commission.

6-9 Amendments of Permit or Conditions

- (a) The applicant may apply to the Commission through the Planning Department for an amendment to the permit or condition(s) imposed.
- (b) In the case of time extensions, the applicant shall file the request not less than ninety days prior to the expiration date of the time conditions, setting forth:
 - (1) The affected condition;
 - (2) The length of time requested; and
 - (3) The reasons for the request.

If the Commission is not able to act on a properly filed time extension request prior to the expiration date, the use granted under the Special Permit may be

Chapter 2: Planning

Section 201 – Planning Guidelines, Site Considerations, and Site Concepts for High Schools

201.1 Planning of New Schools

Scope, Timing, Notification: Plans for a new school will show the geographical area to be served, the proposed grade structure, the projected opening date, and the design enrollment.

201.2 Enrollment Guidelines for Planning New Schools

<u>Type of School</u>	<u>Minimum Enrollment</u>
Elementary	550
Middle/Intermediate	600
High	1,000

201.3 Site Selection Criteria

A detailed study is required before a new school site is selected and acquired. The selected site should meet the following general guidelines (additional criteria may apply depending on specific site conditions):

- a. Usable Acreage: To be determined in a case by case basis, using the following as a guide:

Elementary School	12 acres
Middle/Intermediate School	18 acres
High School	50 acres

- b. Shape: The length to width ratio of the site should not exceed 2.5 to 1.
- c. Slope: Ideally the campus site should have a maximum slope of 5 percent.
- d. Hazard Areas: The site should not be in a tsunami inundation zone; a major flood plan; or a potential landslide area.
- e. Traffic: The site should not be located in an area hazardous to pedestrian or vehicular traffic safety. The site should have a minimum of two vehicular access points each on a different side of the property. Location of access points subject to DOE approval.
- f. Timing: The school site should be conveyed to the State prior to the start of construction on the school site.
- g. Exclusivity: The use of the school site shall be limited to public school and ancillary school recreational uses.
- h. Availability of Utilities: Appropriate utility infrastructure needs to be in place prior to the start of school construction.

§2.2: Goals

Population

The population of Hawaii County has grown steadily since 1980. According to the 2000 U.S. Census, the County's population increased 23 per cent between 1990 and 2000. During the same period, the State's population grew by 9 per cent. The district of Puna saw the largest increase at 51 per cent, followed by South Kohala (44 per cent), North Kohala (41 per cent), Ka'u (31 per cent), North Kona (28 per cent), South Kona (12 per cent), North Hilo (12 per cent), Hamakua (10 per cent) and South Hilo (6 per cent).

Utilizing Series B, the County's population is projected to grow 46 per cent to 217,718 from 2000 to 2020. South Hilo, currently the most populous district within the County, will be eclipsed by the Puna District in 2020 with an estimated population of 58,246 compared to South Hilo's 49,791.

Table 2-2. Projection of Resident Population by District, Year 2000 to 2020 (Series B)

District	2000	2005	2010	2015	2020
Total	148,677	159,907	176,938	195,965	217,718
Puna	31,335	36,351	42,591	49,801	58,246
South Hilo	47,386	46,273	47,477	48,614	49,791
North Hilo	1,720	1,643	1,720	1,798	1,879
Hamakua	6,108	6,196	6,561	6,933	7,328
North Kohala	6,038	6,622	7,917	9,446	11,273
South Kohala	13,131	15,659	18,184	21,072	24,426
North Kona	28,543	30,467	34,024	37,922	42,275
South Kona	8,589	10,253	11,414	12,681	14,092
Ka'u	5,827	6,443	7,050	7,698	8,408

Economic Assessment, PKF Hawaii, January 2000
 U.S. Census, 2000
 Hawaii County Department of Research and Development

The Puna District will continue to experience relatively strong population growth due to the availability of relatively inexpensive lots that were created around the 1960s. The growth of the population in North and South Kohala, North Kona and South Kona are closely associated with the continuing growth of the visitor and agricultural industry within these districts.

2.2 GOALS

- (a) Provide residents with opportunities to improve their quality of life through economic development that enhances the County's natural and social environments.

§10.2.2: Policies

mauka of Komohana Street. In West Hawaii, in addition to Hawaii Community College programs, the college is responsible for the University of Hawaii Center, through which it delivers baccalaureate and masters degree programs from other institutions in the University Center.

The Long Range Development Plan for the West Hawaii campus of the University of Hawaii was completed in 1998. The State is currently in the process of preparing an environmental impact statement for the initial phase of development of the new campus (University of Hawaii Center at West Hawaii) to be located on a 33-acre portion of a 500-acre State-owned parcel in Kalaoa, North Kona. The proposed campus, which will accommodate approximately 1,500 students upon completion, will be located mauka of the Queen Kaahumanu Highway and the Kona International Airport at Keahole.

10.2.2 Policies

Educational policies relate to the provision of facilities rather than programs, which are the province of the State. It is nevertheless recognized that the facilities and programs are the tools necessary to improve total educational service.

- (a) Encourage continuous joint pre-planning of schools with the Department of Education and the University of Hawaii to ensure coordination with roads, water, and other support facilities and considerations such as traffic and safety, and access for vehicle, bicycle, and pedestrian. Encourage master planning of present and proposed public and private institutions.
- (b) Encourage combining schoolyards with county parks and allow school facilities for afterschool use by the community for recreational, cultural, and other compatible uses.
- (c) Encourage joint community-school library facilities, where a separate community library may not be feasible, in proximity to other community facilities, affording both pedestrian and vehicular access.
- (d) Encourage implementation of the Department of Education's 'Educational Specifications and Standards for Facilities.'
- (e) Encourage the Hawaii State Library System to seek alternate sites for public libraries located on the campuses of public schools.

10.2.3 Standards

- (a) In proposed communities, sufficient acreage shall be reserved for school facilities. Sites shall be free from flooding and drainage problems, excessive slope and shall incorporate appropriate street and driveway design and location to minimize traffic interference, pedestrian hazard, and enable safe and easy access for vehicles, bicycles and pedestrians.

- (b) State Department of Education's education specifications and standards for facilities.

10.2.4 Districts

The following is an examination and analysis of educational facilities by districts. For the purposes of this section, a complex refers to a high school and its associated feeder schools. Feeder schools are the elementary and intermediate (middle) schools that send students to an associated high school. For instance, the Waiakea High School complex has Waiakea High School as its designated high school and Waiakea Intermediate, Waiakeawaena Elementary, and Waiakea Elementary as its feeder schools.

10.2.4.1 PUNA

10.2.4.1.1 Profile

Public school complexes in the Puna District are located in the communities of Keaau, Mt. View and Pahoia.

The Keaau High School complex is comprised of Keaau High School, Keaau Middle School, Keaau Elementary School, and Mt. View Elementary School, and serves a total enrollment of 2,441 students. Existing complex facilities are adequate to serve the current enrollment. The new Keaau High School is being built in phases. As each phase is completed, the incoming class (i.e. freshman, sophomores, etc.) can be accommodated. The Keaau Elementary School is being built in a similar fashion. Thus, in a few years, the need to transport students from the Keaau and Mt. View area will not be necessary. Currently, 11th and 12th graders from Keaau commute to Waiakea High School in South Hilo. At this time, the first phase of Keaau High School has been completed and is in operation.

The Pahoia High School complex is comprised of Pahoia High and Intermediate School, Pahoia Elementary School, Keonepoko Elementary School and serves 2,323 students from kindergarten through the 12th grade level. The natural population growth and in-migration into the subdivisions in the area are contributing to the increased pressure on education facilities at the Pahoia complex. In response to these growth pressures, facilities have been expanded to accommodate the increased enrollment. However, there is still overcrowding at the elementary school.

The Keaau, Mt. View and Pahoia branch libraries are joint community-school facilities. The Keaau facility has 21,332 volumes. The Pahoia and Mt. View facilities house 34,365 volumes and 18,345 volumes, respectively. Both library facilities are inadequate in size to meet the needs of the students and community. Furthermore, the lack of adequate pedestrian access and parking at these facilities is an ongoing problem.

I have to applaud the civility and value of content that my neighbors voice,, in opposition to the proposal of the connections master plan.

But ... its time to clear some smoke out of the air and other places ..

The use of the word horse or the word barn in combination are in print ,

Five times in the very first 10 pages concluding with SECTION 2.1.3

THE PROJECT PHASING AND CONSTRUCTION : on page 11 , where the first to be built facilities are the barn and agricultural facilities... followed

in one year by the caretakers house and dorm complex.... then in Phase 3

the beginning of high school classes and facilities ... TO WHAT END

DOES THE HORSE PRE SEED THE CLASS ...

2 nd : the state land and natural resources DLNR , has not found the

Proposal by connections to be in error ... They the DLNR WILL LET

CONNECTIONS DRILL A WELL ... The state land use commotion : WILL

LET CONNECTIONS DRILL A WELL ... Now the states ATTORNEYS GEN

office WILL LET CONNECTIONS DRILL A WELL ... This West' Hawaii

planning commotion , faces a formidable decision ... on page ONE of

connections master planThe issue of drilling a well is already injected for prescience ... the topic is fully explored when explaining the plans

Water needs resolutions ... NOT ENOUGH TO GET WHAT WE WANT

CIVILLY ... JUST TAKE ITFROM NATURE ...

AGAIN : west Hawaii planning commotion has a DAUNTING DECISION

TO MAKE

V/10 (1/2) by []

**ORAL STATEMENT IN OPPOSITION TO SPECIAL PRMIT APPLICATION OF
CONNECTIONS CHARTER SCHOOL**

Applicant has attempted to create the illusion that the 70-acre property is the only suitable property for its school. It has done so by making the following representations:

1. That it will develop an agricultural program for its students;
2. That its agricultural program will require 20 acres of land; and
3. That the subject 70 acres is "uniquely suitable" for its program.

Nowhere in its application has Applicant provided proof that an agricultural program is needed or wanted by its students. There is no basis, therefore, to assume that Applicant will actually develop such a program. Any conclusion based upon the presumption that the program will materialize is unsupportable.

Furthermore, it is impossible to conclude that 20 acres is required for the program because no evidence has been presented to identify what agricultural uses or activities will be taking place, and the area required for each use and activity.

Applicant's attempt to equate its need for 20 acres based upon the 20-acre demonstration farm of the University of Hawaii at Hilo is unfounded. The fact that the university has a 20-acre farm does not mean that Applicant's program will require 20 acres. Without some relevant basis for comparing the university's needs to the Applicant's needs, any assumption that the Applicant requires 20 acres would be based upon pure speculation.

The Windward Planning Commission can, also, find, and I urge that it do so, that the property is NOT "uniquely suited" for Applicant's program. To be "unique", the property must "exist as the only one", or "have no like to equal". This would mean that if the property's "D" or poor-rated soil is "uniquely suited" for the program, then all other properties with better-rated "C", "B", and "A" soils would not be "uniquely suited" for the program. It goes without saying that this is illogical, incomprehensible and unbelievable.

Applicant seeks to pressure the Commission into granting the Special Permit by creating the illusion that this property is indispensable to the school and its agricultural program. And, in doing so, it hopes to divert attention away from the more weighty, relevant issues such as increased traffic flow, the insufficient water supply, and, most importantly, the adverse impact that the project will have on the adjacent landowners. These issues, and others, have already been adequately addressed by previous speakers and will not be repeated at this time.

However, I urge the Commission to give serious consideration to these issues, which are real and have been supported by credible evidence. Conversely, I urge you to

11/10/13

disregard the unsubstantiated and misleading representations of the Applicant and to deny its application for a Special Permit in the interest of sound planning and public welfare.

Thank you for your kind attention.

Terrance Yoshioka
Mele Manu Street
Hilo, Hawaii 96720

REASONS FOR DENIAL

The test or criteria for a Special Permit are outlined in Chapter 205, Hawai'i Revised Statutes, State Land Use Commission Rules (HAR, Title 15, Chapter 15), and more specifically, County Planning Commission Rule No. 6. Specifically, Rule 6-7 states that the Planning Commission shall not approve a Special Permit unless it is found that the proposed use (a) the proposed use would promote the effectiveness and objectives of Chapter 205, Hawai'i Revised Statutes, as amended, and (b) is an unusual and reasonable use of land situated within the Agricultural District.

On the matter of the Special Permit application by Connections New Century Public Charter School/CBESS (SPP 12-000138), the Windward Planning Commission finds that it does not meet the required test for a Special Permit and hereby denies the application. This conclusion is based on the following findings.

A. Relationship to Land Use Law and Objectives

The primary purposes of the Chapter 205 (Land Use Law), Hawaii Revised Statutes, as amended, are to:

1. preserve, protect and encourage the development of lands in the State for their best uses in the interest of the public welfare; and
2. protect, conserve, and rationally develop the State's urban, agricultural, and conservation lands using a coordinated and balanced approach.

In that regard, there are several considerations that do not lend support to the applicant's consistency with these stated purposes. These include a) the applicant's unsubstantiated agricultural program used to rationalize the necessity of the subject location for its proposed school, and b) even, if substantiated, the overall adverse impacts the proposed use would have on the immediate community.

The reasons advanced by Applicant to support its Petition for a Special Permit is based upon (1) unsupported facts and suppositions; (2) incomplete information; and (3) misleading, inaccurate or false information which fail to establish by any standard of proof that the grounds for granting a Special Permit have been met.

1. Applicant's Petition is based upon the presumption that the subject property is "uniquely suited" for the development of an agricultural program. It is this reliance upon an agricultural program which it justifies placing its school

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squarely in the midst of an existing subdivision and far from the residences of its students, the majority or at least plurality of whom live in the Puna District.

Further, the Applicant does so without presenting any evidence in the way of studies or research that would even indicate that its proposed agricultural program is needed, or wanted, by its students. Without such evidence, there is no basis for believing that Applicant will ever incorporate an agricultural curriculum into its academic program or that any part of the 70 acres will ever be utilized for farming, conservation or forestry.

Therefore, acting in reliance upon any assumption that the agricultural program will, in fact, come into being is totally without any foundation. And any conclusion or argument made in reliance upon the existence of the agricultural program is totally without merit.

2. The lack of evidence about the need for Applicant's agricultural program precludes the Commission from determining what portion, if any, of the 70 acres is needed for such a program and how many students will actually be involved in the program. For example, if only one or two students enroll in the program then obviously, committing 20 acres to the program would be far beyond the needs or capabilities of the students, and a plot of 10,000 square feet may be more than enough.

Despite not knowing anything about what the needs for its agricultural program may be, Applicant has "guesstimated" that it will require 20 acres because that is the size of the University of Hawaii at Hilo demonstration farm. [Section 2.3.1, p. 15, Final Environmental Assessment] Without knowing

how many crops were grown on the University demonstration farm, or any other pertinent information about the farm, Applicant relies solely upon this meager information as the basis for its requirement of 20 acres for its own agricultural program. Logically speaking, without substantially more comparative information, one cannot equate the needs of the University with the needs of Applicant. Thus it is pure speculation to state that Applicant must have 20 acres for its agricultural program.

3. Without first establishing just how large an area is required for its agricultural program, Applicant's statement that the subject 70 acres is "the only acceptable site within the school service area that satisfied its selection criteria" [Section 2.3.2, p. 15, Final Environmental Assessment] is totally unsupported.

The selection criteria referred by Applicant includes, among other things, a 20 acre area for its agricultural program and a 20 acre area for its school facilities. [Supra] As previously pointed out, there is no basis for projecting the amount of land needed for Applicant's agricultural program; hence, it is impossible to conclude that the subject property is the "only acceptable site within the school service area." Properties significantly smaller in size may, yet, be sufficient once all relevant and material information is obtained about the agricultural program. Until then, it is premature to conclude that the subject property is "the only acceptable site."

4. Applicant has failed to show that the property has unique qualities which make it the only property available to the Applicant. Other potential sites

were not reasonably explored, especially those in the Puna District where at least half of its students reside, and where the soils – depending on the applicant's unsubstantiated agricultural program – may be much more suitable for agricultural uses.

Looking at Applicant's list of properties it has considered as alternate sites for its school [Table 2.1, Final Environmental Assessment], it is apparent that all of the properties are situated in the South Hilo District. Without admitting that all of the properties are unsuitable for Applicant's needs, let us assume, for the sake of argument, that they are unsuitable. Does this mean that there are no alternate sites outside of the South Hilo District – whether private or public lands – that cannot meet Applicant's needs? This is an issue that requires to be explored before this application can be favorably considered, because half of Applicant's students reside in the Puna District, and it stands to reason that if Applicant had the best interests of its students at heart, it would attempt to locate its school closer to their residences rather than to bus or have them commute to another totally different community. The benefits of reduced travel time and the risks of travel are too obvious to be repeated here.

Also of substantial importance, given the heavy reliance upon Applicant's agricultural program, is the suitability, or lack thereof, of other properties for said program. It is well known that the Puna District is where most of the commercial papaya and crop farmers practice their trade because of the soil

condition there. Accordingly, the Puna District may be much more suitable for the cultivation of crops and to practice conservation and forestry techniques.

Substantial private landowners such as W. H. Shipman are also situated in the Puna District and could be approached to carve out a 20 or more acre piece of property for lease by, or sale to, Applicant. Between private landowners and the State of Hawaii, Applicant could have much greater choices of lands more suited for its purposes.

It is also worth noting that Applicant identifies other properties in South Hilo that it found to be "too large" for its school. It offered no further comment or explanation. But however large the property, depending upon the zoning, the parcels can be subdivided into smaller parcels for re-leasing to others, or conversion to other uses. As such, being larger than Applicant's current needs is not, by itself, a quality that makes a large parcel unsuitable for Applicant's use. In fact, this will be the case for the subject property as over the next sixteen to 25 years. Based upon Applicant's timetable, only the lower 37 acre parcel will be developed. The upper 33 acres are intended to be left undeveloped as a nature preserve. As such, does it matter whether 33 acres or 82 acres is left undeveloped? If not, then why would a 109 acre or 152 acre parcel be "too large" for Applicant's school? We conclude that it is not.

Further, Applicant there is no discussion of whether a private land, in spite of its potentially higher land acquisition cost, may, in the long run, be more

cost effective when compared to the required on and off-site infrastructure needed to support its school at the proposed site.

5. Schools can have significant adverse infrastructural and community impacts. Thus, they are not permitted in the State Land Use Agricultural District and within the County residential and agricultural zones, a Use Permit is required. This is to enable the community to weigh in on the request and to have a full public disclosure of the project and its impacts. In that regard, it should be noted that the last few schools of this size or larger built on this island have been on the outskirts of a community. These include Kea`au High School, Kamehameha School, and Kealakehe High School. All required approvals can occur only after having the community weigh in on the request.

Applicant's statement that "[t]he Property is not anticipated to have adverse impacts upon surrounding areas and is planned to mirror much of the surrounding land uses with modest single story structures, agricultural uses, and open, undeveloped areas for agricultural educational programs and forest restoration" [Section 16.2, P. 23, Petition for a Special Permit] is unsupported by facts, and is totally misleading and inaccurate.

It is incredulous to conclude that a 20 acre school with 503 students, faculty and staff, when embedded into a low density residential neighborhood will not have a negative impact upon the lives of its surrounding area. The hundreds of cars, trucks and buses that will be streaming to and from the school will disrupt the subdivision's lifestyle. It matters not what the traffic flow designation will be with the additional cars, etc. because now it takes but

a couple of seconds to stop and enter Kaumana Drive from Edita Street whereas after the school is constructed, the time it would take to turn on to Kaumana Drive will be increased to 10 to 15 seconds. While this may seem like a minor inconvenience, the traffic flow study [Section 3.12, Page 69, Final Environmental Assessment] offered by Applicant does not measure the stress generated by the extra vigilance that residents must exercise to travel their roads due to the increased vehicular and pedestrian traffic. Neither does the study measure the stress generated by the increased noise of the extra traffic.

What might be minor and frequent irritants experienced daily in an urban environment, become major disturbances when injected into what has up to now, been a tranquil, peaceful rural-like environment. People who live here do so to avoid traffic and noise. They want a peaceful, slow paced lifestyle and the distinctly rural feel offered by this area, with its periodic visits by black goats, feral pigs, and Hawaiian hawks and the sounds of native and endemic birds that fly among the ohia trees.

As evidenced by the numerous written and verbal testimonies of residents, this lifestyle will be threatened by the estimated 621 vehicle trips generated during each weekday [See Section 3.12.1, Page 20, Final Environmental Assessment]. Add to that the noise and stress generated by the traffic, this lifestyle will be lost.

Aside from disrupting the community's lifestyle, the extra traffic will pose a danger to their as well as the student's safety and lives. This is an inevitable

result of more traffic i.e. more risks traveling along the tortuous and narrow Kaumana Drive.

In short, to conclude that the "Property is not anticipated to have adverse impacts upon surrounding areas" is not supportable. The increased traffic alone will bring devastating results. Add to this the increased noise generated by the traffic and the construction and daily activities of the school, and Applicant's statement becomes more disingenuous.

It is also very misleading to state that Applicant's 20 acres of school buildings, roads and parking areas will "mirror much of the surrounding land uses." Such improvements do not in any way "mirror" the single-family residential dwellings in this area. The improvements to be constructed by Applicant will be different in appearance, design and use and could not be compared with existing residences in the neighboring community. It is visually clear that there are no residence in this area that is equal or come close to the size of a 10,500 square foot gymnasium [See Section 2.1.2, Page 8, Final Environmental Assessment] , or having a 52 stall parking area. [Supra].

6. Applicant's statement that "[t]he mirrored use will not substantially alter or change the essential character of the land and the present use" is a gross distortion of the truth. Clearly, the 20 acre portion of the lower 37 acre parcel will be substantially altered by the construction of school buildings, gymnasium, a dormitory, roads and parking lots. These improvements will require that existing plants be removed and replaced with concrete, asphalt,

glass, steel and wood. It cannot be disputed that the “essential character of the land” will forever be changed.

Applicant rationalizes, however, that because “[t]he school plans to implement a forestry/conservation program, which would use the upper parcel for reforestation projects” [Section 16.6, p. 27, Petition for Special Permit] and “an elevated walkway through the `ōhi`a forest” [Supra] therefore “[n]either of these proposals would substantially alter nor change the existing use or character of this portion of the property.” [Supra] But this is just avoiding the issue. The real question is not whether the character of the upper 33 acres will be substantially altered or changed, but what is the impact of the improvements to the lower 37 acres? Applicant has avoided addressing this issue for obvious reasons – i.e. because the essential character of the lower 37 acres will, in fact, be changed.

7. Applicant states that “[t]he land upon which the proposed use is sought is unsuited for the uses permitted within the district” [Section 16.5, p. 26, Petition for Special Permit] and yet goes on to state that the property is “uniquely suited to support both an agricultural program and a conservation/forestry program” [Supra]. If the property is “unsuited” for agricultural uses, how can it be “uniquely suited” to support an agricultural/conservation/forestry program?

Applicant never explained why or sufficiently justified how the property is “uniquely suited” for its school or how other sites are different from the subject

property. Without such justification or elaboration, the Commission cannot find that the subject property as being "uniquely suited" for its school.

In summary:

Applicant's Petition for a Special Permit relies heavily, if not entirely, upon its planned use of approximately 20 acres of the subject property for the development of an agricultural/forestry/conservation program. Such a program does not currently exist and Applicant has not provided any research or studies to establish: (1) that there is a need for the program; (2) that their students are interested in the program; (3) that the program requires 20 acres of land; (4) that the property, with its "poor" quality soil, is suitable for the program; and (5) that the property is the only land suitable for Applicant's program.

Applicant's failure to address this issue renders a substantial portion of the Petition unsupportable because much of Applicant's arguments in support of the Petition are dependent upon the actual implementation of the agricultural program. As noted earlier, without providing a basis for determining how many acres are required for cultivation, it is impossible to conclude that 20 acres are needed for the program. And without knowing how much acreage its program requires, Applicant cannot conclude that the property is the "only acceptable site" for its school. It is entirely possible that several parcels of smaller size may be "acceptable" to Applicant.

Notwithstanding the above and not dismissing the concept of the value of an educational facility like this, the impact of the school of this size at this location would create an adverse impact to the community it will not primarily serve.

Collectively, allowing the school at this location would not be in the best overall interest of the public and not result in the development of this land and this area in a balanced and coordinated manner.

B. Unusual and Reasonable Use of Land

In determining whether the request is an "unusual and reasonable use", certain guidelines are used. These guidelines and their relationship to the requested use follow.

1. Such use shall not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations.

The use does not fulfill the Land Use Law objectives as discussed above. It should also be noted that the impact of the proposed school would have the effect of urbanizing this area. Most if not all schools of this scale are within the State Land Use Urban and not Agricultural District. Even the Kamehameha School campus in Kea`au was reclassified into the Urban District. As such, a more appropriate procedural vehicle for uses of this nature is the reclassification or boundary amendment process, the use of the Special Permit process for a project of this magnitude would undermine the objectives of the State Land Use Law and Regulations.

2. The desired use would not adversely affect surrounding properties.

As noted above and as painfully made evident by the number of verbal and written testimonies against this project, the project would have an adverse impact to surrounding properties. These concerns relate to possible adverse real property tax implications as well as diminished quality of life associated with the traffic, noise, and visual impacts resulting from this project. This diminution of quality of life is further supported by the Police Department who concluded that *"This proposed school is being place in a residential area that will likely effect (sic) the quality of life for residents that border this proposed site. There will be an increase in noise, crime and traffic."*

As noted above, the project will result in the removal of substantial amount of ohia trees, particularly on the lower portion of Edita Street. The trees will be replaced with a number of large structures, structures that cannot assume a residential flavor. These structures would thus not be visually compatible with the surrounding residential area.

The applicant maintains that the project is *"not expected to generate large increases in traffic volumes and would not result in adverse impacts to traffic and circulation pattern in the project area."* It also notes that *"the findings of*

the TIAR (Traffic Impact Analysis Report) are conservative and lively overestimates total trip generation for the project" as it does not take into account that "approximately 30 percent of Connections' students are bused to school...."

It should be noted that that percentage relates to the school's existing operation, not projected. Relative to this school, the Applicant has commented that it will have 2 buses. At an average of 30 students per bus, that amounts of 60 students out of its projected estimate of 400 students. That amounts to a 15% and not 30% percent.

Equally important is the TIAR itself. The survey was done after the seniors at Hilo High School were already out of school. Thus, the numbers for the AM peak hours do not accurately reflect school traffic. Further, the study only looked at the intersection of Kaumana Drive and Edita Street. It did not examine other potentially heavily used intersections such as Wilder Road (where presumably there will be an increase due to the Puna-based students) or other precarious intersections such as Chong Street and Terrace Drive to account for now more mauka bound traffic in the morning.

According to the TIAR, the project is anticipated to generate 187 movements during the AM peak hours on Kaumana Drive. The TIAR also notes that the existing movements are 321. This amounts to a 58% increase over the existing levels. Relative to Edita Street, there are 62 total movements. With the school's projected 187 movements, that would amount to over a 330% increase! Collectively, then, the impacts will be substantial, particularly along Edita Street.

It should also be noted that current rezoning review requirements mandate that a TIAR be conducted within 6 months of the date an application is filed. While not a mandate for Special Permit, taken together the deficiencies noted above, the "no adverse impact" conclusion of the TIAR is questionable and less reliant.

Finally, the ones who will be mostly impacted by the project are the adjoining residents and property owners. An overwhelming majority of them are saying that the impacts would be adverse. If it were only one or two, that would be a different story, but that is not the case here.

3. Such use shall not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, and police and fire protection.

The Department of Water Supply will require submittal of detailed calculations to determine water requirements before issuing a water commitment. The

maximum number of eligible commitments is seven which translates to a maximum of 4,200 gpd.

The Applicant has represented that at least 60 gallons per day ("gpd")/student is needed for a total of 26,100 gpd. The amount available, however, is 4,200 gpd, which represents no more than 16% of the project's total. The Applicant represents that it intends to supplement the remaining 84% with a catchment system, a sub-standard system.

While the catchment system has been used in areas where there is no public water system, it is generally not acceptable for public facilities, particularly those geared to students. A new public school would not be built if there is inadequate water; this proposed use is no different. In times of periodic drought, there would not be enough water to support the enrollment. Such a situation would create a public burden, as government would be obligated to assist.

As noted earlier, the Police Department has already commented that a school in this area will create an increase in noise, traffic, and crime. While noise may not necessarily directly relate to a Police function, traffic and crime do. The proposed use would invariably create additional demand for police service.

Given the honeycomb of caves in this area, drainage and wastewater systems need to be carefully planned so as to mitigate potential impacts to surrounding properties, particularly those situated below the subject site. The applicant has not sufficiently demonstrated how these would be addressed except to say that it would comply with prevailing regulations. However, there is insufficient information at this time on this matter to conclude that there will be no drainage or wastewater impacts.

4. Unusual conditions, trends, and needs have arisen since district boundaries and regulations were established.

While the concept of charter schools was given birth to after the district boundaries were established, they are not necessarily immune or exempt from the land use objectives. In that regard, while the filing of this application suggests a need for a new educational facility, the question is whether the proposed site is appropriate.

As noted earlier, given that at least 50% of the projected student population will come from the Puna District and the adverse impacts the proposed use would have to the immediate community, insufficient analysis or thought was given to other properties, be they private or publicly-owned. The State lands identified in the EA for the South Hilo District did not take into account their ability to be subdivided. Relatedly, the size was driven by an agricultural

component that was not clearly identified. Further, a cursory examination of other State lands in this area suggests that properties fronting the well-accessed Puainako Extension were not given careful consideration. In addition to looking at only State lands in the South Hilo District, the applicant did not examine other State lands in the Puna District or any private lands. Potentially, some private lands – although with a higher initial acquisition cost – could be less costly to develop given the needed off-site infrastructure costs and the cost of new buildings and site improvement.

Thus, it is difficult to conclude that there are unusual conditions, trends, and needs that justify the proposed use at this location.

5. The land upon which the proposed use is sought is unsuited for the uses permitted within the district.

Forestry and conservation uses are permitted in the Agricultural District. The subject site has a considerable stand of Ohia trees and veins of the Kaumana Caves extend throughout the site. The Hawaiian Hawk and Hawaiian hoary bats are known to roost in this area. As such, it is difficult to conclude that the site is "unsuited" for these permitted uses.

6. The use will not substantially alter or change the essential character of the land and the present use.

To minimize redundancy, we would like to reference the findings noted in the section on Land Use Law and Objectives. In sum, the proposed school will result in the removal of a significant portion of the existing vegetation; further, the urbanized structures will alter the pristine forested character of the area.

7. The request will not be contrary to the General Plan and official Community Development Plan and other documents such as Design Plans.

The General Plan Land Use Pattern Allocation Guide Map designates the area for low density residential use. However, a school use is not necessarily a "low density" type of use. The school will have nearly 400 students with direct and indirect support resulting in nearly 500 persons per day at the site.

The County Zoning Code allows schools in the commercial zones, for there is recognition of their commercial-level type of impacts. However, within the Single family residential or Agriculture (as in the case with lots surrounding and/or proximate to this site), a Use Permit is required because of its potential adverse impacts. The Use Permit process and criteria are generally similar to the Special Permit. The criteria for a Use Permit read that a proposed use:

Shall not be materially detrimental to the public welfare nor cause substantial, adverse impact to the community's character, to surrounding properties; and

Shall not unreasonably burden public agencies to provide roads, and streets, sewer, water, drainage, schools, police and fire protection and other related infrastructure.

As discussed above, the proposed request would also not meet those two criteria.

In the area of the General Plan policies, there are a number of pertinent elements that cannot support the proposed use. These are as follow:

Economic Element

Provide an economic environment that allows new, expanded, or improved economic opportunities that are compatible with the County's cultural, natural, and social environment. (emphasis added.)

Provide residents with opportunities to improve their quality of life through economic development that enhances the County's natural and social environments.

Again, while the concept of a school may have some economic benefits, it would not be compatible with the surrounding residential uses. Further, directly impacted residents would have their quality of life diminished, not enhanced.

Public Facilities Element

Goal: Encourage the provision of public facilities that effectively service the community and visitor needs and seek ways of improving public service through better and more functional facilities in keeping with the environmental and aesthetic concerns of the community. (emphasis added.)

Policy: Coordinate with appropriate State agencies for the provision of public facilities to serve the needs of the community.

While not questioning the proposed use, the question is whether at this location whether it would be effectively serving the community in a manner that would be in keeping with the environmental and aesthetic concerns of the community. It is concluded that this goal and policy would not be achieved at this location. The student community for the most part is from areas outside of the immediate community. The immediate community, which is going to have to bear the effects of this proposed use, has expressed environmental, social,

and aesthetic concerns. The applicant has not demonstrated that it has seriously investigated other properties that could better service its student population at a location where community and infrastructural issues would be less.

Public Facilities – Education Element

In the "South Hilo Course of Action", it asks decision-makers to "*Encourage the establishment of additional schools as the need arises.*" The issue is whether that need has risen. It is difficult to conclude "yes", given declining enrollments at different public schools in the district.

Land Use Element

Policy: Encourage the development and maintenance of communities meeting the needs of its residents in balance with the physical and social environments.

As stated throughout this document, approval of this request at this location would disrupt the existing community. It would not enable communities to maintain themselves, while not serving the needs of its residents. Its development would not be in balance with the physical and social environments of this area.

DECISION

For the above reasons, the Windward Planning Commission finds that the requested use is not consistent with the criteria for a Special Permit and hereby denies the Special Permit Application No. 12-000138, the application of Connections New Century Public Charter School (CBESS).

The Commission also wishes to emphasize that denial of the Special Permit does not spell an end to Applicant's project. It is a setback, resulting in the Applicant having to search for other sites, sites that will have less adverse impacts upon the surrounding properties and hopefully more proximate to the school community it intends to serve.

My name is Tom Forbes. I am a resident of Kaumana, in support of Connections Charter School's efforts to build a new campus off Edita St. I have a unique insight into the school's everyday activities, both outward and behind the scenes. I am there often enough in a separate, non-educational, professional capacity. I have had many incidental opportunities to be there and see how the school works. I am never asked for my opinion. That's not why I'm there. But I see.

This is a no nonsense environment. The educators and administration are passionate about providing an education to the students. As in any school an appropriate level of behavior is expected. I have had the opportunity to see a firm and fair discipline exercised. I have seen constant sincerity toward improvement, and going forward to be even better. Nobody, not administration, not faculty, not students, nor anyone I may have missed is there just for the fun of it. All are there for the sake of education. This is school I would be happy to have in my neighborhood.

Dreams of bigger and better drive them. So they prospect. Much time and careful decision making by many people has gone into this project. Even consideration for neighborhood concerns such as a fence for security have been addressed. Your concerns matter.

And yet.....

If ever there was a classic "not in my back yard" defiance, this is it. The reasoning against Connections is, at best, disputable. Other than that, it is desperate and unfounded. Most of the concerns have been explained away and dispelled, yet they keep coming back.

It is fear driven. Fear of the unknown. "What is going to happen to my neighborhood?" Residents could participate positively, and may not only find out but may have some influence.

If this school is built, the sentiment that has been projected in the neighborhood will still be there. It's a poison that residents will continue to take. Despite that, the school will thrive and our children will learn in a most unique environment. Residents should try to learn what they really want to do instead of having the automatic NIMBY response. Maybe they could contribute to a new neighbor.

submitted by: Heather McDaniel
174 Kamehameha Ave. Hilo

4/10/12

Heather McDaniel

June Sakamoto
1439 Mele Manu St.

I am here to once again express my concern over the negative impact the school will have on traffic, safety and our quality of life. The school is downplaying the traffic aspect, but we who must navigate Kaumana Drive almost every day know what a dangerous stretch of road it is. To subject the residents of Kaumana Drive to heavy school traffic and increased safety concerns when the school has not fully investigated other possible, more suitable locations, is not only unfair to the surrounding neighborhood but also suggests a lack of prudent planning.

Commissioner Au conceded that community consensus is important. After all, the community is the one that would be driving by the project every day. Commissioner Moses expressed it perfectly when she said "An important criteria for any development is the community support for it." There is a definite lack of local community support in the vicinity of the proposed project as can be seen by the testimonies given and the over 500 signatures collected of people opposing the school location.

The school has shown a consistent lack of consideration for the community it will impact the most. I ask that you please deny this project.

Rec'd 1/10/13

Land Use Commission:

I live on Mele Manu St. I am still opposed to the proposed construction of Connections Charter School on Edita Street. I wish to follow up on my previous given testimony.

This project has been planned for years. The Connections administration has done nothing significant to mitigate community concerns. The additional meeting as suggested by this Commission was unsuccessful and not productive. For example, during the most recent meeting, Mr. Boyd's response to the lack of funding and water for this project was that these issues were in the "planning phase" and it will be "phased in". In other words, they still have no current plan to resolve critical issues to accommodate a 380 student school that includes faculty and a dormitory.

Since inception, the administrators have broken the trust of the community that cannot be repaired. In my opinion, by their actions, seeking community support and input was never a priority and they planned on imposing on the community regardless of sentiment. There has been a pattern of behavior that does not appear will change.

They have provided no reasonable arguments as to why the Edita location is appropriate as opposed to other sites. I have not been given concrete reasons why the Edita location is appropriate: there is not enough water for the school, there will be an increase in traffic and crime, there are already two schools in the area, and, most importantly, there is overwhelming community opposition.

The Kaumana Community should not have to sacrifice for the Connections administrators poor planning and, by their own admission, lack of plans to resolve critical issues. In my opinion, the best course of action for the Connections administration is to find an alternative site where community support exists and the infrastructure is appropriate. Please deny this permit.

Thank you
Ming Peng, MD

Ming Peng 1/10/13

1/10/13
[Signature]

Testimony of Les Sakamoto

In the prior two public hearings, you have heard many valid testimonies opposing the location of Connections' future campus in Kaumana, including

- traffic and safety concerns,
- the lack of adequate water resources,
- the lack of the school's harmony with—and support by—the surrounding community,
- the concerns about waste treatment and disposal,
- the lack of need of another school in Kaumana, due to the presence of many well-established schools already serving the area, and
- the overall negative impact this will have on our quality of life.

I will not repeat their testimonies. But I will repeat that we are not against schools, and we certainly are not against the students of Connections. We are against the chosen site of the proposed school. So the gist of my testimony is this:

When the Planning Director issued a favorable recommendation for the school, it was done with reservations and without the benefit of public testimony. Now, with the benefit of such testimonies from so many who have expressed overwhelming opposition to the school's proposed location, it is up to you, the Windward Planning Commission, to make the final decision. I humbly ask you to recommend denial of the Special Permit.

By denying the Special Permit, you are not denying a new school for the students, nor are you denying a new campus for the teachers, for nothing has yet been built. And I believe nothing should be built, until the leaders of the school find a better suited location.

The sites that were considered by the administrators in their initial search were all located in the central Hilo area, and many were summarily dismissed as being "too large" or "too small". Perhaps these sites should be revisited. But more so, we believe other potential sites were not even considered or fully explored. Why

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not extend the search further out—into Panaewa, or Keaau, or Puna, or the Hamakua Coast?

A site that has less inherent restrictions, community dissent, or stringent conditions of approval will allow the project to quickly get off the ground. As Connection's consultant Celia Chen mentioned, the conceptual drawings for the campus are in their very early planning stages, and can be easily modified to accommodate changing conditions. Thus, the investment in these plans will not be lost, but can instead be used to springboard the project at the appropriate location. More importantly, by choosing a site that is embraced by its stakeholders as well as the surrounding neighbors and community at large, the school can then meet with a success that is—at best—questionable at the Kaumana location.

In conclusion, please vote to recommend DENIAL of the Special Permit, and in so doing compel the leaders of Connections to seek an alternative, but appropriate location for their new campus. Only then will the school be able to advance quickly—and harmoniously—to achieve its stated goals. The students, their parents, the faculty, and our community at large deserve no less.

Thank you.

Les Sakamoto
1439 Mele Manu St.
Hilo, HI 96720

LIST OF VIOLATIONS AND LIES BY CONNECTIONS PUBLIC CHARTER SCHOOL

BOARD OF EDUCATION POLICY 2710, "ACCREDITATION OF SCHOOLS," states: ...All public secondary schools and community schools for adults shall engage in the accreditation process as prescribed by the accrediting agency that has been designated by the Board of Education."

CONNECTIONS IS NOT AN ACCREDITED SCHOOL AND HAS NEVER ATTEMPTED TO BECOME ONE.

NO CHILD LEFT BEHIND, FEDERAL LAW REQUIRES STATES TO IMPLEMENT AN ACCOUNTABILITY SYSTEM AND REPORT ON PERFORMANCE MEASURES RELATED TO ADEQUATE YEARLY PROGRESS. Connections has never met AYP and is currently in restructuring. 2014 is the deadline.

HAWAII ADMINISTRATIVE RULES, TITLES 11, DEPARTMENT OF HEALTH, CHAPTER 200, ENVIRONMENTAL IMPACT STATEMENTS, SUBCHAPTER 6 DETERMINATION OF SIGNIFICANCE, 11-200-9 ASSESSMENT OF AGENCY ACTIONS AND APPLICANT ACTIONS; (6) Distribute, concurrently with the filing in paragraph (5), the draft environmental assessment to other agencies having jurisdiction or expertise as well as *citizen groups and individuals* which the proposing agency reasonably believes to be affected. **CONNECTIONS INTENTIONALLY DID NOT DISTRIBUTE EA TO ANYONE IN THE KAUMANA COMMUNITY OR NOTIFY ANYONE OF THE PLANS TO PREVENT AN EIS.**

CONNECTIONS HAS FAILED TO INVESTIGATE LAVA TUBE ON EDITA STREET NOTED BY JEFF DARROW, BOBBIE JEAN LEITHEAD-TODD AND THERESA DUNHAM OF DLNR.

COUNTY OF HAWAII; Grading and grubbing without permit.

STATE OF HAWAII, DLNR; Violation of Unencumbered Public Lands.

STATE OF HAWAII, DLNR; Unauthorized Land Clearing.

STATE OF HAWAII, DLNR; Construction of Perimeter Fence and Removal of Ohia Timber.

STATE OF HAWAII, DLNR HAS AN ON GOING INVESTIGATION WITH CONNECTIONS PUBLIC CHARTER SCHOOL FOR OTHER VIOLATIONS WHICH NEED TO BE ADDRESSED.

CONNECTIONS PUBLICLY DENIES KNOWLEDGE OF FENCING AND BULLDOZING IN HAWAII TRIBUNE HERALD; Residents saw Eric Boyd and John Thatcher on site during the project.

CONNECTIONS HIRES CONVICTED FELONS TO WORK IN OUR NEIGHBORHOOD.

CONNECTIONS FIRES CONTRACTOR WITHOUT PAYING AFTER FENCE JOB COMPLETED WITHOUT PAYING CONTRACTOR.

CONNECTIONS ACCUSES CONTRACTOR OF STEALING LOGS FROM DLNR PROPERTY THAT CONNECTIONS IS RESPONSIBLE FOR.

PRINCIPAL JOHN THATCHER TELLS HAWAII TRIBUNE HERALD AND KAUMANA COMMUNITY THAT HAND CLEARING WILL BE DONE TO LESSEN THE

4/18/13 by [signature]

ENVIRONMENTAL IMPACT TO THE PROPERTY AND HIRES A D-9 TO BULLDOZE THE PROPERTY.

CONNECTIONS ATTORNEY TED HONG TELLS WINDWARD PLANNING COMMISSION, "to say the fence is done is misleading at best" Then fence is done and locked by the contractor.

CONNECTIONS SENDS ERIC BOYD TO PHOTOGRAPH AND TERRORIZE KAUMANA RESIDENTS; Eric Boyd walks along side a pick up truck driven by a woman as he takes pictures of the homes in Kaumana with signs protesting the school.

CONNECTIONS MAKES A VIDEO AND POSTS IT ON THE INTERNET TO GAIN SUPPORTERS; Using the pictures taken by Eric Boyd, the school makes a video asking for support from the community launching a crime spree of sign thefts, newspaper thefts, and trash vandalism in the Kaumana neighborhood.

EA violation - Did not conduct survey prior to land clearing.

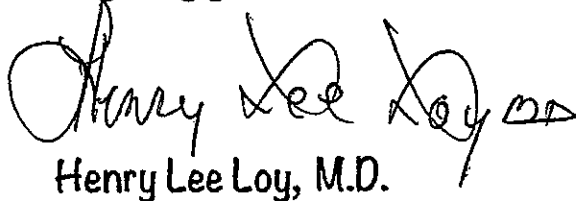
EA violation - cleared land during nesting & pupping season of Hawaiian Hawk & Hoary Bats, killing or scaring off existing animals.

Henry Lee Loy M.D.
1579 Mele Manu St., Hilo, HI

The proposed location of the connections public charter school would endanger and hinder the community and students alike.

I attended the community meeting at the connections school on December 17, 2012. The principal, Mr. Thatcher was absent. The Vice Principal Mr. Boyd was present. I felt that Mr. Boyd gave vague and evasive ANSWERS in response to questions from the community. The applicant has not earned the trust of this community due to continuous inaccuracies. We request your support by voting no for this applicant's special use permit.

Very truly yours,


Henry Lee Loy, M.D.

Rec'd 1/10/12

WE, THE UNDERSIGNED, LIVE AND/OR OWN HOMES OR PROPERTIES NEAR THE PROPOSED CONNECTIONS PUBLIC CHARTER SCHOOL PLANNED ON STATE LAND IDENTIFIED BY TMK: 2-5-06: 141. WE OBJECT TO HAVING THE SCHOOL BEING LOCATED AT THE PROPOSED SITE BECAUSE OF ITS NEGATIVE SOCIAL AND INFRASTRUCTURAL IMPACTS TO OUR NEIGHBORHOOD.

NAME (PRINT)	SIGNATURE	STREET ADDRESS	DATE
ELY ENAORA	Lily I. Inaba	28 Kiele Pl, Hilo	12/06/12
Martha Kurohara	Martha Kurohara	29 Kiele Pl, Hilo	12/06/12
Masumi Inaba	Masumi Inaba	28 Kiele St., Hilo	12/06/12
DIANNE HIRAYAMA	Dianne Hirayama	135 Tecoma Dr, Hilo	12/8/12
Edward Hirayama	Edward Hirayama	135 Tecoma Dr, Hilo	10/8/12
Harold Mizuno	Harold Mizuno	140 Kamekono Pl, Hilo	10/8/12
FRANCES MIZUNO	Frances Mizuno	140 Kamekono Pl, Hilo	10/8/12
Hanayo Asakawa	Hanayo Asakawa	394 Kawana Dr, Hilo	10/9/12
Toshiko Asakawa	Toshiko Asakawa	394 Kawana Dr, Hilo	10/9/12
Kathleen de Silva	Kathleen de Silva		10/9/12
NT MOSES	Nancy Moses	22 Kamekono St	
Geraldine I. Araki	Geraldine I. Araki	85 Heaalan, Dr. Hilo	12-17-12
Nancy Yamamoto	Nancy Yamamoto	109 Okana St. Hilo	12/17/12
Jean Higaki	Jean Higaki	16 Mamaki St. Hilo	12/17/12
Walter Dudot	Walter Dudot	955 Kawana Dr. Hilo	1/4/13
Marilyn Nerveza	Marilyn Nerveza	17 Poni Moi Pl, Hilo	1/8/13
Lawrence Nerveza	Lawrence Nerveza	17 Poni Moi Pl, Hilo	1/8/13

WE, THE UNDERSIGNED, LIVE AND/OR OWN HOMES OR PROPERTIES NEAR THE PROPOSED CONNECTIONS PUBLIC CHARTER SCHOOL PLANNED ON STATE LAND IDENTIFIED BY TMK: 2-5-06: 141. WE OBJECT TO HAVING THE SCHOOL BEING LOCATED AT THE PROPOSED SITE BECAUSE OF ITS NEGATIVE SOCIAL AND INFRASTRUCTURAL IMPACTS TO OUR NEIGHBORHOOD.

NAME (PRINT)	SIGNATURE	STREET ADDRESS	DATE
Leonida Connerain	<i>Leonida Connerain</i>	1769 Kaunama Dr. Hilo	11/15/12
ROBERT AGUIAR	<i>Robert Aguiar</i>	218-A-KAUMANA DR	11/20/12
Conrad K. Keli	<i>Conrad K. Keli</i>	344 Punahele St Hilo	11/20/12
KELI WILMA	<i>Keli Wilma</i>	346 Punahele St Hilo	11/20/12
GILBERT MATIAS	<i>Gilbert Matias</i>	17 SOUTH IKAHANA ST Hilo	11/26/12
Lillian Mattos	<i>Lillian Mattos</i>	175 IKAHANA ST Hilo	11/26/12
Ann M. Yasutomi	<i>Ann M. Yasutomi</i>	44 Terrace Dr. Hilo	12/4/12
Kenneth Yasutomi	<i>Kenneth Yasutomi</i>	44 Terrace Dr. Hilo	12/4/12
Liz Pookoolina	<i>Liz Pookoolina</i>	212 PUNAHELE ST Hilo HI 96726	12-5/12
Vahn Kepau	<i>Vahn Kepau</i>	1976 Kaunama	12-6-12
KEVIN SAKAKI	<i>Kevin Sakaki</i>	36 Kaapuni Loop	12-13-12
Sharon Kahoonei	<i>Sharon Kahoonei</i>	151 Kuaakolu Pl. Hilo, HI	12-13-12
Karl Kahoonei	<i>Karl Kahoonei</i>	151 Kuaakolu Pl. Hilo HI	12-13-12
Janice Kapa	<i>Janice Kapa</i>	1976 Kaunama Dr. Hilo	12-19-12

To the Windward Planning Commission,

At the first hearing Phillip Rowell disputed Dr. Lee Loy and said the latest traffic report was done in 2010. The actual counting of vehicles was done in 2009 as Dr. Lee Loy stated. Phillip Rowell redid the numbers in 2010 using data from the 2009 study.

Phillip Rowell also disputed claims of traffic accidents on Kaumana Drive claiming to have 40 years experience in his business. Information on traffic data can easily be obtained by calling Community Police Program. This is a free service and as a so called expert he should have already now about this.

Phillip Rowell was convicted in 2002 for operating a vehicle under the influence of an intoxicant. If he has not sought help for this addiction and successfully completed rehabilitation, he still has a problem with intoxication and should not be doing reports that affect the lives of our community. He mocks the very system he represents. If he did in fact attend rehab and successfully complete the course I wish him well abstaining.

Respectfully,

Jeff Gomes

1/10/13
✓

eCrim Record

Data Generated: 11/20/2012

Validation Code: LAIPzCa0iRbg.O

<https://ecrim.ehawaii.gov/ahewa/validate.do>

Search Criteria: Last Name = ROWELL (Sounds Like) , First Name = PHILLIP (First Initial) , Sex = Male

You have selected a record belonging to:

ROWELL, PHILLIP J

Age: 63, Weight: 205 LBS., Height: 6'0"

Total Charges: 1

Record Information

Also Known As:

ROWELL, PHILLIP JAMES

Summary of Charges

Arrest Date	Arrest Agency	Final Charge	Disposition	Date
1. 03/07/2002	MAUI PD	DRV UN INF INTX - PETTY MISD	GUILTY	05/31/2002

CHARGE 1 OF 1 TOTAL CHARGES

Charge: The charge was OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT (HRS 291E-0061) which is coded as being a PETTY MISD.

Disposition: On 05/31/2002, SUBJECT WAS FOUND GUILTY.

Sentence: On 05/31/2002, SUBJECT WAS SENTENCED TO \$150 FINE.

Case No: (no case #) (MAUI DISTRICT COURT)

Arrest Report No: 02-18781

[Summary of Charges | Top](#)

* IMPORTANT: The information furnished is based upon the descriptive information you have provided. Therefore it is your responsibility to carefully verify the information returned and match it against your search criteria. Furthermore, the search is limited to conviction data and data relating to cases in which the defendant is acquitted, or charges are dismissed, by reason of physical or mental disease, disorder or defect, under chapter 704, HRS, as maintained by the Hawaii Criminal Justice Data Center and does not include data maintained by the FBI or other states.

Because the criminal history records are constantly being updated, a new criminal history record check should be obtained for each subsequent use. Every effort is made to insure the accuracy of this information. Any disputes should be addressed separately with the Hawaii Criminal Justice Data Center. This eCrim record has a unique validation number located on the top of the report. Records can be validated for up to sixty days from the date of purchase by visiting (free of charge) the validation service (<https://ecrim.ehawaii.gov/ahewa/validate.do>) and enter the validation number in the appropriate box.

~~CONFIDENTIAL - PUBLIC INFORMATION~~

Connections Public Charter School

A Community, Business & Education Learning 'Ohana

January 10, 2013

Aloha Windward Planning Commission:

You will not be hearing a lot of public testimony from our students today. These meetings have given our students a glimpse of County government in action. It saddens me to say that some of our students feel intimidated by some of those who have given public testimony. Several of these students live in Kaumana and face a barrage hateful signs every day. New signs have appeared recently with cartoon characters on them. Imagine a kindergarten student seeing a cartoon character with the message "No Connections in Kaumana." That same student has been making paper snowflakes to send to the children from Sandy Hook Elementary. We choose not to subject our students to any more abusive testimony. The level of harassment has escalated to the point where two of our staff have restraining orders against the creator of the "No Connections in Kaumana" signs.

Parents choose to send their children to charter schools. Start-up charter schools are not defined by geographic boundaries. Why shouldn't parents from East Hawai'i be allowed to choose to send their children to a school with programs focused on agriculture and sustainability? This Kaumana sight is former Crown land. At the time of annexation, the former Crown lands were ceded to the US Federal Government. When Hawai'i became a state, the lands were transferred to the state. The federal act authorizing the transfer required that the lands be used for five purposes with the first being "Support of public education."

I sincerely hope that this Commission take the high road and send this matter to the State Land Use Commission. I'd like to stress the following points from my previous testimony:

- Article X of Hawaii's State Constitution clearly says, "The State shall provide for the establishment, support and control of a statewide system of public schools free from sectarian control, a state university, public libraries and such other educational institutions as may be deemed desirable, including physical facilities therefor."
- §171-95.5 provides for the lease of public lands to public charter schools.
- School officials consulted the Hawaii County Code, the Hawaii County General Plan and a County memo (Charter Schools and Land Use Regulations) outlining a compilation of county and state rules and regulations that charter schools in Hawaii County were required to follow. In §10.2.1 of the Hawaii County General Plan, charter schools are defined as public schools "responsible for selecting their own sites." The memo defines the applicability of State laws as, "Charter schools are exempt from state laws, except those relating to health and safety and a few other exceptions (i.e. building, fire, and sanitation codes). The major effect of this exemption is that Charter Schools located in State Land Use Agricultural Districts do not have to obtain a Special Permit."

Rc'd at 1/10/13 mtg by <i>AB</i>
Dist'd <input checked="" type="checkbox"/> Rec'd
FILE COPY

- With no CDP to look to for guidance, the General Plan provides guidance. It says the following concerning use of State lands:

- (14.9.2 Goals

- ♣ (a) Utilize publicly owned lands in the best public interest and to the maximum benefit for the greatest number of people.
- ♣ (b) Acquire lands for public use to implement policies and programs contained in the General Plan.

- (14.9.3 Policies

- ♣ (a) Encourage uses of public lands that will satisfy specific public needs, such as housing, recreation, open space and education.

Again I ask, are the issues being brought up to halt the development of Connections' new Kaumana campus only going to be centered around the "not in my backyard" neighbors living on one-acre agriculture lots? Or will the Windward Planning Commission follow the goals and policies specified in the General Plan?

Mahalo

John Thatcher

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STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

PLEASE DO NOT
DATE DOCUMENT

GENERAL LEASE NO.

THIS LEASE, made this _____ day of _____, 20____, by and between the STATE OF HAWAII, hereinafter referred to as the "Lessor," by its Board of Land and Natural Resources, called the "Board," and CONNECTIONS NEW CENTURY PUBLIC CHARTER SCHOOL, a public charter school under the State of Hawaii, whose address is 174 Kamehameha Avenue, Hilo, Hawaii 96720, hereinafter referred to as the "Lessee."

WITNESSETH:

The Lessor, pursuant to Section 171-95(a)(2) and Section 171-95.5, Hawaii Revised Statutes, and Charter signed by the Governor of the State of Hawaii, the Chairperson of the Board of Education, and the Superintendent of Education on May 5, 2000, for and in consideration of the terms, covenants and conditions herein contained, all on the part of the Lessee to be kept, observed and performed, does lease unto the Lessee, and the Lessee does lease from the Lessor the premises situate at Ponahawai, South Hilo, Island of Hawaii, Hawaii, identified as "Connections New Century Public Charter School, Mauka Parcel" more particularly described in Exhibit "A" and delineated on Exhibit "B," both attached hereto and made parts hereof, and "Connections New Century Public Charter School, Makai Parcel" more particularly described in Exhibit "C" and delineated on Exhibit "D," both attached hereto and made parts hereof.

TO HAVE AND TO HOLD the leased premises unto the Lessee for the term of sixty-five (65), commencing on the _____ day of _____, 20____, up to and including the _____ day of _____, _____, unless sooner terminated as hereinafter provided, the Lessor reserving and the Lessee yielding and paying to the Lessor at the Office of the Department of Land and Natural Resources, Honolulu, Oahu, State of Hawaii, an annual rental as provided hereinbelow, payable in advance, without notice or demand, in equal semi-annual installments on _____ and _____ of each and every year during the term as follows:

A. For the first ten (10) years, the sum of FOUR HUNDRED EIGHTY AND NO/100 DOLLARS (\$480.00) per annum.

B. The annual rental reserved shall be reopened and redetermined on tenth (10th), twentieth (20th), thirtieth (30th), fortieth (40th), fiftieth (50th) and sixtieth (60th) years.

C. Determination of rent upon reopening. The rental for any ensuing period shall be the fair market rental at the time of reopening. At least six months prior to the time of reopening, the fair market rental shall be determined by:

(1) An employee of the Department of Land and Natural Resources qualified to appraise lands; or

(2) A disinterested appraiser whose services shall be contracted for by the Board. Lessee shall be notified of the determination by certified mail, return receipt requested.

Lessee must notify Lessor in writing within thirty (30) days after receipt of the determination that Lessee disagrees with the fair market rental as determined by the Board's appraiser and that Lessee has appointed its own appraiser, whose name and address shall be stated in the notice. The determination shall be deemed received by Lessee on the date the Lessee signs the return receipt or three (3) days after mailing, whichever occurs first. Within sixty (60) days of Lessor's receipt of Lessee's notification, Lessee's appraiser and the Board's appraiser shall appoint a third appraiser, unless Lessee's appraiser and the Board's appraiser have agreed upon the fair market rental, and the fair market rental shall be determined by arbitration as provided in chapter 658A, Hawaii Revised Statutes. The Lessee shall pay for the Lessee's own appraiser, the Board shall pay for its appraiser, and the cost of the third appraiser shall be borne equally by the Lessee and the Board. In the event that the fair market rental is not finally determined before the reopening date, the Lessee shall pay the rental as determined by the Board's appraiser until the new rent is determined, and the rental paid by Lessee shall then be subject to retroactive adjustments as appropriate.

Should the Lessee fail to notify Lessor in writing within thirty (30) days after receipt of the determination that Lessee disagrees with the fair market rental as determined by the Board's appraiser and that Lessee has appointed its own appraiser, then the fair market rental as determined by the Board's appraiser shall be deemed to have been accepted by Lessee and shall be the fair market rental as of the date of reopening.

D. The interest rate on any and all unpaid or delinquent rentals shall be at one percent (1%) per month, plus a

service charge of FIFTY AND NO/100 DOLLARS (\$50.00) a month for each delinquent payment.

RESERVING UNTO THE LESSOR THE FOLLOWING:

1. Minerals and waters. (a) All minerals as hereinafter defined, in, on or under the premises and the right, on its own behalf or through persons authorized by it, to prospect for, mine and remove the minerals and to occupy and use so much of the surface of the ground as may be required for all purposes reasonably extending to the mining and removal of the minerals by any means whatsoever, including strip mining. "Minerals," as used herein, shall mean any or all oil, gas, coal, phosphate, sodium, sulphur, iron, titanium, gold, silver, bauxite, bauxitic clay, diaspore, boehmite, laterite, gibbsite, alumina, all ores of aluminum and, without limitation thereon, all other mineral substances and ore deposits, whether solid, gaseous or liquid, including all geothermal resources, in, on, or under the land, fast or submerged; provided, that "minerals" shall not include sand, gravel, rock or other material suitable for use and used in general construction in furtherance of the Lessee's permitted activities on the premises and not for sale to others. (b) All surface and ground waters appurtenant to the premises and the right on its own behalf or through persons authorized by it, to capture, divert or impound the same and to occupy and use so much of the premises required in the exercise of this right reserved; provided, however, that as a condition precedent to the exercise by the Lessor of the rights reserved in this paragraph, just compensation shall be paid to the Lessee for any of Lessee's improvements taken.

2. Ownership of improvements. The ownership of all improvements of whatever kind or nature, including but not limited to fences and stockwater system(s) located on the land prior to or on the commencement date of this lease, excluding those improvements constructed during the term of this lease unless provided otherwise.

SUBJECT TO the rights of native tenants and to regulatory rights and ownership rights (if any) of the State of Hawaii established pursuant to state law including Chapter 6E, Hawaii Revised Statutes, over prehistoric or historic remains found in, on, or under the land.

THE LESSEE COVENANTS AND AGREES WITH THE LESSOR AS FOLLOWS:

1. Taxes, assessments, etc. The Lessee shall pay or cause to be paid, when due, the amount of all taxes, rates, and assessments of every description as to which the premises or any part, or any improvements, or the Lessor or Lessee, are now or may be assessed or become liable by authority of law during the term of this lease; provided, however, that with respect to any assessment made under any betterment or improvement law which may be payable in installments, Lessee shall be required to pay only those installments, together with interest, which becomes due and payable during the term of this lease.

2. Utility services. The Lessee shall be responsible for obtaining any utility services and shall pay when due all charges, duties and rates of every description, including water, sewer, gas, refuse collection or any other charges, as to which the premises or any part, or any improvements, or the Lessor or Lessee may become liable for during the term, whether assessed to or payable by the Lessor or Lessee.

3. Covenant against discrimination. The use and enjoyment of the premises shall not be in support of any policy which discriminates against anyone based upon race, creed, sex, color, national origin, religion, marital status, familial status, ancestry, physical handicap, disability, age or HIV (human immunodeficiency virus) infection.

4. Sanitation. The Lessee shall keep the premises and improvements in a strictly clean, sanitary and orderly condition.

5. Waste and unlawful, improper or offensive use of premises. The Lessee shall not commit, suffer or permit to be committed any waste, nuisance, strip or unlawful, improper or offensive use of the premises or any part, nor, without the prior written consent of the Lessor, cut down, remove or destroy, or suffer to be cut down, removed or destroyed, any trees now growing on the premises.

6. Compliance with laws. The Lessee shall comply with all of the requirements of all municipal, state, and federal authorities and observe all municipal, state and federal laws applicable to the premises, now in force or which may be in force.

7. Inspection of premises. The Lessee shall permit the Lessor and its agents, at all reasonable times during the

lease term, to enter the premises and examine the state of its repair and condition.

8. Improvements. The Lessee shall not at any time during the term construct, place, maintain and install on the premises any building, structure or improvement of any kind and description except with the prior written approval of the Board and upon those conditions the Board may impose, unless otherwise provided in this lease. The Lessee shall own these improvements until the expiration or other termination of the lease, at which time the ownership shall at the option of the Lessor, remain and become the property of the Lessor or shall be removed by Lessee at Lessee's sole cost and expense.

Upon termination and/or expiration of the lease and if desired by the Lessor, the Lessee at its expense, shall remove any and all improvements installed or constructed upon the premises and restore said premises to a condition satisfactory to the Lessor.

9. Repairs to improvements. The Lessee shall, at its own expense, keep, repair, and maintain all buildings and improvements now existing or hereafter constructed or installed on the premises in good order, condition and repair, reasonable wear and tear excepted.

10. Liens. The Lessee shall not commit or suffer any act or neglect which results in the premises, any improvement, or the leasehold estate of the Lessee becoming subject to any attachment, lien, charge, or encumbrance, except as provided in this lease, and shall indemnify, defend, and hold the Lessor harmless from and against all attachments, liens, charges, and encumbrances and all resulting expenses.

11. Character of use. The Lessee shall use or allow the premises leased to be used solely for school purposes.

12. Assignments, etc. The Lessee shall not sublease, subrent, transfer, assign, or permit any other person to occupy or use the premises or any portion or transfer or assign this lease or any interest therein, either voluntarily or by operation of law, without the prior written approval of the Board.

13. Indemnity. The Lessee shall indemnify, defend, and hold the Lessor harmless from and against any claim or demand for loss, liability, or damage, including claims for bodily injury, wrongful death, or property damage, arising out of or resulting from: 1) any act or omission on the part of Lessee

relating to Lessee's use, occupancy, maintenance, or enjoyment of the premises; 2) any failure on the part of the Lessee to maintain the premises and sidewalks, roadways and parking areas adjacent thereto in Lessee's use and control, and including any accident, fire or nuisance, growing out of or caused by any failure on the part of the Lessee to maintain the premises in a safe condition; and 3) from and against all actions, suits, damages, and claims by whomsoever brought or made by reason of the Lessee's non-observance or non-performance of any of the terms, covenants, and conditions of this lease or the rules, regulations, ordinances, and laws of the federal, state, municipal or county governments.

14. Costs of litigation. In case the Lessor shall, without any fault on Lessor's part, be made a party to any litigation commenced by or against the Lessee (other than condemnation proceedings), the Lessee shall pay all costs, including reasonable attorney's fees, and expenses incurred by or imposed on the Lessor; furthermore, the Lessee shall pay all costs, including reasonable attorney's fees, and expenses which may be incurred by or paid by the Lessor in enforcing the covenants and agreements of this lease, in recovering possession of the premises, or in the collection of delinquent rental, taxes, and any and all other charges.

15. Breach. Time is of the essence in this agreement and if the Lessee shall become bankrupt, or shall abandon the premises, or if this lease and premises shall be attached or taken by operation of law, or if Lessee shall fail to observe and perform any of the covenants, terms, and conditions contained in this lease and on its part to be observed and performed, and this failure shall continue for a period of more than sixty (60) days after delivery by the Lessor of a written notice of breach or default and demand for cure, by personal service, registered mail or certified mail to the Lessee at its last known address and to each holder of record having a security interest in the premises, the Lessor may, subject to the provisions of Section 171-21, Hawaii Revised Statutes, at once re-enter the premises, or any part, and upon or without the entry, at its option, terminate this lease without prejudice to any other remedy or right of action for arrears of rent or for any preceding or other breach of contract; and in the event of termination, at the option of the Lessor, all buildings and improvements shall remain and become the property of the Lessor or shall be removed by Lessee; furthermore, Lessor shall retain all rent paid in advance to be applied to any damages.

16. Condemnation. If at any time, during the term of

this lease, any portion of the premises should be condemned, or required for public purposes by any county or city and county, the rental shall be reduced in proportion to the value of the portion of the premises condemned. The Lessee shall be entitled to receive from the condemning authority (a) the value of growing crops, if any, which Lessee is not permitted to harvest and (b) the proportionate value of the Lessee's permanent improvements so taken in the proportion that it bears to the unexpired term of the lease; provided, that the Lessee may, in the alternative, remove and relocate its improvements to the remainder of the lands occupied by the Lessee. The Lessee shall not by reason of the condemnation be entitled to any claim against the Lessor for condemnation or indemnity for leasehold interest and all compensation payable or to be paid for or on account of the leasehold interest by reason of the condemnation shall be payable to and be the sole property of the Lessor. The foregoing rights of the Lessee shall not be exclusive of any other to which Lessee may be entitled by law. Where the portion taken renders the remainder unsuitable for the use or uses for which the premises was leased, the Lessee shall have the option to surrender this lease and be discharged and relieved from any further liability; provided, that Lessee may remove the permanent improvements constructed, erected and placed by it within any reasonable period allowed by the Lessor.

17. Right to enter. The Lessor or the County and their agents or representatives shall have the right to enter and cross any portion of the premises for the purpose of performing any public or official duties; provided, however, in the exercise of these rights, the Lessor or the County shall not interfere unreasonably with the Lessee or Lessee's use and enjoyment of the premises.

18. Bond, performance. The Lessee shall, at its own cost and expense, within fifteen (15) days from the effective date of this lease, procure and deposit with the Lessor and thereafter keep in full force and effect during the term of this lease a good and sufficient surety bond, conditioned upon the full and faithful observance and performance by Lessee of all the terms, conditions, and covenants of this lease, in an amount equal to two times the annual rental then payable. This bond shall provide that in case of a breach or default of any of the lease terms, covenants, conditions, and agreements, the full amount of the bond shall be paid to the Lessor as liquidated and ascertained damages and not as a penalty.

19. Extension of time. Notwithstanding any provision contained in this lease, when applicable, the Board may for good

cause shown, allow additional time beyond the time or times specified in this lease for the Lessee to comply, observe, and perform any of the lease terms, conditions, and covenants.

20. Quiet enjoyment. The Lessor covenants and agrees with the Lessee that upon payment of the rent at the times and in the manner provided and the observance and performance of these covenants, terms, and conditions on the part of the Lessee to be observed and performed, the Lessee shall and may have, hold, possess, and enjoy the premises for the term of the lease, without hindrance or interruption by the Lessor or any other person or persons lawfully claiming by, through, or under it.

21. Surrender or termination. The Lessee shall, at the end of the term or other sooner termination of this lease, peaceably deliver unto the Lessor possession of the premises in a clean and orderly condition, together with all improvements existing or constructed thereon or Lessee shall remove such improvements, at the option of the Lessor. Furthermore, upon the expiration, termination, and/or revocation of this lease, should the Lessee fail to remove any and all of Lessee's personal property from the premises, after notice thereof, the Board may remove any and all personal property from the premises and either deem the property abandoned and dispose of the property or place the property in storage at the cost and expense of Lessee, and the Lessee does agree to pay all costs and expenses for disposal, removal, or storage of the personal property. This provision shall survive the termination of the lease.

22. Non-warranty. The Lessor does not warrant the conditions of the premises, as the same are being leased as is.

23. Hazardous materials. Lessee shall not cause or permit the escape, disposal or release of any hazardous materials except as permitted by law. Lessee shall not allow the storage or use of such materials in any manner not sanctioned by law or by the highest standards prevailing in the industry for the storage and use of such materials, nor allow to be brought onto the premises any such materials except to use in the ordinary course of Lessee's business, and then only after written notice is given to Lessor of the identity of such materials and upon Lessor's consent which consent may be withheld at Lessor's sole and absolute discretion. If any lender or governmental agency shall ever require testing to ascertain whether or not there has been any release of hazardous materials by Lessee, then the Lessee shall be responsible for the reasonable costs thereof. In addition, Lessee shall execute affidavits, representations and the like from time to time at Lessor's request concerning

Lessee's best knowledge and belief regarding the presence of hazardous materials on the premises placed or released by Lessee.

Lessee agrees to indemnify, defend, and hold Lessor harmless, from any damages and claims resulting from the release of hazardous materials on the premises occurring while Lessee is in possession, or elsewhere if caused by Lessee or persons acting under Lessee. These covenants shall survive the expiration or earlier termination of the lease.

For the purpose of this lease "hazardous material" shall mean any pollutant, toxic substance, hazardous waste, hazardous material, hazardous substance, or oil as defined in or pursuant to the Resource Conservation and Recovery Act, as amended, the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, the Federal Clean Water Act, or any other federal, state, or local environmental law, regulation, ordinance, rule, or by-law, whether existing as of the date hereof, previously enforced, or subsequently enacted.

24. Hawaii law. This lease shall be construed, interpreted, and governed by the laws of the State of Hawaii.

25. Exhibits - Incorporation in lease. All exhibits referred to are attached to this lease and hereby are deemed incorporated by reference.

26. Headings. The article and paragraph headings herein are inserted only for convenience and reference and shall in no way define, describe or limit the scope or intent of any provision of this lease.

27. Partial invalidity. If any term, provision, covenant or condition of this lease should be held to be invalid, void or unenforceable, the remainder of this lease shall continue in full force and effect and shall in no way be affected, impaired or invalidated thereby.

28. Withdrawal. The Lessor shall have the right to withdraw the premises, or any portion, at any time during the term of this lease upon giving reasonable notice and without compensation, except as otherwise provided in the lease, for public uses or purposes, including residential, commercial, industrial, or resort developments, for constructing new roads or extensions, or changes in line or grade of existing roads, for rights of way and easements of all kinds, and shall be subject to the right of the Board to remove soil, rock or gravel as may be necessary for the construction of roads and rights of way within

or without the premises; provided, that upon the withdrawal, or upon the taking which causes any portion of the land originally leased to become unusable for the specific use or uses for which it was leased, the rent shall be reduced in proportion to the value of the land withdrawn or made unusable, and if any permanent improvement constructed upon the land by the Lessee is destroyed or made unusable in the process of the withdrawal or taking, the proportionate value shall be paid based upon the unexpired term of the lease.

29. Termination by either party. The Lessor and Lessee, by mutual agreement, may terminate this lease at any time without cause, provided that the Lessor and the Lessee are not in breach of any condition herein at the time of the mutual agreement to terminate. This provision can be waived by the parties provided such waiver is in writing and signed by both parties.

30. Non-use and abandonment. If the Lessee shall, at any time for a continuous period of one (1) year, fail or cease to use, or abandon all or any portion of said premises, this lease shall cease and terminate.

31. Building construction. All building construction shall be in full compliance with all laws, rules and regulations of the federal, state, and county governments and in accordance with plans and specifications submitted to and approved by the Chairperson prior to commencement of construction.

32. Clearances. The Lessee shall be responsible for obtaining all necessary federal, state or county clearances.

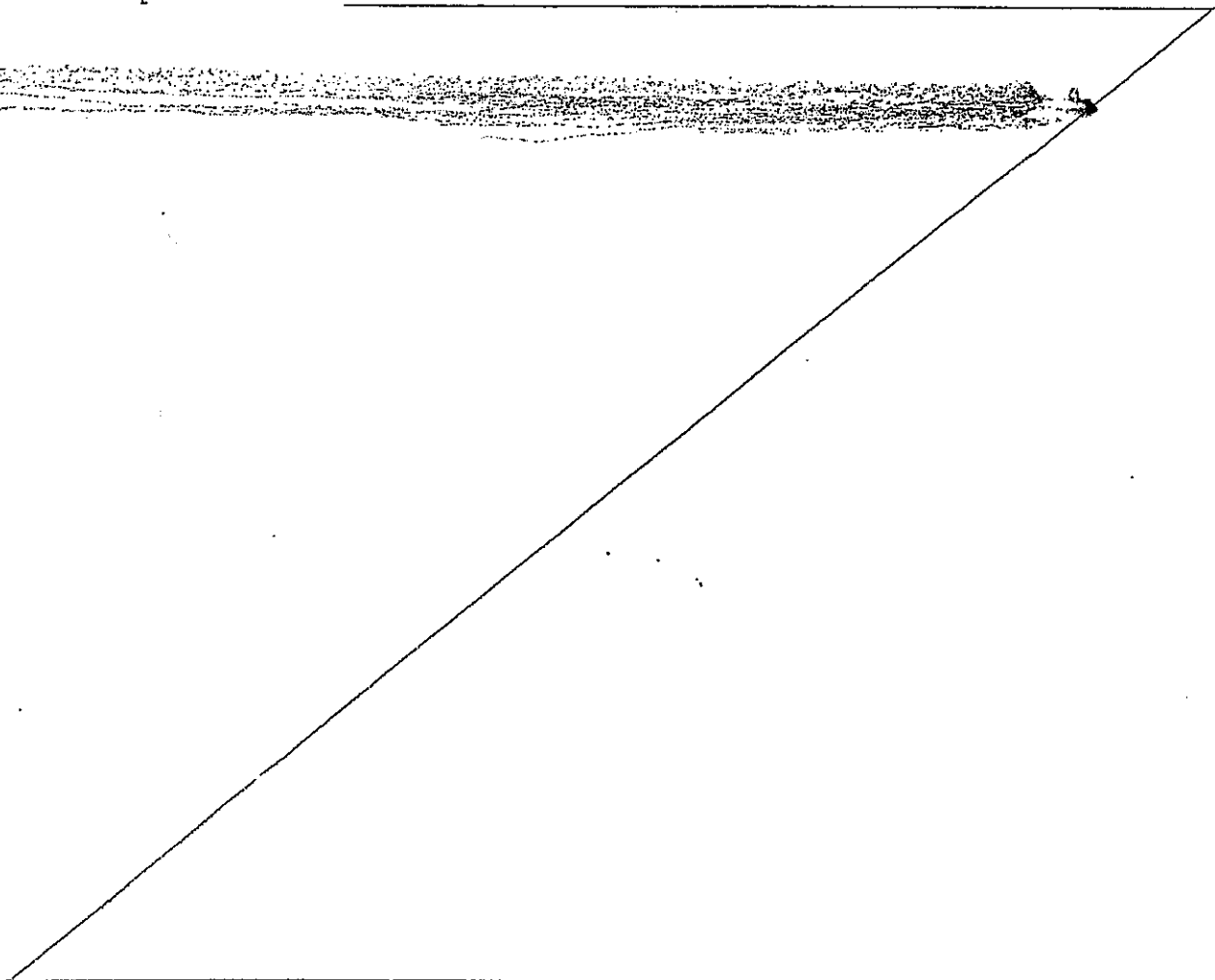
33. Time of essence Time is of the essence in all provisions of this lease.

34. Historic preservation. In the event any historic properties or burial sites, as defined in section 6E-2, Hawaii Revised Statutes, are found on the premises, the Lessee and the Lessee's agents, employees and representatives shall immediately stop all land utilization and/or work and contact the Historic Preservation Office in compliance with Chapter 6E, Hawaii Revised Statutes.

35. Removal of trash. The Lessee shall be responsible for the removal of all illegally dumped trash upon the premises within ninety (90) days from the date of execution of the lease and shall so notify the Lessor in writing at the end of ninety (90) days.

36. Phase I environmental site assessment. Prior to termination or revocation of the subject lease, Lessee shall conduct a Phase I environmental site assessment and conduct a complete abatement and disposal, if necessary, satisfactory to the standards required by the Federal Environmental Protection Agency, the Department of Health, and the Department of Land and Natural Resources. Failure to comply with the provisions of this paragraph shall not extend the term of this lease or automatically prevent termination or revocation of the lease. The Board, at its sole option, may refuse to approve termination or revocation, unless this evaluation and abatement provision has been performed. In addition or in the alternative, the Board may, at its sole option if Lessee does not do so, arrange for performance of the provisions of this paragraph, all costs and expenses of such performance to be charged to and paid by Lessee.

37. Survey and boundary stakeout. The Lessee shall be solely responsible for any survey and boundary stakeout of the leased premises.



Definitions.

1. The use of any gender shall include all genders, and if there is more than one lessee, then all words used in the singular shall extend to and include the plural.

2. As used in this lease, unless clearly repugnant to the context:

(a) "Chairperson" means the Chairperson of the Board of Land and Natural Resources of the State of Hawaii or his successor.

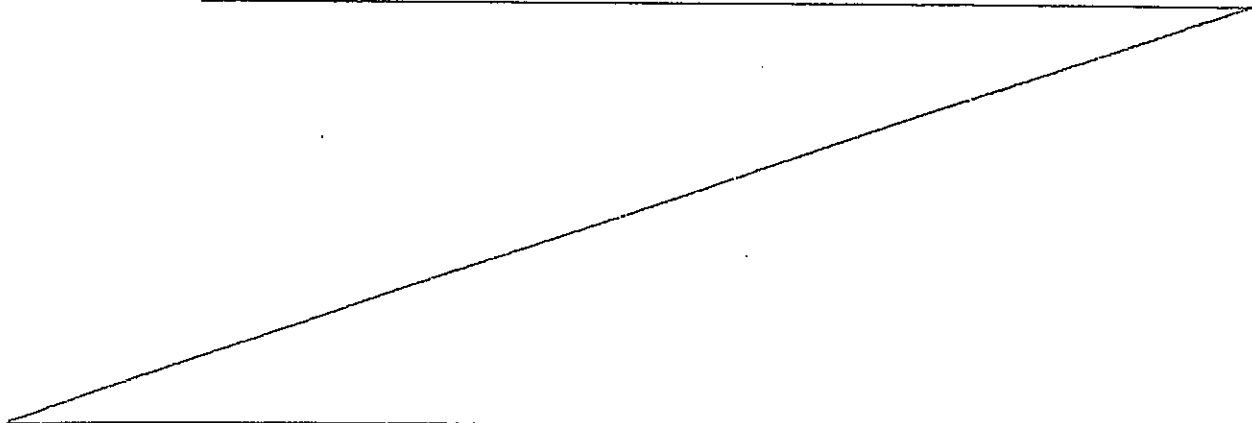
(b) "Lessee" means and includes the Lessee, its officers, employees, invitees, successors or permitted assigns.

(c) "Holder of record of a security interest" means a person who is the owner or possessor of a security interest in the land leased and who has filed with the Department of Land and Natural Resources and with the Bureau of Conveyances of the State of Hawaii a copy of this interest.

(d) "Premises" means the land leased and all buildings and improvements now or hereinafter constructed and installed on the land leased.

(e) "Waste" includes, but is not limited to, (1) permitting the premises, or any portion, to become unduly eroded or failure to take proper precautions or make reasonable effort to prevent or correct the erosion; (2) permitting a substantial increase in noxious weeds in uncultivated portions of the premises; and (3) failure to employ all of the usable portions of the premises.

(f) "Days" shall mean calendar days unless otherwise specified.



IN WITNESS WHEREOF, the STATE OF HAWAII, by its Board of Land and Natural Resources, has caused the seal of the Department of Land and Natural Resources to be hereunto affixed and the parties hereto have caused these presents to be executed the day, month and year first above written.


STATE OF HAWAII

Approved by the Board of Land and Natural Resources at its meeting held on January 13, 2011.

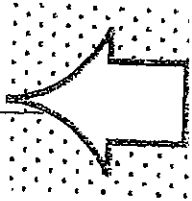
By _____
WILLIAM J. AILA, JR.
Chairperson
Board of Land and
Natural Resources

LESSOR

CONNECTIONS NEW CENTURY PUBLIC
CHARTER SCHOOL, a public charter
school under the State of Hawaii

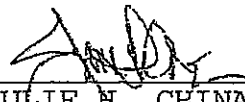


JOHN L. THATCHER
Its CEO



LESSEE

APPROVED AS TO FORM:



JULIE H. CHINA
Deputy Attorney General

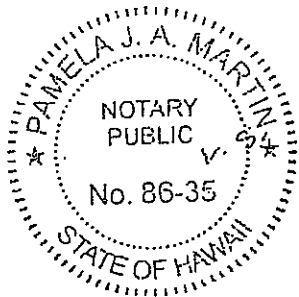
Dated: November 29, 2012

STATE OF HAWAII

COUNTY OF Hawaii

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) SS.
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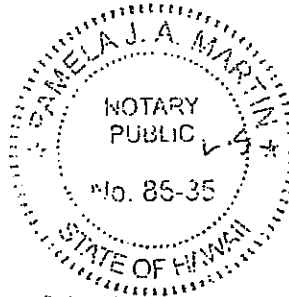
On this 18th day of December, 2012,
before me personally appeared JOHN L. THATCHER, to me personally
known, who, being by me duly sworn or affirmed, did say that such
person executed the foregoing instrument as the free act and deed
of such person, and if applicable in the capacity shown, having
been duly authorized to execute such instrument in such capacity.



Pamela J. A. Martin
Notary Public, State of Hawaii

PAMELA J A MARTIN

My commission expires: 01/29/2014



Undated at time of Notarization

Doc. Date: 12/18/12 Page: 24

Notary Name: Pamela J. A. Martin

Doc. Description: General Lease No. S-6029
Between State of Hawaii

and Congregations of Century Public Charter School

Pamela J. A. Martin 12/18/12
Notary Signature Date



STATE OF HAWAII
SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
HONOLULU

C.S.F. No. 25,178

May 10, 2012

CONNECTIONS NEW CENTURY PUBLIC CHARTER SCHOOL
MAUKA PARCEL

Ponahawai, South Hilo, Island of Hawaii, Hawaii

Being a portion of the Government (Crown) Land of Ponahawai.

Beginning at the southeast corner of this parcel of land and on the west side of Edita Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 9710.53 feet South and 8928.82 feet West, thence running by azimuths measured clockwise from True South:-

1. 51° 30' 502.51 feet along Pacific Plantation, Increment 1-A, File Plan 1927;
2. 16° 20' 185.00 feet along Pacific Plantation, Increment 1-A, File Plan 1927;
3. 79° 26' 515.00 feet along Pacific Plantation, Increment 1-A, File Plan 1927;
4. 63° 00' 244.00 feet along Pacific Plantation, Increment 1-A, File Plan 1927;
5. 13° 00' 393.00 feet along Pacific Plantation, Increment 1-A, File Plan 1927;
6. 95° 44' 553.00 feet along Pacific Plantation, Increment 1-B;

7. 98° 46' 732.00 feet along Pacific Plantation, Increment 1-B;
8. 201° 16' 134.11 feet along the east side of Kaumana Drive;
9. 287° 12' 180.46 feet along Grant 10393 to Kenichi Niimi;
10. 252° 28' 235.02 feet along Grant 10971 to George Wong Makaea, Grant 10473 to Hisanori Kitamura and Grant 10392 to Hiroshi Futagodani;
11. 333° 30' 28.30 feet along R.P. 5516, L.C. Aw. 4983 to Kukeleau;
12. 229° 17' 30" 979.55 feet along R.P. 5516, L.C. Aw. 4983 to Kukeleau;
13. 158° 40' 118.11 feet along R.P. 5516, L.C. Aw. 4983 to Kukeleau;
14. 236° 21' 54.88 feet along the east side of Kaumana Drive;
15. Thence along the east side of Kaumana drive on a curve to the right with a radius of 750.00 feet, the chord azimuth and distance being:
248° 33' 316.99 feet;
16. 260° 45' 40.22 feet along the east side of Kaumana Drive;
17. 242° 01' 122.17 feet along the east side of Kaumana Drive;
18. 221° 40' 341.67 feet along the east side of Kaumana Drive;
19. 210° 35' 33.51 feet along the east side of Kaumana Drive;
20. Thence along the south corner of the intersection of Kaumana Drive and Edita Street on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
251° 30' 39.30 feet;
21. 292° 25' 307.72 feet along the west side of Edita Street;
22. Thence along the west side of Edita Street on a curve to the right with a radius of 265.00 feet, the chord azimuth and distance being:
303° 42' 30" 103.78 feet;
23. 315° 00' 193.27 feet along the west side of Edita Street;

May 10, 2012

- 24. Thence along the west side of Edita Street on a curve to the right with a radius of 223.21 feet, the chord azimuth and distance being:
322° 11' 45" 55.92 feet;
- 25. 329° 23' 30" 122.21 feet along the west side of Edita Street to the point of beginning and containing an AREA OF 32.918 ACRES.

SUBJECT, HOWEVER, to the following easements as shown on plan attached hereto and made a part hereof:

- 1. Perpetual Non-Exclusive Telephone Easement T-3A covered by Grant of Easement: State of Hawaii to GTE Hawaiian Telephone Co., Inc. dated October 6, 1998 and recorded as Document Nos. 99-006096 and 99-006097 (Land Office Deed S-28322).
- 2. Perpetual Non-Exclusive Telephone Easement T-3 covered by Grant of Easement: State of Hawaii to GTE Hawaiian Telephone Co., Inc. dated June 7, 1999 and recorded as Document Nos. 99-155328 and 99-155329 (Land Office Deed S-28353).

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

By: Glenn J. Kodani
Glenn J. Kodani
Land Surveyor

ry

Compiled from map and desc. furn.
by Island Survey, Inc. Said map and desc.
have been examined and checked as to form
and mathematical correctness but not on the
ground by the Survey Division.



STATE OF HAWAII
SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
HONOLULU

C.S.F. No. 25,179

May 10, 2012

CONNECTIONS NEW CENTURY PUBLIC CHARTER SCHOOL

MAKAI PARCEL

Ponahawai, South Hilo, Island of Hawaii, Hawaii

Being a portion of the Government (Crown) Land of Ponahawai.

Beginning at the southwest corner of this parcel of land and on the east side of Edita Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 9672.83 feet South and 8881.42 feet West, thence running by azimuths measured clockwise from True South:-

1. 149° 23' 30" 113.89 feet along the east side of Edita Street;
2. Thence along the east side of Edita Street on a curve to the left with a radius of 283.21 feet, the chord azimuth and distance being:
142° 11' 45" 70.95 feet;
3. 225° 00' 794.78 feet along Grant 12682 to Sueki and Sadako Mitsunaga,
Grant 12799 to Kanichi and Fujie F. Yamamoto
and Grant 12729 to Yukio and Elaine Yuriko Y.
Okutsu;
4. 135° 00' 369.38 feet along Grant 12729 to Yukio and Elaine Yuriko Y.
Okutsu, Grant S-13689 to Riichi Segawa and
Furuyo Otani Segawa;
5. 159° 59' 30" 389.60 feet along Grant 13547 to William K. Ahia and Lily
Auld Ahia;

May 10, 2012

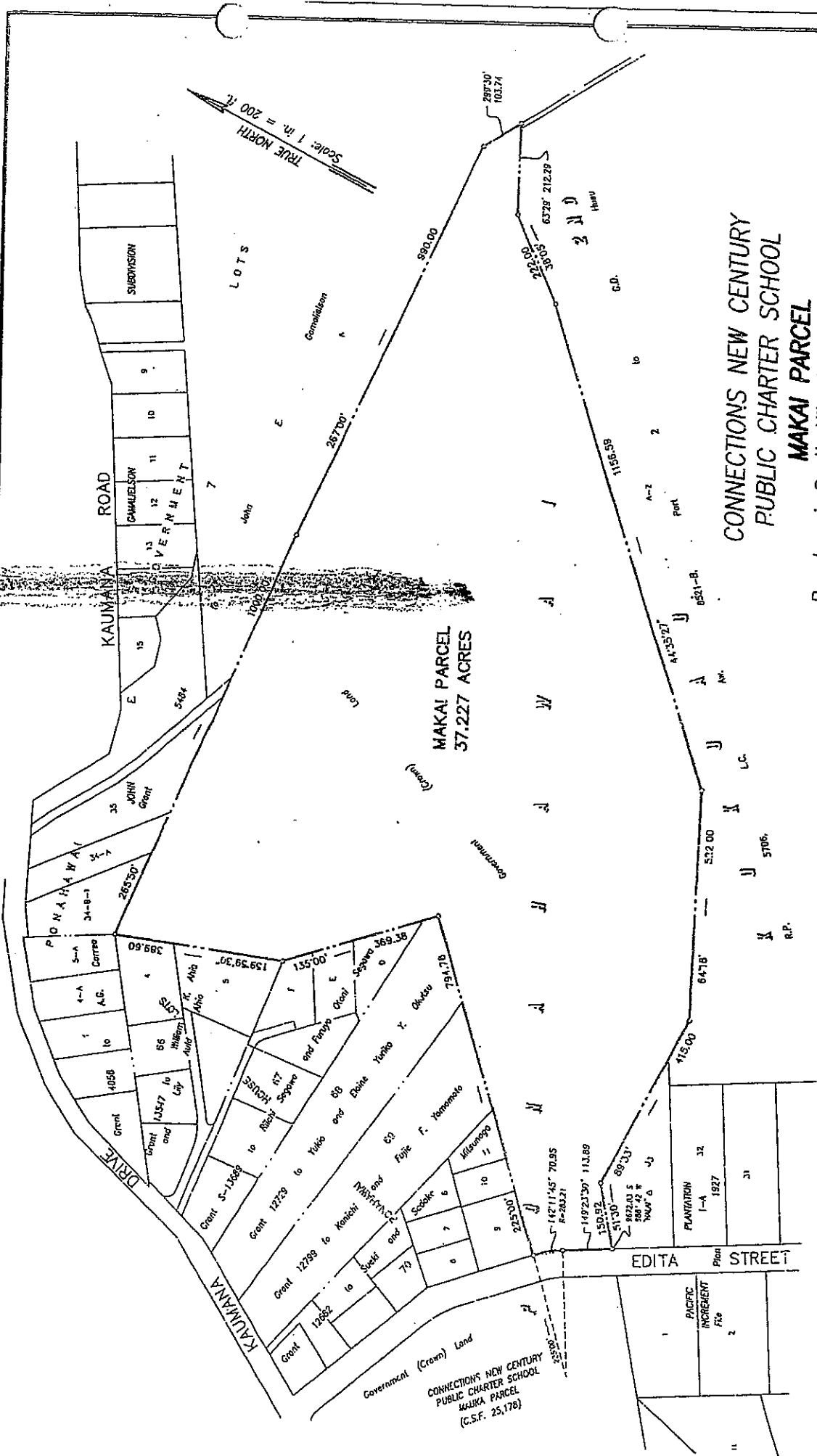
- 6. 265° 50' 1000.00 feet along Grant 5484 to John E. Gamalielson;
- 7. 267° 00' 990.00 feet along Grant 5484 to John E. Gamalielson;
- 8. 299° 30' 103.74 feet along Grant 5484 to John E. Gamalielson;
- 9. 63° 29' 212.29 feet along R.P. 5706, L.C. Aw. 8521-B, Part 2 to G.D. Hueu;
- 10. 38° 05' 222.00 feet along R.P. 5706, L.C. Aw. 8521-B, Part 2 to G.D. Hueu;
- 11. 44° 35' 27" 1156.59 feet along R.P. 5706, L.C. Aw. 8521-B, Part 2 to G.D. Hueu;
- 12. 64° 18' 522.00 feet along R.P. 5706, L.C. Aw. 8521-B, Part 2 to G.D. Hueu;
- 13. 89° 33' 415.00 feet along R.P. 5706, L.C. Aw. 8521-B, Part 2 to G.D. Hueu and Pacific Plantation, Increment 1-A, File Plan 1927;
- 14. 51° 30' 150.92 feet along Pacific Plantation, Increment 1-A, File Plan 1927 to the point of beginning and containing an AREA OF 37.227 ACRES.

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

By: Glenn J. Kodani
Glenn J. Kodani
Land Surveyor

ry

Compiled from map and desc. furn.
by Island Survey, Inc. Said map and desc.
have been examined and checked as to form
and mathematical correctness but not on the
ground by the Survey Division.



MAKAI PARCEL
37.227 ACRES

**CONNECTIONS NEW CENTURY
PUBLIC CHARTER SCHOOL
MAKAI PARCEL**

Ponahawai, South Hilo, Island of Hawaii, Hawaii

Scale: 1 inch = 200 feet

Job H-103(12)
C. BK.

TAX MAP 2-5-08Poc:141

C.S.F. NO. 25,172

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

CRH May 10, 2012

REDUCED NOT TO SCALE

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

75 Aupuni Street, Room 204
Hilo, Hawaii 96720
PHONE: (808) 961-9590
FAX: (808) 961-9599
December 12, 2012

Ref. No.: GL S-6029
Author: LD-GH

Connections New Century
Public Charter School
174 Kamehameha Avenue
Hilo, HI 96720

Dear Sirs:

Subject: General Lease No. S-6029, Connections New Century Public Charter School, for School Purposes, Kukuau, South Hilo, Hawaii; TMK (3) 2-5-06:141

Enclosed are an original and three (3) copies of the above referenced document.

Please review, sign and notarize all copies in accordance with the following instructions, which you may also want to share with your notary.

1. All legal lessees must sign on the appropriate signature lines provided for LESSEE. If a name is spelled incorrectly, please make the necessary corrections and initial.
2. Do **not** date the document! (Only the notary page should be dated.)
3. Do **not** make any additions, deletions or changes to the terms and conditions of the document. Any such changes will require starting the document preparation process over again.
4. For the notary page:
 - a. All blanks must be filled in.
 - b. The appropriate county name must be filled in.
 - c. The notary's name must be printed directly under the notary's signature line.
 - d. The notary's seal must be affixed with "L.S" printed over the seal (if embossed).

Please pay particular attention to these instructions, as non-adherence will delay the processing of your document.

In addition to returning all signed documents to our office, please remit the following:

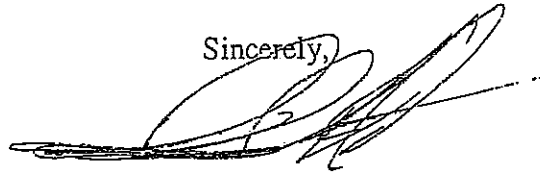
Please note that pursuant to paragraph 18 of your lease, you are required to obtain a performance bond in the amount of \$960.00. This bond will be due 30 days from receipt of the executed document.

Also, please remit \$500.00 payable to the Department of Land and Natural Resources, Land Division for fines imposed by the Land Board at its meeting of October 26, 2012 (agenda item D-2).

In addition, pursuant to paragraph 6 of your lease, you are required to comply to all Federal, State and County laws including conditions of any county use permits or special permits specifically pertaining to access to the State land.

If you have any questions, please feel free to contact me at the Hawaii District Land Office at (808) 961-9590. Thank you.

Sincerely,



Gordon C. Heit
District Land Agent

Enclosures

cc: Land Board Member
Central Files
District Files
Ted Hong

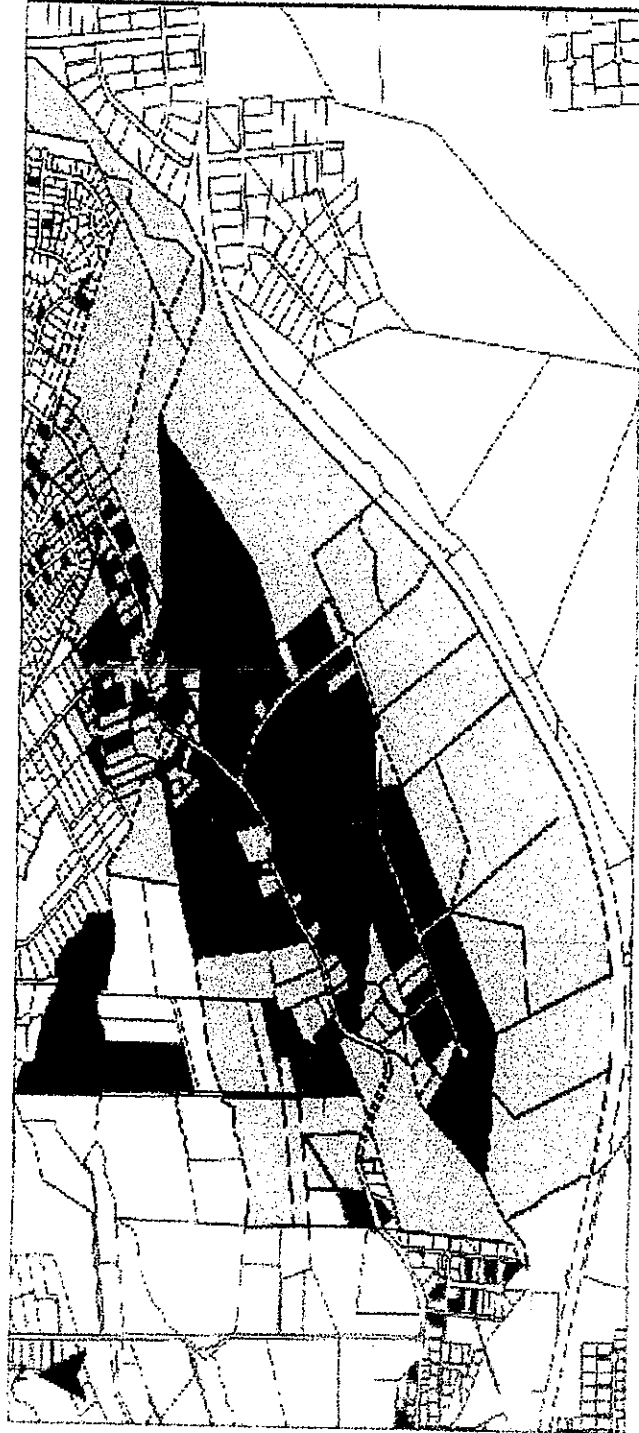
Notes + Power Point
Presentation done by Sidly Lake.

Connections Charter School Issues

OBJECTIVES

- ❖ To summarize community's concerns
- ❖ To frame these concerns against the Guidelines for a Special Permit

WHO IS THE COMMUNITY?



WHO IS THE COMMUNITY?

- ❖ Number and Percentage of Lots Within Pacific Plantation Subdivision Opposed
 - 76 lots
 - 92%
- ❖ Surrounding property owner list included in application
 - Total (less government land and road parcels): 170
 - Total number and percentage opposed: 116 or 68%
 - Total number and percentage either no position, for, or not contacted*: 54 or 31%
- *A number of lots were vacant with absentee owners and thus not contacted

WHAT IS THE COMMUNITY NOT AGAINST?

- ❖ Not against the Connections Charter School, especially its students
- ❖ Not against school or any educational facility
 - Many in the community are or were educators or other professionals who understand and support the value of education

WHAT ARE THE CONCERNS OR ISSUES?

- ❖ LAND USE ENTITLEMENT PROCESS should be a State Land Use Boundary Amendment instead of a Special Permit given the magnitude of impacts
- ❖ LOCATION IS NOT APPROPRIATE given its
 - Adverse impacts to the neighboring community, and
 - The potential availability of alternative sites

LAND USE ENTITLEMENT PROCESS

Schools, especially K-12, are situated within the State Land Use Urban and not Agricultural District

- ❖ Recently constructed schools - Kealakehe, Keaau, Kamehameha School - all in the SLU Urban District
- ❖ Special Permits may be appropriate for smaller facilities like pre-school, nurseries, or single level schools (such as elementary only) - not for 70-acre, 400 student, K-12 facility

SPECIAL PERMIT CRITERIA

Proposed use must be:

- ❖ an unusual and reasonable use of land in the SLU Agricultural District, and
- ❖ would promote the effectiveness and objectives of the SLU Law and Regulations

SPECIAL PERMIT CRITERIA
Planning Department's
Recommended Rationale (page 5)

- ❖ **Poor Soil condition -
therefore, not suited for
agricultural activities**

SPECIAL PERMIT CRITERIA

Community's Response

- ❖ In spite of soil classification, site has other agricultural potential:
 - Forestry, citrus, certain floricultural crops
 - Non-soil based agricultural activity (such as hydroponics)
 - Open space value

SPECIAL PERMIT CRITERIA

Planning Department's Recommended Rationale (page 5)

- ❖ Unusual use, because schools are not considered agricultural in nature

SPECIAL PERMIT CRITERIA

Community's Response

- ❖ Because of the magnitude of the request and its impacts, this unusual request should be processed via the SLU Boundary amendment process and not Special Permit

SPECIAL PERMIT CRITERIA

Planning Department's Recommended Rationale (page 5)

- ❖ Reasonable use, since schools are needed to support agricultural community

LAND USE ENTITLEMENT PROCESS

Community's Response

- ❖ Proposed location is not within an agricultural or needed to support an agricultural community
- ❖ This area is an urban/residential community, not an agricultural community

**CRITERIA: WOULD NOT
ADVERSELY IMPACT
SURROUNDING PROPERTIES**

IMPACTS TO SURROUNDING PROPERTIES

Planning Department's Recommended
Rationale (pages 6-7)

- ❖ Adverse impacts associated with traffic, noise, and visual
- ❖ Traffic - TIAR states LOS to operate at acceptable levels with left turn lanes at Edita Street
- ❖ Noise - landscaping to be provided

IMPACTS TO SURROUNDING PROPERTIES

Community's Response - Traffic

- ❖ Issue of date of study
 - School nearing end
 - Data compiled on May 28, 2009, nearly 3 years from submittal of application
- ❖ LOS is a standard based on waiting period for movements, which does not necessarily translate to expected quality of life and in turn, IMPACT

IMPACTS TO SURROUNDING PROPERTIES

Community's Response - Traffic (con't)

- ❖ Significant traffic increase on Kaumana Drive and Edita Street
 - Using the “preferred alternative” data (which is the current plan of applicant)
 - Project's Traffic Generation During AM peak (7:00 am to 8:00 am) - 187 movements on Kaumana Drive and Edita Street

IMPACTS TO SURROUNDING PROPERTIES

Community's Response - Traffic (con't)

- ❖ Significant traffic increase on Kaumana Drive and Edita Street (continued)
 - Existing AM peak (7:00 am to 8:00 am) on Kaumana Drive
 - 102 mauka + 219 makai bound = 321 movements on Kaumana Drive
 - Impact: Represents 58% increase (321 +187 = 508) over existing level

IMPACTS TO SURROUNDING PROPERTIES

Community's Response - Traffic (con't)

- ❖ Existing AM peak on Edita Street
 - 13 inbound and 49 outbound movements = 62 total movements
 - Impact: Represents over 330% increase (62 + 187 = 249) over existing level
- ❖ No discussion of impacts to balance of Kaumana Drive between Ainako Avenue (beginning of winding road) to Edita Street and Wilder Road to Edita Street

IMPACTS TO SURROUNDING PROPERTIES

Community's Response - Traffic (con't)
Conclusions

- ❖ LOS not really relevant - relates to time delay (not quality of life)
- ❖ Percentage of impact more critical in establishing level of impact

IMPACTS TO SURROUNDING PROPERTIES

Noise

- ❖ Tranquil residential area
- ❖ Added noise resulting from traffic and school activities

IMPACTS TO SURROUNDING PROPERTIES

Real Property Tax Impact

- ❖ Possible lower real estate value resulting from the diminished quality of life

COLLECTIVELY, TRANSLATE TO ADVERSE IMPACTS TO SURROUNDING PROPERTIES

- ❖ Level of Impacts and Quality of Life are perceptual and personal, not statistical
- ❖ Who can best determine an adverse impact? Outsiders or persons who will be most impacted?
 - Who knows best where the “shoe pinches”? An outsider who says “no, it’s not sore” or one who is wearing the shoe and saying “sore”?
 - Not a few persons saying sore, but overwhelming majority!

COLLECTIVELY, TRANSLATE TO ADVERSE
IMPACTS TO SURROUNDING
PROPERTIES

- ❖ Police Department's August 13, 2012 comments:
 - “The proposed school is being placed in a residential area that will likely effect (sic) the quality of life for residents that border this proposed site. There will be an increase in noise, crime and traffic.”

CRITERIA: WOULD NOT
UNREASONABLY BURDEN
PUBLIC AGENCIES TO
PROVIDE REQUIRED OR
SUPPORTIVE
INFRASTRUCTURE

BURDEN ON PUBLIC AGENCIES

Planning Department's Recommended Rationale (pages 7-9)

- ❖ Traffic can be mitigated via conditions re: left turn lane at Edita Street to project entrance; widen road b/w Kaumana Drive to subject property for pedestrian traffic; and submittal of traffic management plan
- ❖ Limit development to available potable County water
- ❖ Provision of own wastewater system
- ❖ No drainage issue

BURDEN ON PUBLIC AGENCIES

Community's Response

- ❖ Adverse TRAFFIC impact as discussed earlier
- ❖ Water
 - Requirement - 26,100 gpd
 - Availability: 4,200 gpd (16% of total requirement)
- ❖ Police/Fire
 - Lack of water would compromise fire safety, create need for government assistance to provide potable water
 - Traffic concerns could require more police personnel

BURDEN ON PUBLIC AGENCIES Community's Response (con't)

- ❖ Drainage
 - Because of the network of caves in the area, drainage discharge could be affected
 - Impacts to surrounding properties
- ❖ Wastewater
 - Use of septic system requiring injection into the ground; due to cave system, environmental concerns and consequences are unknown

CRITERIA, UNIFORMITY,
AND NEEDS IN AGRICULTURE
BOUNDARIES WERE ESTABLISHED
Planning Department's Recommendation
Rationale (page 9)

- ◆ Non-agricultural uses, including schools, can be allowed through Special Permit

**CRITERIA, UNDESIRABLE
AND UNMET NEEDS, PRIVATE
BOUNDARIES, AND
COMMUNITY RESPONSE**

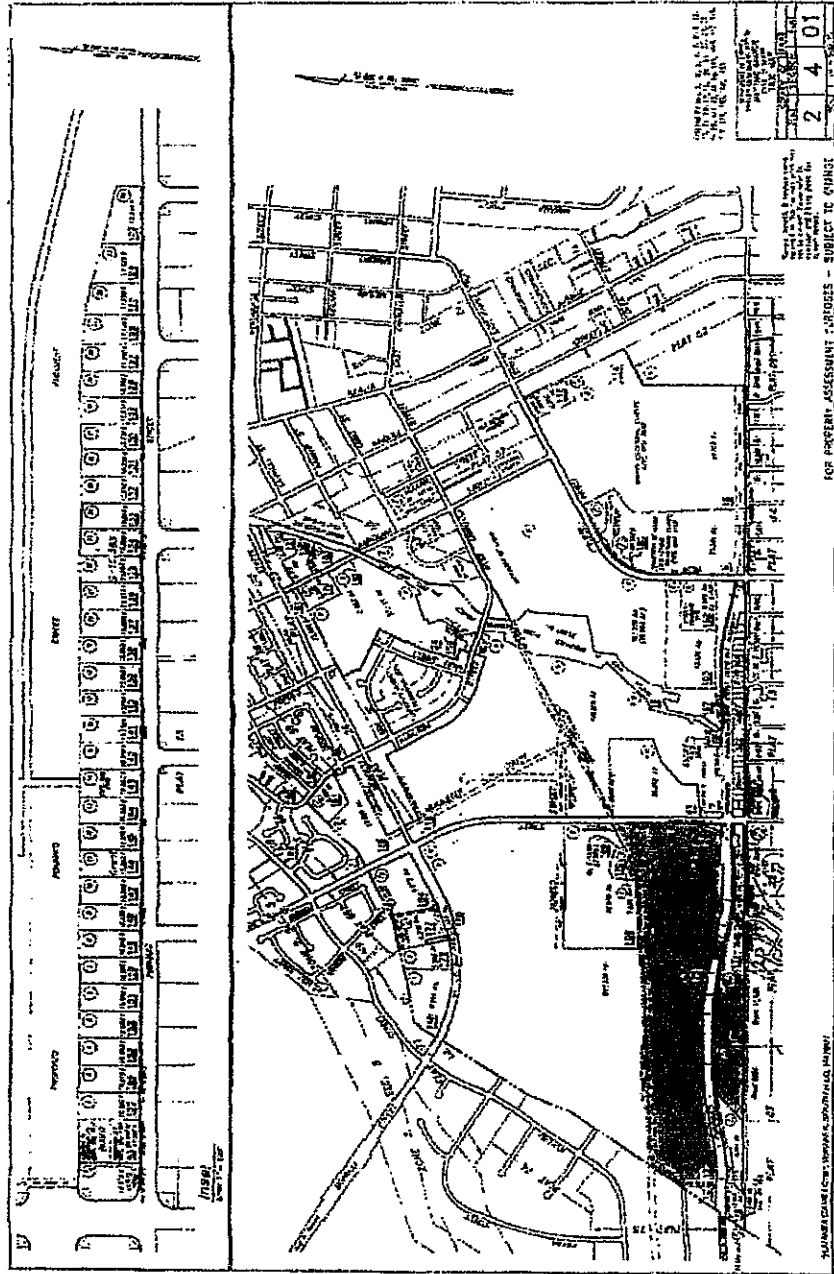
Community Response

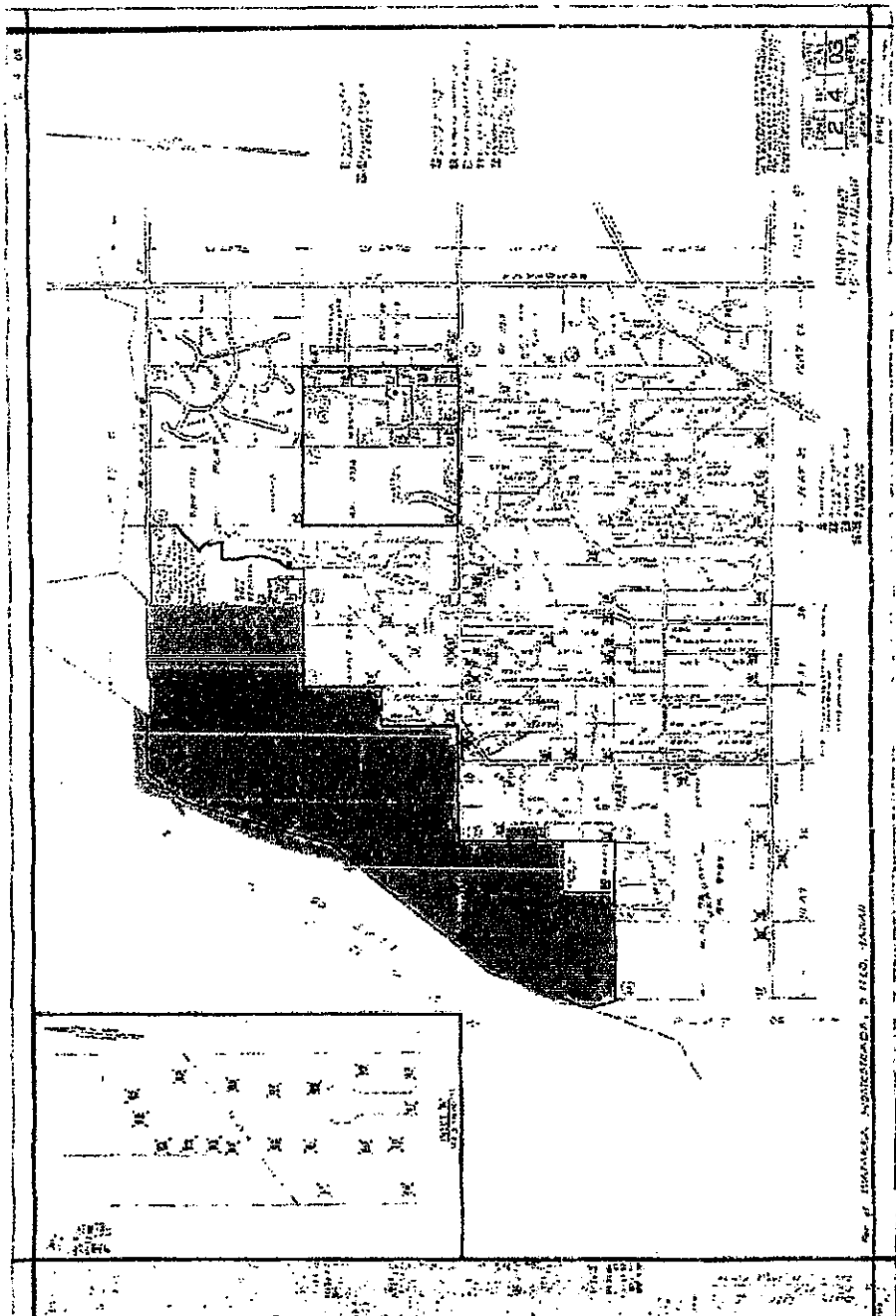
- ❖ As noted earlier, appropriate procedures for SLU Urban Boundary amendment and Special Permit process
- ❖ Insufficient Examination of Potential Private Lands or underutilized Government facilities

CRITERIA, UNDESIRABLE
AND NEEDS, TAX
BOUNDARIES, AND

Community's Responses (cont)

- ❖ Insufficient Examination of Potential Public Land Alternatives (page 16 of EA) (Comments: student population base - 50% from Punahou) • State Land Fronting Puemako Extension (TMK: 2-4-01: 10, 11, 122, and TMK: 2-4-03: 26) • State Land off of Kawaiiani Street (TMK: 2-4-03: 12)





CRITERIA: LAND

USES PLANNED FOR

AGRICULTURAL/RECREATION

- ❖ As noted earlier, land is to be made suitable for pump

CRITERIA WILL CHANGE ESSENTIAL OF THE LAND AND PRACTICE

- *Project Will change essential character and use of the land
- Visually - one of a forest and open area to one with structures and relatively urban type of amenities
- Noise - a tranquil to an active and bustling environment

CRITERIA WILL BE APPLIED TO GENERAL PLANNING PERTINENT DOCUMENTS

- * Public Facilities Element - Goal
- * *Encourage the provision of public facilities effectively serving the community and its needs and seek ways of improving public facilities through better and more functional facilities keeping with the environmental and aesthetic concerns of the community.*

CRITERIA WILL BE APPLIED TO GENERAL PLANNING AND PERTINENT DOCUMENTS

❖ Land Use Element - Policy

- *Encourage the development and maintenance of communities meeting the needs of residents in balance with the physical and social environments.*
- Community has expressed its concerns that the project would not be in keeping with this goal.

CONCLUSIONS

- ❖ Request does not meet test for a Permit
- ❖ Vast majority of surrounding residents/property owners is saying that project WILL have an ADVERSE impact
- ❖ Given that, if approved, the desired level of community support needed to make a school successful would likely be absent

January 10, 2013

My name is Monica Morris, deputy Attorney General, and I am here to represent Connections Public Charter School in its special permit application. We respectfully request the Windward Planning Commission to send a favorable recommendation to the State Land Use Commission on this request.

The project to develop a K to 12 charter school on land situated in the land use agricultural district has already undergone several rigorous reviews by government agencies and has passed the scrutiny accorded to public lands rules and laws.

As public lands under the jurisdiction of the State of Hawaii Board of Land and Natural Resources, the Board has approved a direct lease to Connections at its meeting held on January 13, 2011. According to the lease, the lands are to be used solely for school purposes. Also, the lease requires Connections to comply with all applicable county, state and federal law pertaining to this property. Therefore, all applicable laws will need to be complied with or the lease will be subject to termination.

The Department of Land and Natural Resources reviewed this project, and determined this project would not have significant impact and has issued a finding of no significant impact. The DLNR notified the Office of Environmental Control of its finding in a letter dated October 22, 2010.

The State Office of Planning reviewed and commented on this project and the special permit application and in a letter dated October 3, 2012 to the Hawaii County Planning Department stated it has no objection to this project and provided comments and recommendations.

The Hawaii County Planning Director has also reviewed the special permit application and has recommended that this commission send a favorable recommendation to the State Land Use Commission.

The applicant has invested a substantial amount of money in the effort to develop a charter school on state public lands. It has complied with all applicable laws and has submitted to this commission evidence of its compliance. It has retained engineers and consultants at substantial cost to conduct studies with respect to traffic and water issues, and will continue to incur expenses to satisfy and applicable laws.

Thank you for the opportunity to appear here today. We respectfully urge that this commission send a favorable recommendation to the State Land Use Commission on this special permit application.

Monica Morris

Rc'd at	10/13	mtg by	AM
Dist'd	<input checked="" type="checkbox"/>	Read	<input type="checkbox"/>

FILE COPY

RECORD OF VOTING

**WINDWARD PLANNING COMMISSION
COUNTY OF HAWAII**

DATE: JANUARY 10, 2013

APPLICANT: Connection v New Century Public Charter School / CBESS

ACTION: MOVED GONZALES SECOND ISHIBASHI

- APPROVE AS RECOMMENDED BY PLANNING DIRECTOR
- APPROVE WITH AMENDMENTS
- DENY
- CONTINUE/DEFER _____
- OTHER/REMARKS _____

COMMISSIONERS: AYE NO EXCUSED ABSTAIN ABSENT

GONZALES, Ronald	(1)					
ISHIBASHI, Wallace	(2)					
MOSES, Raylene						
ONO, Stephen						
AU, Dean (Chairman Pro Tem)						

RECORD OF VOTING

**WINDWARD PLANNING COMMISSION
COUNTY OF HAWAII**

DATE: January 10, 2013

APPLICANT: Connections New Century Public Charter School / CBER

ACTION: MOVED Moses SECOND Gonzales

*Motion
Passed*

- APPROVE AS RECOMMENDED BY PLANNING DIRECTOR
- APPROVE WITH AMENDMENTS
- DENY
- CONTINUE/DEFER _____
- OTHER/REMARKS Executive Session
to consult Counsel

COMMISSIONERS: AYE NO EXCUSED ABSTAIN ABSENT

GONZALES, Ronald	✓				
ISHIBASHI, Wallace	✓				
MOSES, Raylene	✓				
ONO, Stephen	✓				
AU, Dean (Chairman Pro Tem)	✓				

WINDWARD PLANNING COMMISSION
COUNTY OF HAWAI'I

HEARING TRANSCRIPT
JANUARY 10, 2013

A regularly advertised hearing on the application of **CONNECTIONS NEW CENTURY PUBLIC CHARTER SCHOOL /CBESS (SPP 12-138)** was called to order at 11:08 a.m. in the County of Hawai'i, Aupuni Center Conference Room, 101 Pauahi Street, Hilo, Hawai'i, with Chairman Dean Au presiding.

COMMISSIONERS PRESENT: Dean Au, Ronald Gonzales, Wallace Ishibashi, Raylene Moses and Stephen Ono

STAFF PRESENT: Ivan Torigoe (Deputy Corporation Counsel), B. J. Leithead Todd (Planning Director), Daryn Arai (Planning Program Manager), Phyllis Fujimoto (Staff Planner), Maija Cottle (Staff Planner), Jeff Darrow (Staff Planner), and Sharon Nomura (Secretary)

And approximately 45 people from the public in attendance.

APPLICANT: CONNECTIONS NEW CENTURY PUBLIC CHARTER SCHOOL /CBESS (SPP 12-138)

Continued hearing on an application for a Special Permit to develop a K to 12 charter school campus with dorm facilities and related uses on approximately 70 acres of land situated in the State Land Use Agricultural District. The property is located on both the southwest and northeast sides of Edita Street near its intersection with Kaūmana Drive and adjoining the Pacific Plantation Subdivision in Kaūmana, South Hilo, Hawai'i, TMK: 2-5-006:141.

AU: Okay, we're going on to Unfinished Business, Applicant: Connections New Century Public Charter School, Special Permit 12-138. Okay, we've heard this application, this is the third time. So, applicants, can you please come forward. Okay, I want to send out a reminder to the testifiers. We have 15 people testifying. You know, we're heard a lot of this testimony before, so let's try and make it brief. You know, our Commission, we do understand. We were all here the last two meetings, Mr. Ishibashi came late, we had to wait for him for the first meeting. So, you know, we are aware of the community's issues, so let's try and keep it brief. Okay, so -.

DARROW: Mr. Chair, sorry to interrupt. If I could -

AU: Oh, okay, I'm sorry. Staff presentation, yes.

DARROW: No, no presentation. But I did want to bring to your attention correspondence that have been submitted to the Planning Commission since our last hearing. At our last hearing, one of the items that the Commission had requested was that the applicant meet with the community.

That was scheduled for December 17th. That meeting was held. There was a summary that was submitted dated, well, it was received January 8th; and it basically has a sign-in sheet and then it has a summary. Additionally, the applicant had submitted DVD copies of that meeting; and each of you have a copy of that. We've received a letter from the applicant's representative in regards, another letter in regards to the community meeting; and this attempts to address some of the issues of that meeting. And you'll see that it addresses certain conditions, either restated or offered. That was just received today, along with a copy of the lease agreement and the conditions placed on the property between the State of Hawai'i and Connections. And that's this particular correspondence here. We had received a letter from Monica Morris who is the attorney representing the Attorney General's Office that will be representing the applicant, as well as a letter from John Thatcher. And then we have received numerous correspondence this morning from surrounding property owners. And the Commission should have copies of each of these. Thank you, Mr. Chairman.

AU: Thank you, Mr. Darrow. Okay, so now we have applicant's -. Can you all raise your hand; and I'll swear you all in. Do you all swear and affirm to tell the truth on this matter in front of the Hawai'i County Planning Commission today?

REPRESENTATIVES: Yes.

AU: Okay, before you get started, please state your name, where you reside, and speak in the microphone, please.

S. S. LEE LOY: Aloha, Chairman, Members of the Commission. Happy New Year. My name is Sue Lee Loy. I live in Panaewa. With me today I have the principal of Connections Charter School, John Thatcher, a resident of Kaumana; Celia Shen from Will Chee Planning Consultants from Oahu; and Deputy Attorney General Monica Morris also from Oahu. Like staff has stated and the Chairman has stated, you folks have heard this application three times now.

So what I just want to do is summarize where we are with the request that the Commission asked of the applicant. There were three items:

The water calculations which we have done and transmitted to the Department of Water Supply. Celia Shen along with Kevin Luomo is also here to answer any technical questions or other questions you guys might have related to water.

The other item was meeting with the adjacent property owners. That was also reported in December. Bill Brilhante, Sr. met with the Planning Director, along with myself, to discuss an alternative access. That meeting really provided an opportunity to indicate to the Planning Director and ourselves the timing elements of his construction and the timing elements of our construction. Unfortunately, the timelines don't line up. However, he continues to remain open to an alternative access through his property, and will continue to collaborate in the future with us, based on some of our proposed design and construction timelines. So he has left that door very wide open for us to keep checking back with him.

Third was to have a community meeting. Unfortunately based on some professional schedules and securing of the facility, that didn't occur prior to the December hearing. We did have that on December 17th. But also at the December meeting the Attorney General's Office, who has the authority over, or would provide legal representation to Connections Charter School, also requested a continuance so they would be present to make the record clear here before the Planning Commission. So my duty today really is to summarize to you folks the hearing that was held with the community on December 17th. Just by way of background I want the record to reflect that this would have been community meeting number five related to this application that the applicant has participated in or hosted, in addition to all of the notification processes related to this application, whether it was approvals through the State Department of Land and Natural Resources, the Office of Environmental Quality Control, public notice processes, and this body. We are probably at 12 different areas that the community had the opportunity to engage the applicant.

Based on the community meeting, there seems to be the similar emerging issues related to traffic and water. What we'd like to do is, again, on behalf of the applicant, restate or reaffirm the commitment specifically to Condition 3 which addresses water availability for the campus. The applicant supports this condition which provides assurances to the area residents that the concerns about water availability and ability to support the campus are met.

To reiterate, should the anticipated water usage exceed 4200 gallons from the existing waterline, the applicant shall limit the number of students to that which can be supported by potable water available, until such time additional sources of potable water can be secured or developed. So, again, this is a firm commitment from the applicant to address the concerns about water for that area.

The applicant further states for the record Condition 12, the applicant supports this condition which provides assurances to the area residents that should reasonable opportunities arise with adjoining lands to provide an alternative means of access to Puainako Extension, the applicant will provide the necessary improvements within its own property. This also supports the position of the Planning Director and the County Department of Public Works to create road connectivities.

So, we heard issues related to Kaumana Drive and the traffic impacts there. This is another affirmation on behalf of the applicant to keep the door open and come up with other opportunities to create road connectivity.

In addition to that December 17th meeting, I listened very carefully and heard a number of concerns. And I felt it was my duty to help the community address some of their concerns and minimize some of the fears that they have related to some of their concerns. So what I've done is prepared three additional conditions of approval.

Condition – A - The applicant, successors and/or assigns shall provide a 50-foot buffer around the perimeter of the makai parcel in which no occupiable structures will be permitted. The rationale behind this really is to address the concerns of the adjacent owners and provide the

owners a continued sense of open space and a quality of life previously anticipated while minimizing impacts. I go ahead and define an occupiable structure to that of the IBC which is our International Building Code which defines an occupiable space as a room or enclosed space designed for human occupancy.

A second condition, Condition – B, that’s being proposed, that the applicant shall maintain the mauka parcel for educational offerings and opportunities related to reforestation, conservation and open space. What I heard at the meeting was this concern that they may change their mind later on and amend the plan and so, you know, other things would occur on the mauka property. I wanted to commit to a condition that this property, the mauka parcel would not be developed in perpetuity. However, there are other layers related to this application with the direct lease that has a life, a shelf life of 65 years. So I retooled that to include language for the duration of the direct lease with the State Department of Hawai’i. Again, no occupiable structures shall be permitted on the mauka parcel. I believe this condition really addresses a concern for that community about what that mauka piece will look like for years to come. The rationale, again, is to address the concerns of the area residence and provide adjacent property owners with a continued sense of open space and provide a quality of life they previously anticipated.

Finally, Condition – C which I’m proposing is should the need arise to provide additional lands to improve Kaumana Drive, the applicant, successors and/or assigns shall solely upon the direction of the Department of Land and Natural Resources and at the consent of the Board of Land and Natural Resources amend the direct lease to address real property and its title interest related to the road right-of-way along Kaumana Drive. The mauka piece is adjacent to Kaumana Drive. And what I did hear is a concern of Kaumana Drive being narrow. And so this was an opportunity to have the applicant commit should there be a need by the County or State that they need a widening opportunity that they will, they’ll get the call from the State Department of Land and Natural Resources, the Board will direct them to do it, and they are committed to amending that lease to allow for an expansion, when that need arises. The condition, the rationale again is to help with that future road widening.

I want to leave the Commission with this, this property, the project has been scrutinized, vetted, tested, and reviewed since 2008 when they received an approval in principle from the State Department of Land and Natural Resources. They have done a number of community meetings, there have been a number of opportunities for the community to engage. I have taken upon myself and the duty for the applicant to hear those concerns, put them into our conditions of approval. By my math with the conditions proposed by the Planning Director which is, I believe, 22, along with the conditions of the direct lease, which is 37, and the 3 that I’ve proposed, this application will have more than 60 conditions of approval that the applicant has to comply with, in addition to answering to the conditions of the County. They would have to adhere to those of the direct lease with the State. So there is a number of agencies and oversight here at the County level and at the State level that will help guide the applicant to do exactly what they represent to do.

I know it has been challenging for the Commission. I urge you folks to push it up to the State Land Use through their protocols at the State Land Use level. The community will continue to

have a voice there and, if necessary, we can address a contested case at that level. Earlier on your agenda you guys heard about a contested case. There's information that's stated, overstated, just taken out of context. The community will continue to have a voice at the State Land Use level. So if you have any other questions, I'll be more than happy to answer them.

AU: Any questions for the testifier? No, okay. Ms. Lee Loy, who's next? You guys are the applicant, we have to go in order. But please state your name and where you reside.

THATCHER: Aloha. My name is John Thatcher. I reside in Kaumana. And I'm not going to read all of my testimony, just a portion of it, so bear with me. You won't be hearing from our students today, any of our current students, and I don't think you'll be hearing from too many from the school parents. These meetings have given our students that have attended a real glimpse of how County government works in action. It does sadden me to say that some of our students feel intimidated by some of those who have given public testimony. Several of these students live in Kaumana and face a barrage of hateful signs every day. New signs have appeared recently with cartoon characters on them, Dr. Seuss character. Imagine one of our kindergarten student who lives up here, he's seeing the cartoon character and a message "No Connections in Kaumana." That same student has been making snowflakes for the Sandy Hook Elementary. So we choose not to subject our students to any more abusive testimony. The level of harassment has escalated to the point where two of our staff have restraining orders against the creator of the "No Connections in Kaumana" signs.

Parents choose to send their children to charter schools. Start-up charter schools are not defined by geographic boundaries. Why shouldn't parents from East Hawai'i be allowed to choose to send their children to a school with programs focused on agriculture and sustainability? This Kaumana site is former Crown land. At the time of annexation, the former Crown lands were ceded to the US Federal Government. When Hawai'i became a state, the lands were transferred to the State. The federal act authorizing the transfer required that the lands be used for given purposes, or at least one of the five purposes. The first being support a public education.

I sincerely hope that this Commission take the high road and send this matter to the State Land Use Commission. I'd also like to stress a few other points that I made in previous testimony, and I won't go through those.

Again I ask, are the issues being brought up to halt the development of Connections in Kaumana campus only going to be centered around the "not in my backyard" neighbors living on one-acre agriculture lots? Or will the Windward Planning Commission follow the goals and policies specified in the General Plan? Thank you.

AU: Any questions for the testifier? Commissioners, no? Okay. Who's next? Please state your name, where you reside, and please speak into the microphone.

MORRIS: Good morning, Chairman Au and Members of the Windward Planning Commission. My name is Monica Morris, Deputy Attorney General. I'm here to represent Connections Charter School. My primary role as a Deputy Attorney General is to advise and counsel and

represent charter schools here in Hawai'i. So I'm here today to represent Connections in this special permit application.

I wanted to, I think it bears reiterating what has happened here so far. There have been a number of objective State and County agencies that have subjected this special permit to a rigorous review. So I think it bears a reiteration. And if you would indulge me on this, just to recap what has happened here so far.

As public lands under the jurisdiction of the State of Hawai'i Board of Land and Natural Resources, the Board has approved a direct lease to Connections at its meeting held on January 13, 2011. That lease is being finalized, and I'm aware of that because I work in the Attorney General's Office and we are finalizing that lease. Another division in the AG's office is finalizing that lease. Under that lease, the lease expressly provides that the lands are to be used solely for school purposes. Also, the lease requires Connections to comply with all applicable county, state and federal laws pertaining to this property. Therefore, all applicable laws will need to be complied with or the lease will be subject to termination by the Board of Land and Natural Resources.

Now the Department of Land and Natural Resources reviewed this project, and determined this project would have, would not have significant impact and has issued a finding of no significant impact. That Department notified the Office of Environmental Control of its finding in a letter dated October 22, 2010.

In addition, the State Office of Planning reviewed and commented on this project and the special permit application. And in a letter dated October 3, 2012 to the Hawai'i County Planning Department stated it has no objection to this project and provided comments and recommendations.

Also, the Hawai'i County Planning Director has also reviewed the special permit application and has recommended that this Commission send a favorable recommendation to the State Land Use Commission with certain conditions attached to address traffic, water and other issues that have raised, been raised.

If these, if Connections does not comply with these conditions, the Planning Director may initiate revocation proceedings with respect to the special permit.

And the applicant has invested a substantial amount of money in its effort to develop this charter school on state public lands. It has complied with all applicable laws and has submitted to this Commission evidence of its compliance. It has retained at its cost, substantial cost, engineers and consultants to conduct studies with respect to traffic, water and other issues, and will continue to incur expenses to satisfy applicable laws as this special permit application moves forward.

We respectfully urge this Commission to send a favorable recommendation to the State Land Use Commission on this permit application.

Persons who are opposed to this project may petition the Land Use Commission to have a contested case hearing. This will enable all concerned the appropriate due process under the procedures of the Land Use Commission.

Thank you very much for the opportunity to be here and speak to you today.

AU: Question for the testifier? I have a question. Okay, prior to your involvement, through the State Attorney General Office's involvement, Ms. Lee Loy and Mr. Hong represented the applicant. I'd like to know the reason why the State is getting, exact reason why the State is getting involved.

MORRIS: I -.

AU: Please speak in the microphone.

MORRIS: There are two applicants for this special permit. One is Connections Charter School. Charter Schools in Hawai'i have nonprofits that support it for fundraising purposes. With respect to financing of charter schools, charter schools don't get as much money as the Department of Education schools. So they have to, and they also don't have the facilities that the DOE schools have. So they have to be creative in how they're going to secure facilities. Most times they rent, sometimes they lease.

With respect to this particular application, Connections and its nonprofit initiated the special permit application. We don't represent the nonprofit, CBESS. We represent Connections. To the extent that the nonprofit supports Connections, their interests are similar to Connections.

How we got involved in this is that, again, as the attorney, Deputy Attorney who advises the charter schools, I was asked rather recently to be involved. So our involvement is triggered by our clients asking for our help. We don't inject ourselves into their matters because sometimes their matters are policy matters. When questions come up, come to us, we look first to see whether those questions are policy questions which the client should be addressing or whether there are legal or constitutional issues for our office to be involved with. In this particular instance, there are legal questions that are appropriate for us to be involved with; and that is the legal requirements that are attendant to special permit applications. Does that answer your question?

S. LEE LOY: Chairman Au, if I may?

AU: Yes, please go ahead.

S. LEE LOY: So our office, Mr. Hong and myself, was kind of hired by this, the nonprofit to help guide them through this process. Based on community input and some of the concerns that were being raised we felt that it was wise for Connections as a State agency to have their own legal representative. That's where the State Department of Attorney General Office steps in and

basically ensures that their due process through this application is, one, being met. But they're providing the appropriate legal counsel for them to get through this process.

So going forward, our office will continue to represent CBESS which is the nonprofit at the direction of CBESS. Just like Celia Shen and other consultants that have been on the project, they have been hired by the nonprofit and are paid through that process. To dovetail that in, the direct lease is issued to Connections, the school, the State Agency. The Special Permit applicants are co-applicants, Connections Charter School and CBESS the nonprofit. So the School will have the direct lease. The School and the nonprofit will hold the regulatory permit to move this project forward.

MORRIS: Correct. And so with respect to any subsequent proceedings, following the Commission's action, our office will be representing Connections with respect to the special permit application.

AU: Okay. So, Ms. Shen, did you want to say something?

SHEN: I'd just like to speak a little -.

AU: Can you please start -.

SHEN: I'm sorry.

AU: State your name, where you reside, and speak into the microphone.

SHEN: Celia Shen and I am, I reside in Honolulu. You know, I'd just like to elaborate a little bit on what Sue had previously spoken about before regarding the water supply to the property. As you all know, water is available to the property, although the supply is limited. Department of Water Supply has stated that there is a 4200 gallon per day allotment to that property. And so while at this point we are not clear whether that can support the entire project, we do know that that will support a certain level of development. And as requested by the Planning Commission at the previous hearing a preliminary water usage report was prepared, the objective of which was not to provide a precise estimate of water usage but to just kind of generally give a broadbrushed indication of what the potable water usage might be for the project.

You know, at this stage those estimates are premature. There is further investigation that does need to occur which will happen if the special permit gets approved. The engineers and designers will look more specifically at water usage, how water usage, potable and nonpotable, can be supplied to the project, at which time the estimates will be reworked and submitted to the Department of Water Supply for approval. And given that and knowing that the community does have concerns about water supply to the property, and as it was stated, you know, we are recommending that the condition relative to water supply be revised to state specifically that the property will not be developed beyond that which can be supported by that 4200 gallons until additional potable water can be sourced for the project. And what that level of development is will be determined in that, you know, future investigation. You know they can determine the

number of students that can be supported and what facilities will be serviced by that DWS supply potable water.

S. LEE LOY: Mr. Au, if I may, Celia's office did present those preliminary calculations to the Department of Water Supply in December, no, I'm sorry, November, the week of the 19th. We followed up with the Department of Water Supply; and the individual assigned to review the water calculations has moved on from the Department, so they are in the process of assigning another individual from the Department of Water Supply to get caught up with the special permit application and evaluate the water calculations that we presented. Again, it has been our position that they are relatively premature. There is a level of engineering that has to occur and we're just not at that stage yet. But in an effort to address the concerns of the Commission and some of what we're hearing from the community, we put together these broadbrushed water calculations, but beside that insert the condition that we're not going to develop beyond the amount of water there until such time we can get another source, whether it's developing more water, or well. Those options are still out there. So, again, you know, we're trying to provide those assurances that the applicant is working to address the concerns of the community and this Commission.

AU: Okay. Commissioner Ono?

ONO: Yes, I have a question, and it's only because Brilhante came in at the earlier hearing. And I realize that we have not received the application. But my concern is should that development proposal come in, will they be tapping the same water supply? Will they be developing their own?

S. LEE LOY: I don't want to go too far because that is another property owner.

LEITHEAD TODD: Perhaps I could say that the way DWS works, Water Supply, is they give you a certain amount of commitment; and that's yours. So if somebody comes in with a subsequent subdivision, they can't tap into the 4200 that's already allocated for Connections. They either have to have separate water commitments from the Water Supply or they have to somehow find water. They may in fact already have certain commitments. Because the way a lot of people do it, if you know you're going to develop, sometimes you prepay. And then, of course, it may depend on, at the time they come in whether DWS has increased the amount of water available and what the systems are in place. But they don't get, this is a commitment to them. They don't get an additional over 4200. And Mr. Brilhante can't get their 4200.

ONO: Thank you.

S. LEE LOY: We can't swap off water units. It's allocated to the parcel.

AU: Question for Ms. Morris. So charter schools are, they're affiliated with nonprofits, right? And from what I understand the nonprofits pay for their facilities because the State doesn't give money to charter schools for facilities. Is that correct?

MORRIS: Not necessarily. No, that would, that's not always the case. What the nonprofits do is they engage in fundraising to support the charter school for varying, for various purposes. One of those purposes could be for rental of facilities. But monies that charter schools use for their facilities doesn't come exclusively from the nonprofits. They're one source.

AU: Okay. Well, I do have an issue about, you know, the build out of this project. But it's for us to discuss in discussion. So any more questions for any of the testifiers?

GONZALES: I have a question.

AU: Commissioner -.

GONZALES: I have a question for Ms. Shen on the 4200 gallons a day. And Sue mentioned that you would regulate the number of students, depending on how much water you can get. Is there a formula, you know, how many gallons per student per day?

SHEN: If I may, I'd actually like to have Kevin Luomo answer that question.

AU: Okay.

SHEN: He's the mechanical engineer.

LUOMO: You want me to come up there?

AU: Yes, please. Can we, maybe one person leave. And I do have to swear you in. Can you please raise your right hand. Do you swear and affirm to tell the truth in front of the Windward, the Hawai'i County Windward Planning Commission today? Okay, please speak into the microphone.

LUOMO: Yes, I do.

AU: Okay, please state your name, where you reside, and go ahead.

LUOMO: My name is Kevin Luomo and I reside in Honolulu. To answer your question about the standard, the standard that we're using is the, developed by the American Waterworks Association. This is a, when you're in a very preliminary stage of a project and you don't really know what type of fixture they're using, how big the building is, anything, then they have these specific standards for school. One is for, if it's a day school and it's with a cafeteria and lunch room, then the uses averages like 11 to 16 gallons per day. When it is a day school with cafeteria and showers, then it's 16 to 21 gallons per day. And when it's a boarding school where they'd be living there all throughout the week, throughout the year, then it's 53 to 106 gallons per day. But then later on once we actually know how many showers there are, how many students there are exactly, the type of fixture we're using, then there's another standard that we use with the LEED. I don't know if you're familiar with the LEED, where we actually say, okay, students can be using a restroom three times per day, that's the typical, you can shower once per day for

five minutes; and then we'd narrow it down even more to get an exact number. And then, of course, later on when they're actually occupying the facility every month, you're going to get your water bill; and it's going to give the average gallons per day being used. So if it does exceed that number then the Department of Water Supply could tell them that they can't be using, they have to reduce the amount of water usage and they could, they'd have to take appropriate measures.

GONZALES: Okay, so low end 11, high end at 106; but you just know at this point.

LUOMO: Yeah, you wouldn't know.

GONZALES: Okay.

LUOMO: And people, some people take longer showers and some people take shorter showers. Some people wash their hands for longer. So it's really a very vague number; and it can vary all over the place. That's why they give these large ranges.

GONZALES: Okay, well, that's something. Thank you, thank you very much.

S. LEE LOY: Commissioner Gonzales, just, again, which is why we continue to be committed to cap the amount of students based on the water allocation, or until such time when water can be developed or sourced. You know, we are self-regulating. These conditions were put together very thoughtfully. I know you folks hear a lot of testimony that is very technical at times and I just help to try and translate that back, that there are assurances we're going to do what we say we're going to do; and we're self-regulating.

GONZALES: Okay, thank you.

AU: All right, any more questions? Commissioner Ono?

ONO: Yes. Back to Monica. I'm trying to recap what you had presented. Are you anticipating a challenge on this, whichever way we recommend the, the decision of this hearing?

MORRIS: A challenge by -?

ONO: You were saying to have the, this should go to the State Land, I forget the Committee, but you were mentioning that there was another committee -.

MORRIS: Oh, the Land Use Commission?

ONO: Land Use Committee.

MORRIS: Yeah. The Land Use Commission would be the body -. If there's a favorable recommendation on this special permit, that would be the body that this measure, this application would go to. They would, the persons who are opposed to this project could request that the

Land Use Commission have a contested case proceeding, okay, contested case hearing. At that level should the Land Use Commission decide to have that, then their procedures would be triggered with respect to that process. And so the whole point of contested case proceedings is to provide a due process and opportunity for persons to present their evidence, retain counsel if necessary, or proceed pro se. But at that level there'd be even more objectivity according to their special permit because persons could then present their evidence, present their experts. Persons who are opposed to this, this special permit, can then present their experts also. So that's, that's the opportunity for further review, a more objective review, so to speak, because there are due process considerations that are afforded there.

ONO: So just for my purpose of clarification here -.

MORRIS: Yeah, I don't think this Commission has the opportunity to hold contested case hearings on this particular application. That's, I could be mis -. I mean that's my understanding.

AU: Yeah, Ivan?

TORIGOE: Thank you, Mr. Chair. Yeah, generally speaking on this kind of special permit where it's over 15 acres, as the Deputy AG was saying, your job here is basically to, you have two options. You can either decide to basically kill it here, and then the charter school with the Deputy AG's help has the option of filing an appeal to Circuit Court. So if you try to, if you vote to deny the application here, then they can appeal that to court immediately. Okay? If you vote to support it and send a positive recommendation, then it goes up to the Land Use Commission, and there a contested case hearing can be held. And just as this morning you gave standing to the National Park Service to have a formal contested case hearing, at the LUC similar thing can happen where if, you know, some of the members of the community want to come in and apply for standing in a contested case, they could do that there; and they could end up having a trial-like formal contested case at the LUC. So that's basically how it works.

AU: Thank you.

ONO: So you were saying the Land Use Commission can, not necessarily will, have a case? I mean should the opposition, I've got to use that term, I guess, say they want to contest the decision of this Commission, can they -?

TORIGOE: Yeah. You know, and they have to make that decision within the same kind of legal boundaries as you do. That is if some of the surrounding landowners come in and they can show that they have a particular interest that's different from that of the general public and they'll likely be damaged, you know, if this school goes in if the permit is granted, then they probably would be able to get a formal contested case going up there. And if they're denied that and they think they should have had it, then they can appeal that too. So, you know, there are all these legal protections. As the deputy AG was saying there's due process protections for those who are concerned about the project, as well as for the applicant. So if the applicant, and even if there isn't a formal contested case, then if the applicant is turned down at the LUC, then they might have an opportunity to appeal that as well.

MORRIS: Correct. Thank you.

S. LEE LOY: And for the record, on behalf of CBESS nonprofit, our office would be participating in that due process and submit possibly a joinder to any appeal that the school may have related to this application. So the Attorney General would represent the school and our office would represent the nonprofit.

AU: Thank you. Any more questions for the applicant?

ISHIBASHI: Brother Chair. Just one point of clarification. We have 4200 gallons per day. And you made reference we're going limit the students based on that. So how many students we allocated for this 4200? How much of our student body is covered under this 4200?

LUOMO: Well, it sort of varies depending how many, how many boarders you're going to have and then how many part-time students help, and then employees as well. So they would, one would, it comes with, we do calculations when we decide how many boarders will be on the campus and how many students will be on campus, how many part-time employees will be on campus, how many full-time employees. So the amount of employees also would figure into the calculations. So we give scenarios initially, so there's really not, there are different scenarios where you're a lot less and then different scenarios where you're a lot higher. But they would limit it with the calculations with the Department of Water's approval. They would, once they approve it, then they would limit it to that amount of students and employees. So we really can't say a definitive number right now because it varies depending how you mix and match with the boarders, the employees, and the students.

MORRIS: Just to add to what Kevin was saying, you know, I had previously mentioned that if the permit is approved the school does need to undertake additional investigations, and that's part of the additional investigation, is the engineers will look at what type of fixtures will be used, and, you know, and they will look at like what facilities would be serviced by that 4200 gallons. And so they may initially choose not to put the dorm or the kitchen up. Those are high water use type facilities. So those decisions will be made at that further investigation stage. And like Kevin said at this point we can't really say how many students that would support. You know, when those investigations are done, when those decisions are made, you know, that determination will be made, you know, what facilities will be serviced by those, that 4200 gallons and how many students.

LUOMO: In addition to that, if you have a cafeteria then of course that would increase your water usage as well. So if you could have more students without a cafeteria, then you can just have a warming kitchen where they're not actually doing dish washing there. And then also if you have shower facilities, you do not have shower facilities on the campus then that would reduce the water usage as well. So it's varying, there's many different variables affecting the water usage calculations.

AU: Ms. Shen, is this going to be rated? I know it's still early. But do you foresee it being a Platinum LEED or Gold LEED project?

SHEN: Well, at minimum it would be silver; and I think, you know, the school would try, would like to achieve the highest level as feasible. But at this point, you know, at least silver.

AU: Okay, any more questions for the testifiers, sorry, applicants? You're not testifying yet. Okay, well, you can be seated. Okay, again, I'm going to reiterate - bear in mind testifiers, we have 15 people testifying - you have three minutes; and, you know, we've heard a lot of testimony before so, you know, please keep that in mind.

ONO: Mr. Chair, can I ask for a five-minute break, please.

AU: Yes, break.

RECESSED – The Chair recessed the meeting at 11:59 a.m.

RECONVENED – The Chair reconvened the meeting at 12:05 p.m.

AU: Okay, we have 19 people signed up to testify. And I will be granting Sidney Fuke to testify on behalf of himself and four other people, and I'll give him, I'll give you 10 minutes. Okay? I'll give you 10 minutes to testify. We have a Jeff Gomes here to testify on himself, oh, I'm just letting you know that I will give you more time cause you're also testifying on, representing your wife. Okay? So maybe what I'll do is we'll go with Sidney first and then I'll bring the next four people up. So can you raise your right hand first, oh, you're actually already sworn. So you can go ahead and get started. And your clock starts when, as soon as you speak.

FUKE: Mr. Chairman, you know, the alternative is like we could have the four people and then, you know, they could just read what I'm doing; and with me it will be total 15 minutes. So, I mean, you know, just trying to do the math. But, anyway I'm speaking on behalf of like today not as a consultant but as a citizen, and more so as a member of the affected community. What I'd like to do today is basically to summarize the community's concerns; and as you kind of mentioned earlier, you know, it's kind of like redundant already. And, however, to frame those concerns against the criteria for a special permit, I think that, you know, from the community's standpoint we believe that there is sufficient basis at this point in time for denial action by the Commission. These concerns of what I'm going to be sharing with you have been expressed in the document that was prepared by Retired Judge Yoshioka and a copy of which, with some editing, was already provided to the Commission this morning.

The question like now is who is the community? And I think the community is really important, because as was evidenced in your previous application I think there was discussion about the importance of getting community input. If you purely rely on just don't worry about it because the Office of State Plan or another agency, everything is all honky dory, then you really don't need to have community input. And that's the reason why we're all here today. There are notice requirements, there's a public hearing requirement, so on and so forth. Who is the community?

What you see over there is a map. You can see in the dark area, that's the subject property. The lighter green area is really within 1,000 feet of the surrounding property owners, although the requirement for notification is only 500 feet?

Who is the community again? The community when they first heard about it they were obviously kind of concerned after attending one or two of the community meetings. So they organized then themselves and they had a petition. That was a petition, I think, a copy of which you already have. Well, the survey results of the commu -, I kind of like updated that. The number of lots within the Pacific Plantation is not 76 but in fact it is 106. And of the 106 there were 90 who were opposed, so essentially 85 percent within the Pacific Plantation Subdivision were opposed. As far as the surrounding property owner list included in the application, you know, they filed, you know, who your surrounding property owners were within 500 feet. I counted 170; but this excludes all government land and roadway parcels. Of these 116 or 68 percent were opposed, 54 or 31 percent basically took no position for or they were not contacted. Many of them were vacant land or absentee owners. I think that as far as the numbers, others will testify that it has subsequently been updated by additional names.

The next, what is the community not against? Definitely as you've heard many times, the community is not against the Connections Charter School, especially its students. They're not against the school or any educational facility. Many in the community are or were educators or other professionals who understand and support the value of education.

Now what are the concerns or issues? Basically two things. One is that the land use entitlement process, it should be a State Land Use Boundary Amendment instead of a Special Permit given the magnitude of impacts. And, secondly, the location is not appropriate given its adverse impacts to the neighboring community, and the potential availability of alternative sites.

In terms of the land use entitlement process, schools, especially the K-12, are situated within the State Land Use Urban and not Agricultural District. The recently constructed schools within the last 20 years, whether it's Kealakehe, Keaau, Kamehameha School, they're all in the SLU Urban District. As a matter of fact, Kamehameha School in Keaau also came in for a State Land Use Boundary Amendment.

We're also saying that the special permits may be appropriate for smaller facilities like a pre-school, nurseries, or single level schools (such as elementary only), but not for a 70-acre, 400 student, K-12 campus.

What's the special permit criteria? One is it has got to be an unusual and reasonable use of land in the Agricultural District. Secondly it has got to promote the effectiveness and objectives of the SLU Laws and Regulations. In terms of the special permit criteria, the Department's rationale is that, first of all, it has a poor soil condition, therefore, not suited for agricultural activities. Well, this is what the community is saying – Well, you know, in spite of the soil classification, the site has other agricultural potential: Be it for forestry, citrus, certain floricultural crops. You have hydroponics which are, that's not necessarily soil based, and even has Open space value.

The other criteria is like unusual use. And the Department is saying, well, it's unusual because schools are not considered agricultural in nature. That's true. The community is saying well, you know, because of the magnitude of the request and its impacts, this unusual request should be processed via the State Land Use Boundary amendment process and not the Special Permit process.

Let's look at the special permit criteria. The Department is saying, well, it's a reasonable use because schools are needed to support agricultural community. This is what the community is saying, no, the proposed location is not needed to support an agricultural community because this is an urban residential community, not an agricultural community.

The other criteria is that it would not adversely impact surrounding properties. Well, the Department is saying, well, the adverse impacts are associated with traffic, noise, and visual. And in terms of traffic, the TIAR states that the Level of Service, the LOS, to operate at acceptable levels, would operate at acceptable levels with left turn lanes at Edita Street; and don't worry about the noise because they'll provide landscaping.

Okay, in terms of like the traffic, well, at least like, as I mentioned, 70 percent of the community now basically disagrees; and this is what they're saying on traffic. They're saying that, first of all, the issue on the date of study, the study, in terms of the data collection, was done when the school was nearing its end. Secondly, it was compiled on May 28, 2009, nearly 3 years from submittal of application. The other thing is the level of standard is a standard based on, level of service rather, it's a standard based on waiting period for movements, which does not necessarily translate to expected quality of life and, in turn, impact.

The significant traffic impacts, increase on Kaumana Drive and Edita Street, if you use the "preferred alternative" data (which is the current plan of applicant) which is to use, the mauka side will be kept open and the makai side would be all, you know, would be the project's development. They're saying that the Project's Traffic Generation during the a.m. peak, which is 7:00 to 8:00 a.m., would have about 187 movements on Kaumana Drive and Edita Street. If you look at the existing a.m. peak right now at Kaumana Drive, you have 102 mauka bound on Kaumana Drive, 219 on the makai bound, for a total of 321 movements on Kaumana Drive. With the project upon build out, then that would represent about 58% increase over the existing level. Let's now turn only onto Edita Street which is going to be the most significantly impacted area, street. The existing a.m. peak on Edita Street, you have like 13 inbound and 49 outbound movements, for a total of 62 total movements. If you add 187 projected movements during the a.m. peak, then you'll have a total of 249, which represents 330% increase over the existing level.

The other point I think the community is saying is that there's no discussion of impacts to the balance of Kaumana Drive, particularly between Ainako Avenue or at the start of where the winding road begins to Edita Street, and also from Wilder Street, Wilder Road rather, down to Edita Street. For example, there is like Terrace Drive, you know, because you'll have lot of traffic coming in, going mauka and makai bound on that. So, therefore, like in conclusion, relative to traffic, the community is saying, first of all, the level of service is not really relevant because it's not, it relates to time delay. It has really little to do with the quality of life, the perceived quality of life. And then the percentage of impact is more critical in establishing level

of impact. And nearly 85 percent of the residents on Edita Street, and 70 percent within 500 feet, are saying it's adverse.

When you talk about noise, we all know it's a very tranquil residential area. People bought properties with the expectation it was going to be kept in that same tranquil residential environment. And with the traffic associated from the school activities and the school, there will be added noise.

The community is also concerned about the real property impact and the possible lower real estate value resulting from the diminished quality of life. So collectively then, you know, they all translate to adverse impacts to surrounding properties. The level of impacts and quality of life, as I mentioned earlier, are really, are perceptual and not necessarily statistical. The question then, that's the reason why you have public hearings, who can best determine an adverse impact? Is it the outsider or the persons who will be most impacted? You know, I just use an analogy where you have like this, you have a shoe, and, you know, who knows where the "shoe pinches"? An outsider can say, nah, it doesn't, you know, "it's not sore." But on the other hand if you were wearing the shoe, you're going to say, "I'll tell you where it's sore." And the community for the most part is saying, "It's sore."

Now this conclusion about the adverse impact is not necessarily only limited to the people who have testified or people who have signed the petition, but it's also shared with the Police Department. This is what the Police Department stated in their comments, "The proposed school is being placed in a residential area that will likely effect (sic) the quality of life for residents that border this proposed site. There will be an increase in noise, crime and traffic."

AU: Mr. Fuke, can you sum it please.

FUKE: Oh, get plenty more. Can I just get just -.

PUBLIC: I'll just give you my time.

AU: I'll give you two more minutes.

FUKE: Okay. Well, about traffic and infrastructure burden, can you move on, the next one. Okay, in terms of like the water, they talk about 26,100, you know, to answer Commissioner Gonzales's question, you know, the total requirement, this is based on the environmental assessment application, they said they need 26,100, they've got only 4,200, which is 16 percent of the total. But based on what the guy's, the consultant is saying today, they might need like about 100 gallons per day per student. So that translates to only 42 students. So the question is what is before the appli -, what is the Commission considering today? Are we considering like a small school, or a big school, or what? Because to do over and beyond 4,200 gallons per day, what the Water Department is saying, it's not a question of the transmission issue, but it's a question of source. And to do a new well, a new source is going to cost you like about \$1,000,000, \$1,500,000. That has to be put into the equation of the overall project development.

You can skip on police and fire, drainage, waste water.

YOSHIOKA: Mr. Chairman, I'm scheduled to speak and if you would allow, I would like to relinquish my time to Mr. Fuke.

AU: Okay, granted. What is your name?

YOSHIOKA: Terence Yoshioka.

AU: Okay, go ahead.

YOSHIOKA: He spoke only - .

AU: Okay, go ahead, Mr. Fuke.

FUKE: Okay. In terms of the unusual conditions, trends, as I mentioned earlier, you know, we're saying, the community is saying the boundary amendment process is more appropriate, not this. And the other thing is that, like the insufficient examination of potential Private Lands or underutilized Government facilities. And, moving on.

So in terms of the Insufficient Examination of Potential Public Land Alternatives (page 16 of the environmental assessment) (Considering the student population base - 50% coming in from Puna District), there's like State Land fronting the Puainako Extension, the State Land off of Kawaiiani Street, so, you know, like those you can barely see, like where the Puainako Extension is. But I've kind of highlighted, you know, those are the States Lands. And the next sheet, that's like properties that directly abut the, would be at the end of Puainako Street on one side and the other end would be Kawaiiani Street. So, you know, these are really intended to illustrate that there are options available. And this is not like an, the site that they're looking at right now is not like an imminent domain situation where, you know, if you can't do it then, you know, there's no place else that we can. And I think that we're suggesting that there are alternatives, and these alternatives were not seriously investigated by the applicant.

We talked about land not being suited within the agricultural district, well, and we covered about that.

The change in the character, we're saying that there's no question, once you have a use over there, the character of the land will change, the character of the environment will change. And it will not be contrary to General Plan or other pertinent documents, well, you know, I took only selected portions. And so this is clearly, you know, the underscored one, in keeping with the environmental and aesthetic concerns of the community, who is the community?

And the next element is like there we go again, *encourage development in keeping with the community*. So the community in this situation here has clearly, at least 75 percent within 500 feet or 80 percent who use Edita Street, they're saying that it's not, it's not appropriate, it's not appropriate. It's going to have an impact on us. So, therefore, in conclusion, what were just saying is that, No. 1, it does not meet the test for a Special Permit. No. 2 is that between 75 to 80 percent, which is the vast majority of the surrounding residential property owners, they're saying that the project will have an adverse impact, no matter what everybody else says.

And lastly is that if approved that the desired level of community support needed to make a school successful would probably be absent. Thank you.

AU: Madam Director?

LEITHEAD TODD: At the risk of eating up time and getting Commissioners upset with me, Mr. Fuke, could you go back to the slides that you skipped, go back to the slides that you skipped. And I also want to know, are you going to provide this to us in some form where we can print these out so that it's part of our record, please?

FUKE: Yes, yes.

LEITHEAD TODD: Okay.

FUKE: I don't know where I skipped.

LEITHEAD TODD: Yeah, I don't know either.

L. NOVAK: This is one of them. I think that's it.

LEITHEAD TODD: Okay, I guess the, I would like the, try to get staff to print up your slide before, you know, we get into deliberations so that everybody has got each slide, cause this seemed to be an important presentation on behalf of the community. And most of the caves that you're talking though are mauka, correct?

FUKE: I didn't, I didn't address the cave issue. I just talked generally about the environmental -

LEITHEAD TODD: Okay, just generally, okay. Can you go to the next slide.

AU: Can you address that cave issue?

FUKE: We just kind of mentioned, I just kind of generally touched on that to saying that the, there are some environmental issues that haven't been fully explored, you know, relative to like the drainage system. You know, because, and others, others can attest to that, you know, in terms of if you're going to have your drainage and then you have a honeycomb of caves, potential caves underneath, then the drainage system needs to be addressed to make sure that - you know, whether it's going to be a waste water system or your system of drywell - it doesn't compromise the drainage flow of surrounding properties, and especially the makai properties.

LEITHEAD TODD: Okay, could you go to the next slide. Next, the next one where you have the map. Where is, I guess the red is the State land? I want to clarify what I'm looking at.

FUKE: Just a minute, I have my own (laser pointer). Okay, yeah, I should have taken it out.

LEITHEAD TODD: Okay. Yeah, mine is not working.

FUKE: This is really like, this small little sliver is really like the Puainako Extension. And this road here is the Komohana Street Extension. So what we're saying is that, you know, although a lot of this property has been encumbered by the University of Hawaii for, you know, future

expansion, there is a potential for this area, like as Hospice of Hilo did, in getting the University of Hawai'i to agree to relinquish three acres of its proposed expansion. This expansion area, as for the Hospice In-patient Facility, we're saying that that hasn't been fully investigated. This is the property that's on the Puna side of the Puainako Extension. And, can you turn to the next slide. This is the, this is basically the Puainako Extension area. So this is another property. This is Kawaiilani Street. These are properties that were discussed in the environmental assessment. I didn't put like all of the rest of the sites on.

LEITHEAD TODD: So, but it is the red colored property that is the State property?

FUKE: Yes, correct.

LEITHEAD TODD: Okay. Cause I wasn't clear as you were going through there.

FUKE: Sorry.

LEITHEAD TODD: Okay, the next slide, next.

FUKE: That's all. I covered it all.

LEITHEAD TODD: Okay. Thank you. And if you can get that to our staff, cause I really want to get it printed up before this afternoon.

AU: Okay, thank you. Any questions for Mr. Fuke? Thank you, Mr. Fuke. Reminder, well, Commissioners, we haven't discussed this. But what, we're going to take testimony up to 1 o'clock and then we're going to break for lunch. Okay, just so the public knows that we're going to go to 1 o'clock and then we'll break for lunch for an hour; and we'll be back here at 2 to reconvene. Okay, so four people. I got Sarah Burgess, Saramae Landers, Jeff Gomes and Les Sakamoto, four people please come up.

Okay, everyone please raise your right hand. Do you swear and affirm to tell the truth in front of the Hawai'i County Windward Planning Commission today?

TESTIFIERS: I do. Yes.

AU: Okay, thank you. Please speak into the microphone, and we'll start off with Sarah Burgess. And please state your name and where you reside.

BURGESS: My name is Sarah Burgess. I reside on the island, the Big Island of Hawai'i in Puna. And I'll introduce you to my mother and, oh, and I say, yes, I'm going to be truthful. This is my mother, Saramae Landers; and she lives, we live together. And you're going to tell the truth, aren't you?

LANDERS: Yes, I'll tell the truth.

BURGESS: Just say yes.

LANDERS: Yes.

BURGESS: Okay.

AU: Okay, thank you. Okay, so, yeah, you can go ahead and start your three minutes now.

BURGESS: Okay, thank you. I come here today, this is the first time I've ever testified. But I feel this is very, very important. And to me from listening to the discussion for the first time today it seems like there's quite a conflict of values. But in any case, I've come, and my mother has come, because we have chosen to live here. We're both educators. She came to the Big Island of Hawai'i about 80 years ago and was a teacher along with her sister at one of the schools in Hilo. And since then she's been involved in education until now; and she's now 106 ½. And I also am an educator. I was a teacher at the University of Hawai'i in Honolulu and up, one of the founders of Leeward Community College. And I'm, have a long, sincere value for education. So when I heard about this project, I thought, oh, that's great. And as I heard about some of the features of it, I thought it was even more great because it followed some of my personal concerns.

One is a concern for the elderly person. And the reason, one of the reasons we live here is because my mother is treated with great respect; and I appreciate that. And so does she, I know. And she was in a program that involved children and adults at the University in Washington which worked out very well because she was in a program where her four grandchildren were also involved, and I her daughter was involved. And it was a very nice concern for educating older and younger people together. It's a very nice project, very positive. And I understand that the Connections School has a similar, not exactly the same, but the idea for older people who are going to be involved in the school, which I think is a very good thing.

And a second personal concern is for the land. I find, I'm not a Hawaiian person, but I really am moved by the statement that the Life of the Land is Perpetuated by Righteousness. And in our society, in our world today, we're experiencing the ravages of the weather; and it's going, it looks to be worse. So any environmental project that can educate children to start caring for the aina in an educated and intelligent way is important. And I understand that this project is planning to plant native plants and have agricultural training as part of their curriculum, which I think is a very good thing.

And I think the third value that I personally really like about Hawaii is aloha. I mean who doesn't like to be loved? And the school from my observation of it is one that is very, is positive and promotes good feelings among the children. So at least for me, my values are to educate, to preserve the aina, and to perpetuate aloha. And my mom is now, we've come to thank you for this project, not just this project but for planning, because you can see what happens in communities where planning isn't done carefully. So, anyway, my mother has, is going to give you a toast of congratulations for your hard work, not only the Connections people but all the people who have taken their time and effort to try to make their communities good, and for you

who are giving all your intelligence and thought to planning our good community. So my mom is giving you a toast.

LANDERS: May you live a long life full with gladness and health, with a positive goal as a leash of your wealth. May the dreams that you hold dearest be the ones that come true and the friendships you give keep returning to you. And trusting in him to whom we all pray, may a song fill your heart every step of the way.

AU: Okay. Thank you. Any questions for the two testifiers? No? Okay, Jeff Gomes on behalf of yourself and your wife. I'll give you six minutes. And when you're ready you can go ahead. Oh, please state your name -.

J. GOMES: I'm Jeff Gomes.

AU: And where you reside.

J. GOMES: I reside in Kaumana. We're the victims that live next to the property. Our home is still on that video asking for support for the school. And our newspaper still gets stolen, beer bottles thrown in our yard, two of the signs are stolen from my yard. And then there's no end to it. But as far as the, oh, when, as John Thatcher said, they put a TRO on me because I made up signs which are legal. They're on our property. And I guess it's their right to try and put a TRO on me for making up legal signs and -.

But the, as far as the verbiage goes with what Ms. Lee Loy was recommending, if they added it in there, it just means that if we as a community disagree and, they'll just continue attacking me if I speak up. So I don't think that will work. And the water usage is wrong, and I'm totally against the project. It's just the location. It's not the kids. The location is bad.

And there's also an issue of the lava tube that I had mentioned to Ms. Leithead Todd at one of the community meetings. And Jeff Darrow came out with the group to have the lava tube looked at. And the school was supposed to send somebody down into the drywell to have them look at the lava tube. And till today, there's been no report. Theresa Donham from DLNR has not signed off on that. Nobody has made any attempt to do it except for the letter from Pacific Resources that state they spoke to local residents and someone told them that the drywell overflows during heavy rain, which is not a true. And the person I spoke to was Justine Thatcher, the principal's son; and he's not the local resident. I am. I live right next door to the lava tube. And nobody has been there to look at it yet, so that they should have already checked that out.

AU: Thank you. Any questions for the testifier? No? Okay, Les Sakamoto.

L. SAKAMOTO: Yup, my name is Les Sakamoto. I live on Mele Manu Street. Mr. Fuke has covered a lot of the concerns that we have, so I won't go over it. It's in my testimony. But I'll skip it and I'll just get to the gist of my testimony.

When the Planning Director issued a favorable recommendation, it was done with reservations and without the benefit of public testimony. Now with the benefit of such testimonies from so many who have expressed overwhelming opposition to the school's proposed location, it is up to you, the Windward Planning Commission, to make the final decision. I humbly ask you to recommend denial of the Special Permit.

By denying the Special Permit, you are not denying a new school for the students, nor are you denying a new campus for the faculty, for nothing yet has been built. And I believe nothing should be built, until the leaders of the school find a better suited location.

The sites that were considered by the administrators in their initial search were all located in the central Hilo area, and many were summarily dismissed as being "too large" or "too small". Perhaps these sites should be revisited. But more so, we believe other potential sites were not even considered or fully explored. Why not extend the search further into Panaewa, or Keaau, or Puna, or Hamakua Coast? A site that has less inherent restrictions, community dissent, or stringent conditions of approval will allow the project to quickly get off the ground.

As Connection's consultant Celia Shen mentioned, the conceptual drawings for the campus are in their very early planning stages, and can be easily modified to accommodate change in conditions. Thus the investment in these plans will not be lost, but can instead be used to springboard the project at the appropriate location. But, more importantly, by choosing a site that is embraced by its stakeholders as well as the surrounding neighbors and community at large, the school can then meet with a success that is – at best – questionable at the Kaumana location.

In conclusion, please vote to recommend denial of the special permit, and in so doing compel the leaders of Connections to seek an alternative, but appropriate location for their new campus. Only then will the school be able to advance quickly – and harmoniously – to achieve its stated goals. The students, their parents, the faculty, and our community at large deserve no less. Thank you for the opportunity to testify.

AU: Thank you. Any questions for the testifier? Okay, thank you all. You may be seated. Next four people, June Sakamoto, Ming Peng, Kaainoa Enaena, and Allen Novak. Please come forward. Okay, and I guess we're missing somebody. Robert Wagner then. I'll move on to the next person.

L. NOVAK: Oh, Robert Wagner.

AU: Okay, can you all raise your right hand, please. Do you affirm to tell the truth, do you swear and affirm to tell the truth in front of the Planning Commission today?

TESTIFIERS: Yes. I do.

AU: Okay. We'll start off with June Sakamoto. Please state your name, where you reside and speak into the microphone. You have three minutes.

J. SAKAMOTO: June Sakamoto. I live on Mele Manu Street. I am here to once again express my concern over the negative impact the school will have on traffic safety and our quality of life. The school is downplaying the traffic aspect, but we who must navigate Kaumana Drive almost every day know what a dangerous stretch of road it is. To subject the residents of Kaumana Drive to heavy school traffic and increased safety concerns when the school has not fully investigated other possible, more suitable locations, is not only unfair to the surrounding neighborhood but also suggests a lack of prudent planning.

Commissioner Au conceded that community consensus is important. After all, the community is the one that will be driving by the project every day. Commissioner Moses expressed it perfectly when she said "An important criteria for any development is the community support for it." There is a definite lack of local community support in the vicinity of the proposed project as can be seen by the testimonies given and the over 500 signatures collected of people opposing the school location. These are people who live up and down Kaumana Drive. Therefore, I resent Mr. Thatcher's statement that this is a matter of an affluent neighborhood saying "Not in my backyard."

The school has shown a consistent lack of consideration for the community it will impact the most. I ask that you please deny this project. Thank you.

AU: Any questions for Ms. Sakamoto? Okay, Ming Peng, please state your name and where you reside.

PENG: My name is Ming Peng. I live on Mele Manu Street. I am still opposed to the construction of Connections Charter School. The initial meetings suggested by this Commission unfortunately was unsuccessful. For example, during this meeting, Mr. Boyd's response to the lack of funding and water for this project was that these issues were in the "planning phase" and it will be "phased approached". I took that to mean that they still have no current plan to resolve critical issues to accommodate a 400-student school that includes faculty and a dormitory.

Despite their assurances, unfortunately, the administrators have broken the trust of the community that cannot be repaired.

I have not been given concrete reasons as to why the Edita location is appropriate: there is not enough water for the school, there will be an increase in traffic and crime, there are already two schools in the area, and, most importantly, there is overwhelming community opposition.

In my opinion, the best course of action for the Connections administration is to find an alternative site where community support exists and the infrastructure is appropriate for the school to be successful. Please deny the special permit. Thank you.

AU: Any questions for Mr. Peng? Okay, Kaainoa Enaena. He's not here? Okay, Allen Novak, please state your name and where you reside.

NOVAK: I'm Allen Novak. I reside in Kaumana on Mele Manu Street. And at the original hearing, the Commission instructed Connections to hold a community meeting and report back by December 6th. I also attended the December 6th hearing. I had not received any notice of a meeting, but was told at that hearing that a notice was in the mail; and, indeed, the next day a notice did arrive on December 7th notifying me that Connections was going to host a meeting on December 17th at the Connections School in the middle of the day. It gave me ten days to reschedule my patients, which I did because I considered it important that I stay informed and see any opportunities to work with this group that may arise. So I was able to attend the December 7th meeting, at which Eric Boyd initiated the meeting by expressing his desire to build trust with the community. These words made me feel encouraged and hopeful. As the meeting progressed, it became apparent that these opening words were hollow, as Connections became unresponsive to community input. Connection's position became blatantly apparent to me that a community, when a community member asked if Connections would take some action to mitigate the traffic congestion and hazards that occur, would occur at the intersection of Kaumana Drive and Edita Street, the response was that they weren't required to do so. No attempt was made to address the concern for safety or congestion at that intersection.

It became apparent to me that in spite of Connection's stated position of being willing to consider community concerns and accommodate, they plan to do the minimum required by law or whatever they can get away. If this special use permit is approved, Connections will deviate from its stated plan, at the expense of the community if it is to their advantage. I have no doubt of that. Keeping the door open does not reflect commitment to action. You are our only hope to protect our community from this premature misguided project proposal. So please deny this permit application.

AU: Thank you, Mr. Novak. Any questions for the testifier? Robert Wagner.

L. NOVAK: Oh, that's me. My name is Layne Novak. I am going to be testifying on behalf of Robert Wagner who is at work right now. Both, Captain Wagner and I live on Mele Manu Street.

This morning as usual, at about 7:20 a.m., I drove from my residence on Mele Manu Street to work. I exited Edita Street making a right turn onto Kaumana Drive. As I drove down, traffic was as usual for a school day, the traffic began backing up at Terrace Drive and slowed to about 4 or 5 miles per hour once you reached Luana Way. If you are coming out of Luana Way, or the street below (Aipuni Street), you rely on people letting you out, otherwise you cannot enter Kaumana Drive, especially those exiting Aipuni Street, which is roughly quarter mile away from the intersection of Ainako/Kaumana Drive.

Traffic is heavy at this time on Kaumana Drive, it takes me 15 minutes to get to work which is 4 miles away. You can experience this yourself if you want, just drive down Kaumana Drive at about 7:30.

The problem I have, having, excuse me, the problem I am having is the increase in traffic that will occur as a result of a charter school that has 370 students, not including staff, exiting onto

Edita Street, then onto Kaumana Drive. To increase the traffic to those proportions will result in traffic being backed up probably to Hokulani Street, which is roughly a mile away from the Kaumana Drive/Ainako intersection. There are other factors as well that will increase traffic on Kaumana Drive in the future:

In the very back of Hokulani Street, they opened up several lots, not sure how many, but somewhere in the area of 40. This subdivision is completed and they are selling the lots.

Kumulani Gardens, which is a new subdivision opening at the bottom of Alahelenui Street, and also will have an entry/exit across from Iiwipolina Street, will have 88 lots, this is a 201H Affordable Housing Project. These exits both enter Kaumana Drive.

I have been a resident of Pacific Plantation for 20 years, built my home in 1992. I have lived on this island all my life, and in particular Kaumana area for 50 years. A great majority of those living in this area are opposed to the charter school, I would estimate in the high 90 percent range. I only know of one person in my subdivision that is for the charter school, that is one home out of 70, I do respect their position.

There are other reasons why I do not wish to have the Connections Charter School move into our subdivision, but these are my main concerns.

Also realize that I do not trust those in charge of this charter school. They clearly have been deceptive to the outstanding members of my community, and they will also, and they have also vilified my community in the newspaper, which is very sad. I have seen an email in which he (The Charter School Principal) has referred to the Windward Planning Commission as the Kaumana Planning Commission, clearly implying that Windward Planning Commission has taken sides and is also against them. This type of attitude makes it very difficult for our community to work with them. Sincerely, Robert Wagner.

AU: Thank you. Any questions? Okay, thank you guys very much. We have Kerri Marks, Henry Lee Loy, Lee Botelho and M. Bishop. Okay, two, two, four. Okay, can you all please raise your right hand. Do you affirm to tell the truth in front of the Windward Planning Commission today?

TESTIFIER: Yes. I do.

AU: Thank you. Please state your name and where you reside. Let's go with Kerri Marks first.

MARKS: Good afternoon. I'm Kerri Marks. I live in Kaumana City up Kaumana. I oppose this application for all the reasons I testified for about, ditto, ditto, everything everybody said. They don't have the water situation figured out, the traffic is going to be a nightmare. I don't want Kaumana Drive to change. I do not want it widened and straightened and all that. I love it exactly like it is. And this school is never ever going to be accepted up in that neighborhood. So we should reject it on that alone. Mahalo.

AU: Thank you. Any questions for the testifier? Okay, let's go with Henry Lee Loy.

H. LEE LOY: Good afternoon.

AU: Please state your name and where you reside.

H. LEE LOY: Henry Lee Loy, 1579 Mele Manu Street, Hilo, Hawai'i. Since our last meeting last month, we have gathered 31 more signatures for our petition. It now numbers a total of 557 signatures for the petition objecting to the proposed site for the Charter Connections School.

The proposed location of the Connections Public Charter School would endanger and hinder the community and students alike, as I testified previously.

I attended the community meeting at the Connections School on December 17, 2012. The principal, Mr. Thatcher was absent. The Vice Principal Mr. Boyd was present. I felt that Mr. Boyd gave vague and evasive answers in response to questions from the community. Here again today Commissioner Ishibashi asked how many students? And they don't know, they can't give an answer. Yet this applicant has said they have been doing the outreach for five years since 1008.

The applicant has not earned the trust of the community due to continuous inaccuracies. We request your support by voting no for this applicant's special use permit. Thank you.

AU: Thank you, Mr. Lee Loy. Any questions? Okay, we have Lee Botelho. Please state your name and where you reside.

BOTELHO: My name is Lee Botelho, and I live on Mele Manu Street. I did provide a written testimony also for you folks to read.

Last month I testified and emphasized that the Commission should focus on the proposed use of the property and whether or not building an educational facility would be appropriate. Again, I would like to provide comments on why the proposed use would not be an appropriate use of the subject property.

Although it may be an acceptable use, building a school would not be appropriate for the following reasons:

Based on the County's per person requirements for water, and as well as the school's engineer who testified based on the American Water Works Association's projections per day, if you use the 16 gallons, which is the minimum for a school that has showers, not boarding, you would be able to provide water for 262 people, that includes students as well as the faculty and staff. The school has said that they would cap enrollment if the water requirements do not meet their enrollment levels. But their enrollment already exceeds that. So, therefore, there's not enough water for this project.

During the December 6th meeting, Principal Thatcher testified that this property was selected based on the State DOE Educational Specifications because it was the only property that met the criteria of 50 acres or more. Since the upper portion of the property has been deemed unusable due to the location of the Kaumana Cave system, and today they've also stated that it's going to remain open land, so it's not usable property, it no longer meets the State's specifications for building a school. Principal Thatcher today urged the Commission to follow the goals and processes of the General Plan. The General Plan, oh, sorry, I've got to back up.

The specifications also require a minimum of two vehicular access points each on a different side of the property. So I did give you copies of the DOE's specs for building educational facilities, it's in there. There is only one access point to this parcel from Edita Street. And as the Planning Director said at the last meeting, future access if any, granted by Mr. Brillhante cannot be a consideration for approval or disapproval. As such, you must consider the fact that there is only one entry for vehicles.

So now I go to the General Plan. I also have a copy of the Projection of Resident Population by District, which is included in the General Plan, which shows a steady increase in the projected population of the Puna district. The Hilo district projections remain the same from 2000, approximately the same from 2000 to 2020. Based on this, and the goals of the General Plan, there is a greater need to develop public facilities and services in the Puna district.

DARROW: Time.

AU: Ms. Lee, you can surmise real quick.

BOTELHO: The last thing is the General Plan also has a requirement to comply with the DOE'S specification for building facilities. As such, I hope you look at the appropriateness of this request and make a decision.

AU: Okay, thank you. Any questions for the testifier? Okay, we have M. Bishop.

BISHOP: Good afternoon. I'm M. Bishop, a homeowner up in the Kaumana area. Madam Director, Chair, and neighbors, Board, excuse my rant. It's also on paper in front of you. If you got it there's a bunch of misrepresentations and spelling.

I have to applaud the civility and value of content that my neighbors voice in opposition to the proposal of the Connections master plan. But, it's time to clear some smoke out of the air and other places. The use of the word horse and the word barn in combination are in print five times in the first ten pages. And they conclude with a Section 2.1.3, the project phasing and the construction plan on page 11, where the first to be built facilities are the barn and agricultural facilities, followed by one year the caretakers house and dorm complex. Then in Phase 3 the beginning of high school classes and facilities. To what end does the horse precede the classes?

Second, the State Land and Natural Resources DLNR has not found the proposal by Connections to be in error. They will let Connections drill a well. The State Land Commission will let

Connections drill a well. Now the Attorney General's office will let Connections drill a well. May I say that this Board has no opportunity to review the well's process if it was to be applied for according to the master plan that was provided for by Connections. It goes straight to the State.

The Windward Hawai'i Planning Commission faces a formidable decision. On page one of Connections Master Plan, the issue of drilling a well is already injected for precedence. The topic is fully explored when explaining the plan's water needs and resolutions. A well will be drilled for their needs. It's not enough to get what you want civilly. Just take it from mother nature.

Again, Windward Planning Commission you have a very daunting decision to make. Thank you for your time.

AU: Thank you. Any questions for the testifier? Okay, seeing none, thank you guys. We're going to bring up the last three people. Is there anybody else besides Layne Novak, Robert Gomes, or David Camacho? Is that all we have? And that will conclude our -.

LEITHEAD TODD: One more.

AU: There's one more, okay. Please sign up, or you can just have a seat. Just have a seat, and I'll write your name here. And as we conclude our testimony portion of this application we're -.

OKUHARA: Before you go on, my name is Norine Okuhara and I did sign in.

AU: Oh, okay.

OKUHARA: But I will give Terence Yoshioka my time.

AU: Okay. So Ter -, Mr. Yoshioka you can have a seat. Thank you. Okay. So as we conclude this public testimony part, we're going to take a break and we'll reconvene at 2 o'clock. Okay? So please raise your right hand. Do you affirm and swear to tell the truth in front of the Windward Planning Commission today?

TESTIFIERS: I do. Yes.

AU: Okay, thank you. Let's start off with Layne Novak.

L. NOVAK: I apologize to the Windward Planning Commission. I had not planned on testifying, but I just got so irritated listening to the applicant that I felt compelled to do so. So excuse my babbling. When they started talking about the water issue, when we went to the community meeting at the Charter School on December, whatever day it was, 17th, they said that they would cap the number of students based on water. Their original objective was to develop a combined, to bring the two campuses together, K through 12 on a single campus. If they are going to cap the water, and they kept bringing up they have enough, they would have enough

water for 70 students; and if that's all they can have then that's what they're going to cap it for. Why are they building in our neighborhood if that's all they're going to work with? You know that's not bringing together the K through 12 campuses. That was their original objective. Now they're planning piecemeal. They haven't, they don't have a master plan. The plan is fly-by-the-seat-of-your-pants. And this is why the community doesn't believe in what they do and what they say. They haven't followed their own EA about not bulldozing when the bats are in their pupping season, they bulldozed the property. DLNR is still investigating them. I have tried to reach the investigating officer. He has not completed his report. And, therefore, I have nothing to say to this Commission at this time.

I, sorry, I think that's about all I have to say. Thank you.

AU: Okay, thank you. Any questions for the testifier? Okay, Robert Gomes, please state your name and where you reside.

R. GOMES: My name is Robert Gomes, Jr. I'm a lifetime resident of Hilo. I work for Public Works. The last time I testified here concerned the traffic situation in the suggested location of the school. Today I'd like to, first, I'm appalled at Mr. Thatcher's comments about my brother. He's mixing in tragedies with this issue here that has nothing to do with those things. We really feel like they're bullying their way in, glorying up and stuff. I personally believe the Attorney General's Office should represent the community and special interest groups.

It seems like we're in the middle of something that we missed the beginning of, you know. I think we should be at this process before the land was even leased for them to start doing work, planning on this specific location. I believe it's their wasted amount of resources that they spent all this effort to try to prove that this school should go here while not using those same resources to look at all the alternative sites and see the impact that it would have on these other sites. Can you imagine if you turn them down here and they go someplace else, they're going to affect another community. You'll be seating in front of another bunch of people telling you why they don't want Connections in their community. So their ability to just corner themselves into this situation has created a massive dilemma for the Commission. Whether you do or not, there are going to be repercussions to your decisions, because I believe that we were speaking earlier about the responsibility of the notification. It should lie directly with the applicant or developer. He had all the time. I don't care what the effort is or the amount or cost of it. It is the responsibility of the applicant and the developer to notify the affected and impacted area where they're going to work. It shouldn't fall on the taxpayers money where the County or Council. Somebody else should be doing the notification. And the magnitude of this development is a lifetime impact.

We had a gentleman here earlier today requesting a permit for his cold kitchen. But in the process of this, we asked, you asked the gentleman what a cold kitchen was and he said it was not cooking, but then he might be doing some smoking. I don't know what smoking consists of but I think there's some fire involved. And we weren't quite sure how much effort he gave in contacting his neighbors and making sure either by signature or some kind of evidence to show that a year from now somebody is not going to come and say, hey man, there's fish guts smell,

the smoke is bothering me, my house get choke flies, you know. So the impact of, of whatever is being built and developed is really placed into the responsibility of the person who's doing it, and it shouldn't fall on anybody else.

So in this case the amount of time that Connections has spent should have been spent in a more friendly manner. And if they had offended people they should approach these people in an apologetic attitude, not lowering up and threatening and say, well, if you turn us down here, we're going to appeal it; we're going to take it to a higher court, or where the Attorney General's office is trying to move it out of your hands and put it into somebody else's hands and not be able to allow the community to -. And so I'm strongly advising you to stop it and reverse it, and start all over again, and force them to bring in the alternative sites. Like I said, we're not trying to stop them from building a school. And they can probably build an awesome school, you know. And it's just about location. And I hope that you -.

AU: Thank you. Thank you very much. Any questions for the testifier? Okay, thank you. Robert, I'm sorry, David Camacho.

CAMACHO: I'm David Camacho. I live in Kaumana also. I also wasn't going to testify. But most of you know me here as a physician, but in the old days about 30 years ago I was a mechanical engineer, so I got kind of turned on about the water need. And I just wanted to, I came here to find out what exactly the Department of Water Supply had in response to the water needs for Connections School. So if I use the calculations correct, it's somewhere between 10 as Mr. Gonzales had asked, between 10 and something like 110. And so if we just take the minimum of 10, and you're looking at, and they, I think we gave them 4,200 gallons or something like that, you're looking at maybe 400 kids and teachers and everything. So I know my wife testified earlier.

So there's only a few places that you can get water. So you've got to look up and you can pray that it rains; and we do get a lot of rain in Kaumana. And even that rain we calculated if they collected every drop they would need a certain amount of roof space and everything to get every drop of water to get some of that other 80 percent of the water that they don't have, cause out of the 22,000 they need they only got 4,000.

Then you can look in the ground, as the previous person investigated, and dig a well. And one of the things I found out, and don't quote me if this is true, but if they want to put a new water tower up (and I would hope maybe they can answer this question for me), it would require that most of the residents - I don't know what most means, somewhere between 60 and 80 or greater than 50 percent - would have to agree to have a higher water bill to pay for that new tower. So if they plan on putting a new tower in to support their water, then they would have to come back to us and ask us to vote to build a new tower because they need more water.

So my only point is, is that I'm not sure how this works. But I think if I told you I was going to build a house but I built only half of it because they only gave me half the water supply and I need to build the other half, I don't think you would give me a permit.

So what I would want to know from them is just what's their water answer. That's why I came here today. You need water for safety reasons in every fashion. You know, as much as the flu is going around today, we heard on the news 18 kids have died. You know the water issue with fire, the firemen got to have water and, you know, the water has got to come from us somehow up the hill, right? Water flows down the hill.

So I would just hope that the Commission at least wait to see what the water issues are. Where the hell are they going to get the water at? No clue up there. So my mechanical engineering days are over but I was hoping that the engineer would answer that question, or the planner. Thank you.

AU: Questions for the testifier? Okay, last testifier we have Terence Yoshioka. So please state your name and where you reside.

YOSHIOKA: My name is Terence Yoshioka and I'm a resident of Pacific Plantation Subdivision. Before I begin, I'd like to attend to a housekeeping matter. And I'd like to submit into evidence the testimony that was referred to by Mr. Fuke that was prepared by, jointly, by myself and himself, and which has been revised. And if that can be made part of the record? Okay?

AU: Okay. Yes, staff will go ahead and receive it.

YOSHIOKA: Okay. Thank you very much.

AU: If you'd like for us to review it, we need copies.

TORIGOE: Has this been distributed to them?

YOSHIOKA: Yes. It has been distributed to them.

AU: Okay, it has been distributed so we do have it. Okay, so we do have it. Sorry, go ahead.

YOSHIOKA: Before I -.

AU: Sorry, go ahead.

YOSHIOKA: Yeah, before I begin my presentation, I'd like to respond to a statement that was made earlier by one of the speakers in support of the application. And I think she mentioned that there are 60 conditions attached to the special permit. And, to me, that is testimony to the fact that that application is tenuous and incomplete and supplies sufficient reason for denial of it, just on that basis alone. Let me go now to my presentation.

Applicant has attempted to create the illusion that the 70-acre property is the only suitable property for its school. It has done so by making the following representations:

1. That it will develop an agricultural program for its students;
2. That its agricultural program will require 20 acres of land; excuse me, and
3. That the subject 70 acres is “uniquely suitable” for its program.

Nowhere in its application has applicant provided proof that an agricultural program is needed or wanted by its students. There is no basis, therefore, to assume that applicant will actually develop such a program. Any conclusion based upon the presumption that the program will materialize is unsupported.

Furthermore, it is impossible to conclude that 20 acres is required for the program because no evidence has been presented to identify what agricultural uses or activities will be taking place, and the area required for each use and activity.

Applicant’s attempt to equate its need for 20 acres based upon the 20-acre demonstration farm of the University of Hawai‘i at Hilo is unfounded. The fact that the University has a 20-acre farm does not mean that applicant’s program will require 20 acres. Without some relevant basis for comparing the University’s needs to the applicant’s needs, any assumption that the applicant requires 20 acres would be based upon pure speculation.

The Windward Planning Commission can, also, find, and I urge that it do so, that the property is not “uniquely suited” for applicant’s program. To be “unique”, the property must “exist as the only one”, or “have no like to equal”. This would mean that if the property’s “D” or poor-rated soil is “uniquely suited” for the program, then all other properties with better-rated “C”, “B”, and “A” soils would not be “uniquely suited” for the program. It goes without saying that this is illogical, incomprehensible and unbelievable.

Applicant seeks to pressure the Commission into granting the Special Permit by creating the illusion that this property is indispensable to the school and its agricultural program. And, in doing so, it hopes to divert attention away from the more weighty, relevant issues such as increased traffic flow, the insufficient water supply, and, most importantly, the adverse impact that the project will have on the adjacent landowners. These issues, and others, have already been adequately addressed by previous speakers and will not be repeated at this time.

However, I urge the Commission to give serious consideration to these issues, which are real and have been supported by credible evidence. Conversely, I urge you to disregard the unsubstantiated and misleading representations of the applicant and to deny its application for a Special Permit in the interest of sound planning and public welfare.

Thank you for your kind attention.

AU: Thank you. Any questions for the testifier? Okay, I want to make one request before we go out to lunch. Can I call Mr. Fuke up here, please. I have a question for you. Okay, Mr. Fuke, you’re already sworn in. Just recently this past year we approved a bunch of projects in that area. Staff, maybe you can help me out. We approved Regency, there’s another subdivision that

was, and that subdivision wasn't approved but there is a subdivision in that area, is it Kid's Corporation Development, LLC or something?

DARROW: Yes.

AU: Okay, there's a subdivision going up there. Okay, Regency is a 100-bed facility. Let's say that's 100 percent built out and there's 100 seniors in that facility. I believe there are other subdivisions that are going up there. So, you know, I know traffic is a big issue for everybody; and it seemed like you represent a lot of your neighbors and community. You know, what is your opinion on, you know, traffic? I mean in your presentation you said it will increase traffic. But what about the other developments?

FUKE: Well, I think that kind of relates to the cumulative impact. And so if you look at the Environmental Assessment, the Environmental Assessment did not necessarily consider the cumulative impact. It just looked at existing situation and what this project would, additional traffic this project would generate until maybe certain streets, be it Kaumana Drive and Edita Street. But it did not examine, for example, as was what was pointed out by others like other streets that are in the primary Kaumana, Kaumana Drive area which is problematic, which is really from mauka of Ainako Avenue to like Wilder Avenue. Because if you have a lot of traffic coming in from the Puna side, for example, I think you may have some traffic, people travelling along Puainako, the extension, coming down, going down Wilder and then coming down on the Kaumana Drive. And so -.

The other traffic studies that were done, for example like in the Kona area, if you do something along Alii Drive, there is an examination of multiple intersections and not necessarily only on one intersection. For example, if you do Alii Drive then you would have to look at like the impact on Kamehameha III Road, also Lunapule, Lunapule and also down in Hualalai Road. So, you know, there's like multiple examinations of different intersectional types of impact.

In this particular situation, all they looked at is primarily the Edita Street intersection. So the community is basically saying that, well, you know, you're going to have a lot of additional traffic coming up and down the road so what about those kind of impact. But the direct answer to your question is that the cumulative impact was not examined.

AU: Thank you. Any questions for Mr. Fuke? Okay, with that said, what we'll do is we'll go ahead and take a break. And we'll reconvene at about 2 o'clock.

LEITHEAD TODD: I think you've got to go to 2:15.

AU: Okay, okay, we'll go 2:15. We'll reconvene and be back here by 2:15.

RECESSED - The Chair recessed the meeting at 1:15 p.m.

RECONVENED - The Chair reconvened the meeting at 2:32 p.m.

AU: The Commission meeting will come back to order. I hope everybody had a good lunch. I didn't formally wish everybody a happy new year. So Fellow Commissioners and the public, and fellow staff, Happy New Year; and we'll continue on with this application. Can I have Ms. Sue Lee Loy come up, please. And you're already sworn in so we'll just go ahead and ask a few questions to you. Ivan?

TORIGOE: Yeah, the Chair Person has asked me to just state for the record that the Deputy Attorney General who was here has left already for Honolulu with the consent of the applicants. Correct?

S. LEE LOY: Yes.

TORIGOE: And so the applicants basically will be operating without her assistance this afternoon. But everybody is agreeable to that?

S. LEE LOY: Yes.

THATCHER: Yes.

AU: Okay. Thank you, Ms. Lee Loy for coming up. I want to refer to your report. I guess this is your summary, you know, and I just want to make sure that our Director and our Planning Department read all of this. I know you read this word for word pretty much, but I just want to make sure that, you know, we're all on the same page. And, you know, I do just want to clarify what's on the table now. So, Madam Director or Planning Department, do we have any issues with these proposed additional conditions?

LEITHEAD TODD: No.

AU: So, Fellow Commissioners, I'm referring to this page that we were issued today and it was by Ms. Lee Loy, it says "Status Report of Community Meeting." And on the second page Ms. Lee Loy has three conditions set in place - Condition - A, Condition - B, and Condition - C. And I believe those are amendments to the original conditions; and that's what he's -. Is that what you're requesting to amend the conditions that were given at the last meeting?

S. LEE LOY: Yes. For the record, the applicant continues to support the proposed conditions of approval presented by the Planning Department and approved by the Planning Director. They were revised, I believe, at the November meeting. They have 22 conditions. The 3 conditions that I proposed here really was a direct result of the community meeting that we held in December and me really listening and trying to figure out a way to begin to bridge some of the community concerns and give them the assurances. So Conditions - A, - B, and - C, was a direct result of that. So in addition to the conditions prepared by staff, we are continuing to offer a few more conditions to help refine this process a little bit more and, you know, allow the community to continue to have a voice in this process.

AU: Okay, reminder to Commissioners, we're looking at this green paper right here, this green paper is the final conditions. And we received this one at the last meeting, our December meeting. So it's green. So the yellow one was issued in November when we first heard it; and the green one is the one we're looking at right now. And at this time what we have on the table is we have a, we'd like to entertain a motion either to deny or approve this special permit with the amended conditions. So the amended conditions are on this green paper. Madam Director?

LEITHEAD TODD: I just wanted to make a couple of comments on the proposed additional conditions, specifically on page 2, that status report. And this regarded the 50-foot buffer. If you're talking about buffer, I think you need to not just have an issue about an occupiable structure but whether you've got a landscaping buffer. And so if you had like a 10-foot landscaping buffer around so that, you know, you basically don't cut down everything right to the edge of property -. Because then, you know, you can see all the buildings and stuff, so that you need to keep that. But, because the condition as written would still allow you to clear cut everything and you could still put structures. It just wouldn't be occupiable structures. So you would still have barns and other things that would be close to the edge. So if the intent is to provide a visual buffer then you need to have some kind of landscaping barrier. If the intent is just to reduce activity in the area, you know, then that's an entirely different buffer. So I'm just making those comments for the Commission's consideration as to what is the intent of the buffer.

S. LEE LOY: And to help the Director clarify, it really was to, one, kind of continue an open space. I recognized through the process, plan approval process, there's some need for landscaping. The applicant would more than likely continue those landscaped buffers. It really was the intent of the applicant, and based on the community feedback, to ensure that some of the noise making structures, like a classroom, would be as far away from the property line.

LEITHEAD TODD: So you're talking noise more than anything else in terms of this buffer?

S. LEE LOY: Well, we, it's the intent of the applicant to not put any structures within that 50-foot buffer. We do view, you know, infrastructure, roads, that type of thing, as, you know, just that. It's not a structure, it's no structure.

AU: Okay, Fellow Commissioners, so that's what we have on the table, we have a, either entertain a motion to approve or deny the special permit. And what I recommend is we go into executive session. So could I have, could I get a motion for that?

TORIGOE: You've got to state what the purpose of that would be.

AU: Executive session would be to consult with our Corporation Counsel on the possible outcomes and legalities of things.

TORIGOE: Okay, basically to get legal advice -?

AU: Yes.

TORIGOE: Regarding some possible options on this?

AU: Yes.

TORIGOE: Okay.

AU: Yes, legal advice.

TORIGOE: Second?

MOSES: Before we do, can I ask a question?

AU: Sure, go ahead, Commissioner Moses.

MOSES: I'd like to know that since, or find out before we go into executive session, that since we received, we have now the benefit of public testimony and all the information that has been given, has the Planning Director's recommendation changed?

LEITHEAD TODD: This is an application that probably gave me as well as the Department a certain amount of heartburn. And this is even before we had public testimony. And a lot of it had to do whether this was an appropriate location for Connections School given the fact that 50 percent of its students came from Puna. But when we stepped back to look at this and not looked at the makeup of the students which could change over time so that in fact over time this could be, because at one time it was 100 percent students from Puna. So we had to go back and take a look at was this a public charter school on State land Use agriculture at this particular location an appropriate application for a special use permit. And we basically said that we felt that it met the parameters.

I admit that I have significant concerns over traffic, and not the traffic at the intersection of Edita and Kaumana Drive. What the traffic study did not address is the traffic at the intersection of Ainako, Mohouli Extension and Kaumana Drive. And this is both from testimony of the public and the fact that I drive that road every morning to take my two children to, my two youngest to Hilo High. The traffic in fact does back up to Terrace. And if you were to add an additional 20, 30, 40, 50, 60 cars going up Kaumana Drive, dropping students off at the school, and then turning around and going back down Kaumana Drive, what does that do to the timing of that intersection? And I don't know cause I don't have that information.

And so I would probably want an additional condition of additional traffic impact analysis work to be done before any final determination by the Land Use Commission were done on this here. Based on the information that was provided and the way that we analyzed this, my recommendation is in favor, but it is not without reservations, it is not without grave concern. And it's the traffic on Kaumana Drive, not the traffic on Edita that I'm concerned with; and it's the lower down because we do have additional subdivisions and additional development coming up along Kaumana Drive. And the study does not really address the cumulative impact of all of that. It did what typically traffic studies do, is you look at the impact of the specific spot. But

the problem is, is that it all funnels down to that intersection. And I don't have information on what kind of level of service it does, and whether you then have to widen Kaumana Drive at that intersection, whether you've got to adjust the traffic lights. And that becomes a significant cost. And who would do that? And I can't tell that from the TIAR. But at this moment I am not changing my recommendation.

AU: Okay, Commissioner Moses is your question answered?

MOSES: Yes.

AU: Okay. I'm ready to entertain a motion to go into executive session.

S. LEE LOY: Chairman Au?

AU: Yes, Ms. Lee Loy.

S. LEE LOY: Real quick, the applicant has also brought Phillip Rowell who's our traffic engineer who did the study. So if the Director needs a little bit more information on going forward crafting of a, you know, a condition related to the look at other intersections, we have the technical expertise here to kind of give an approval of that.

LEITHEAD TODD: Unless he studied the traffic at Mohouli, Ainako and Kaumana, I don't think he has any relevant information to give me.

S. LEE LOY: Okay.

LEITHEAD TODD: Thank you.

MOSES: I make a motion that we go into executive session.

GONZALES: Second.

TORIGOE: For the purposes of -?

MOSES: For the purposes as stated.

TORIGOE: Yeah, it's just to have a consult with counsel.

AU: Okay, well, we're going to take a vote or you guys just want to do it all together? All in -?

TORIGOE: You've got to take a vote.

AU: We've got to take a vote.

DARROW: Thank you, Mr. Chairman. The motion before us is to go into executive session to consult with counsel. With that I'll take the roll. Commissioner Moses?

MOSES: Aye.

DARROW: Commissioner Gonzales?

GONZALES: Aye.

DARROW: Commissioner Ishibashi?

ISHIBASHI: Aye.

DARROW: Commissioner Ono?

ONO: Aye.

DARROW: And Mr. Chairman?

AU: Aye.

DARROW: The motion passes five to zero.

AU: Okay. So can everybody please step outside? Thank you very much. And we'll call everybody in when we're ready. Thank you very much for your time.

EXECUTIVE SESSION – The Commission went into executive session at 2:44 p.m. The Commission came out of executive session at 3:44 p.m. by a motion made by Commissioner Ishibashi, seconded by Commissioner Moses, and unanimously carried by a voice vote of all Commissioners in attendance.

(The Chair stated that the Commission will take up the geothermal items today.)

AU: Thank you everybody for coming back. Can we bring the applicant forward, please. Any applicant's representative -? Ms. Shen, are you here? Ms. Shen, she's here, okay. Is there a traffic, can you come up too? And I think I need to swear you in. Okay, can you just raise your right hand. Do you affirm and swear to tell the truth in front of the Windward Planning Commission today?

ROWELL: Yes.

AU: Okay, thank you. Okay, well, we, our Commission we have a whole bunch of issues that we'd like to just talk to you about. And, you know, please respond. You can speak out of turn and whatever is appropriate is fine. And Commissioners are welcomed to ask as they want. Traffic, so can you state your name first and where you reside.

ROWELL: Phillip Rowell, principal for Phillip Rowell and Associates.

AU: Okay, from your professional expertise, is there anything else on traffic that can be done, or whatever results you have that you'd like to share with us -?

ROWELL: Sure.

AU: Regarding traffic? Please speak into the microphone.

ROWELL: Yes, I'm sure it's about traffic. Such as additional mitigation or -?

AU: Well, what do you think about cumulative traffic in regards to the other, other developments that were just recently approved, the 100-bed Regency facility up Kaumana, the, there's other -?

ROWELL: Okay. When we did this traffic study, keep in mind it was done 3, 3 or 4 years ago, 2006, it should be 2010. Three years ago these related projects, the Regency, so forth, were not before us. Okay? We didn't know about them. So obviously they're not included in the background forecast. What I did do since I didn't have any specific projects, I added a background growth rate to the traffic volumes along Kaumana in order -. It's pretty typical if you don't have specific projects. You know traffic is going to increase over time anyway. So there's a 1 percent, I believe, background traffic growth which resulted in our growth rate of about 12 to 13 percent between now and the designing of the project. So we, I did the best I could to accomplish, to compensate for any smaller projects that would go in the area.

I know there's a question about the study area. And the reason the study area was limited to what it was, that's consistent with the other traffic studies that I've done and I've seen for that area. It's not the first project I've done along Kaumana. However, if we had gotten or if I had received comments during the review of the draft from Planning, Public Works, Police, Traffic, the study area would have been amended to include those intersections. The fact is we didn't get any comments about the study area.

AU: Okay, thank you.

GONZALES: I have a traffic question. So would you, would you agree that maybe the traffic study is outdated?

ROWELL: I know to answer it all the way. Typically even, a typical driver study of any counts over two years old, you update the traffic study. Okay? There are exceptions to that. If you're in an area where there has been no growth, no change where you can document that, then the reviewing agencies will accept older counts. But even DOT, they update all their traffic counts every two years.

AU: Ms. Chen, Shen, through your design process of the development, we all know there's one primary exit off of Edita Street to get in there. Does, I don't know if you can answer this question. Does DOE require a school to have an emergency, in the event of a natural disaster, a hurricane or something, do you need to have another exit out of the whole development out of the school?

SHEN: I'm not aware of that, no - I don't know if maybe John - what a charter school is required to adhere to as far as DOE standards.

THATCHER: The DOE standards apply to schools that are constructed for the Department of Education. We looked at the guidelines but we are not bound to follow those guidelines. We use them just in helping us to make decisions on the property. So because the State is not paying for these facilities, and they're not, this is not a DOE school, charter schools are separate from the Department of Education.

AU: Another issue that I have with this project is, you know, this is a school and it is subject to prevailing wages. So during the construction part of this project, you know, it's going to get pretty expensive. And the DOE doesn't give money for facilities. And CBESS has to come up with all this money; and, you know, they have to build according to what it is designed for. And if this is going to be a Silver LEED project or even more, you know, more expensive with Gold LEED project, or even the most expensive a Platinum LEED project which I would assume it would have to be to achieve the water, the 4,200 water credits -. So, you know, I mean this is going to get really expensive. And that is a concern that I have for the cost of the project. You want to answer that?

THATCHER: Well, this is, this is why we're doing the project in phases, because we do have a fundraising organization working on Oahu and on this island; and they have raised funds, some funds, to get to the point where we are. We've also been working with the US Department of Education. And for the first time in the State or the first time in their history they have looked at the census track in making a decision whether we could access Rural Development Money for this project. At first they said only Hilo can access or Hilo cannot access Rural Development Money; but when they looked at the census track, they said this census track shows that this area is considered Rural. So we are eligible for long-term low interest loans from the USDA.

AU: Is Connection eligible, is CBESS eligible to receive money from private funds like Maryknoll built a, by the Ching Foundation or -?

THATCHER: Yes.

AU: Okay. And do you have a grant writer on staff or does CBESS have a grant writer on staff?

THATCHER: Well, we have, we have consultants that we're working with. We're working with Barry Shay (phonetic).

AU: Any Commissioners have any questions? Please feel free to take all our concerns up.

MOSES: I just have a comment. Did you just say that the USDA is willing to provide funds because that particular land, the site, is considered Rural?

THATCHER: That census track is, is considered Rural. It's based on the population of the area, based on the population of the census track.

MOSES: Okay. So, then that, I could not understand with all the hearings that has happened and with all the information that has come through why Connections School, which we think you're a great school that provides a much-needed service to the children on this island, why are you so set on this site when there are other sites available and more, perhaps, conducive to meeting your needs? Now I just heard something that I didn't know before that, and that, that's something that I think should also be considered.

THATCHER: Did you want a response?

MOSES: No.

GONZALES: I have a question or comment too, right along the same lines. Wouldn't you rather be in a, you know, you say the build out is going to take 10 to 25 years. Is that, did I read, I've read that.

THATCHER: It could take.

GONZALES: Okay. Wouldn't you rather be in an area where the surrounding community could grow with you for 10 to 25 years?

THATCHER: We have identified this site, we've invested a considerable amount of money into this site; and we feel that this is the best site we can get to fit our needs for the programs that we are doing and would like to expand.

GONZALES: Can I ask you, what's your current enrollment?

THATCHER: Our current enrollment is 350 students.

GONZALES: And that's both campuses put together?

THATCHER: Yes.

GONZALES: Thank you.

AU: Okay. Any more questions for the applicant? Seeing none. Okay, can I bring, can I, you guys can leave. Can I bring up Mr. Fuke, again. Hi, Mr. Fuke. Thank you for coming up. Okay, from someone in the community, I just wanted to ask somebody in that community, on any given day, what is the traffic like on a, okay, let's start off with a normal morning? Let's

say, let's start off with a Furlough Friday. Okay, Furlough Friday, no school, no County, the County is not working, you need to go to work because you have a private business. How is the traffic? I mean it's flowing, how long does it take you to get from Kaumana down to Hilo?

FUKE: I think it's not fair to use Furlough Friday because the County is going to be off tomorrow, but the school still is in operation. So, well, let's take a Saturday then.

AU: Okay.

FUKE: Saturdays in the morning, no, it's like every place else. I think the traffic is very benign, I mean from my standpoint. If you would take like the normal workday like in the a.m. It's, I think it was one of the testifiers from the community that mentioned that it's a function of like when you leave your home. And if you leave like your home around like 7:15 or so coming down makai on Kaumana Drive then you're going to probably be up at Kaumana Terrace roughly about 7:15, 7:30, it really gets bogged. I leave a little bit earlier and so I kind of miss that. So, you know, in terms of like the time delay, as I mentioned earlier in my testimony, you know, you're going to have like Level of Service A, B, you know, 1, 2, 3, 4, 5, or A, B, C, D; but it just relates to how much longer it's going to take you to, you know, get movements in and out of an intersection. It's hard to translate or quantify necessarily the, you know, like the level of impact, you know, as it relates to the residents that have to sustain maybe an additional, maybe 100, or 200, or 300 percent more vehicles over the lifetime, you know, of a project. So, so that's more perceptual rather than, rather than I think something that you can necessarily quantify. So that's why I had to use the analogy about like, you know, people saying like, well, you know, that shoe should fit you, you know. But unless you're wearing the shoe it's kind of hard to figure out because to one person it might not pinch, to another person it's going to pinch. So the community is saying that it pinches, even though the level of service might translate from A to B.

AU: So it's clearly, I just want to put it on record, it's clear that when Hilo High School started and De Silva started, and that school, Kaumana, Kaumana Elementary started traffic is pretty, it's pretty heavy now, now that it's time to go to work in the morning?

FUKE: During peak hours, correct.

AU: During peak hours?

FUKE: Yes.

AU: Okay. And with any additional development a, with Regency starting to get built up there, possibly Connections being built up there, and if there is at least 50 to 60 students there, of course, it will, I just want to put on record, that it will substantially increase traffic?

FUKE: Just the normal growth, you know, you'll have like increased traffic in that area. Regency is a little bit different and, largely because their work schedule is such that it doesn't conflict with the a.m. peak hours. You know, their schedule is a 24 hour/7 situation, so then the

first shift comes in at 6 o'clock in the morning. And so people come in, you know, like 5:30 or 6 o'clock; and that was the condition that was imposed.

AU: Okay. Any questions for Mr. Fuke?

ISHIBASHI: Mr. Fuke, where would be the most congested intersection? When you compare the entrance and the exit to the school, where would be the most congested intersection?

FUKE: I'm not a traffic engineer, but just talking from, I guess, just a layperson's perspective, then I think that on the a.m. peak hour time, I think, you know, like a lot of the side streets between like Edita going all the way down to Ainako Avenue, you probably would have a lot of congestion. I mean I think as to what was pointed out, if you were on Aipuni Street, trying to make a left turn going makai then, you know, if you don't have a person with aloha, you know, you're going to wait for a long time, just to get out there. So that applies I think so to all of the other intersections that's going to have to make a left turn heading makai on Kaumana Drive, whether it's Aipuni Street or Kaumana Terrace. But Edita, you know, going down on Kaumana Drive is pretty much like it's a right-turn movement, so, but it's the other streets that's going have to, going have to sustain the additional wait time.

AU: How far up the road is Wilder, from Edita Street to Wilder, as opposed from Edita Street to Hilo coming down to the Ainako -?

FUKE: If I were to just kind of guess, I think like Edita Street is probably like closer to Wilder Road than it is to Ainako Avenue, or maybe equidistance.

LEITHEAD TODD: It's about a mile.

AU: A mile both ways. Okay.

LEITHEAD TODD: It might be a little bit more. Because from my house off of Wilder to Kaumana Elementary is just about a mile. And so from Wilder down to Edita would be a similar distance, would be about a mile.

AU: Okay, so maybe it's right in the middle then?

FUKE: That's kind of my sense.

AU: Okay. You know, Fellow Commissioners, you know how they do for Hilo High, we're all used to it, you know, Waianuenue Avenue. Right? When I was younger and I used to drive early in the morning, I used to take that, try to make a left turn and the cops were stopping me. You know, it's just something to think about. I know it's far-fetched but I just kind of put it out there. Thank you. So does anybody want, any Commissioners want to get any more information? Now is the time before we make a motion.

MOSES: I would like to ask Mr. Thatcher -.

AU: Please, can you please come forward and speak into the mike. Sorry, Commissioner Moses, we need to get everything on record.

MOSES: At this juncture would Connections School consider looking for an alternative site?

THATCHER: No.

MOSES: Is there a designated spokesperson for the Kaumana community?

AU: Mr. Fuke, would you please come to the table?

FUKE: I'm just a resource essentially.

AU: And, Ms. Novak, if you want to come up forward you're very welcomed to. Commissioner Moses?

MOSES: Is there any way that the Kaumana community would be willing to work with the Connections School to try to mitigate the concerns of the community, address them, and come to some, some -.

FUKE: Well, I'd have to defer that to -. As I mentioned I've been kind of like more just providing, you know, land use advice to them. So -.

L. NOVAK: As Allen said, we did go to the community meeting with Mr. Boyd and was extremely disappointed. Although he opened with, you know, "We're open to suggestions from the community," none of the suggestions were really given a second thought. Essentially he told us, well, the County doesn't tell us that we need that so we're not going to do it. That's not being opened to dialogue. So, you know, if that's how they feel then we're not opened to dialogue either.

One of the other things that came up was trust. There are, there is a lot of mistrust based on what we've heard so far from the School and what the School has actually done. And, frankly, there's no aloha here, period.

I sent out a survey to all of the people that I have email addresses for, 92 percent of the respondents said that they do not trust Connections School and they don't want to work with them, period. That's how bad the blood has gotten between us.

MOSES: Thank you.

L. NOVAK: Sorry one more comment, sorry, sorry.

AU: Okay, Ms. Novak. It's getting hot in here.

L. NOVAK: Sorry. When you have the school taking out a TRO against one of the community members, that's -.

PUBLIC: That's not true.

L. NOVAY: That's low ball, I'm sorry.

PUBLIC: That's not accurate.

AU: Okay, Fellow Commissioners, would you, you need any more information? If not, ready to entertain a motion. Madam Director, would you like to interject before we get into it?

LEITHEAD TODD: I was going to say that neither side has, you know, I think necessarily put its best foot forward. I don't know, I wasn't going to mention it, but since you mentioned the TRO, you know, somebody put a sign up on Kamuana Drive that said "No Connections," and the sign says "Protect your property from Theft and Burglary" as if the school is somehow going to subject you folks to theft and burglary in your homes. You know, that sign is right at the intersection of Kaumana Drive, Ainako, and the Mohouli Extension. So if there's bad blood it's gone both ways. Cause I've personally found that sign offensive. I don't know who put it up. But it's basically saying that if you have the school there that, you know, you guys are going to get burglarized. And that hasn't been the discussion here. The discussion here has been traffic, but there's stuff going out that has just exacerbated. So I can understand why people in the school community are concerned, I understand why the community is concerned because of potential impact. But this just started getting a little bit out of control. And it's highly unfortunate. Okay?

The charter schools started because a lot of people felt they weren't getting adequately serviced for their children in the public schools. Okay. So the State Legislature responded and created a mechanism why, through which parents could create charter schools. And they seem to be extremely popular and they seem to be doing for some members of the community and some students in the community, providing some niche that they weren't able to get.

Unfortunately in this case what we have is, I don't think this was the best site. I think that, I don't know where the site selections of the State -. I mean I really wish that this had come to us with a better site. I wish you had a site that traffic on Kaumana wasn't an issue. I wish you had a site where water wasn't an issue. And it's kind of exacerbated as we've gotten along; and that's really unfortunate because I believe that Connections is a good school and it has a good program.

I understand one of the issues for the community was that, I think they might have been more receptive if there had been some kind of belief that kids who lived in the community would be able to go to Connections. But my understanding is that that's, you know, that's not a given. So even kids that were in the community if they could walk to school then there's a benefit to the community. But if you don't have that kind of benefit to the community that the children who live in the community are going to have some opportunity to go there, then you're not likely to

get some support from the people in that area if they don't think their kids can go. That's just one of the many issues.

I'm just saying that for any future schools, what happened here was not the way to do it. Okay?

AU: Thank you, Madam Director. Would you like to say something, Ms. Lee Loy?

S. LEE LOY: Just, yes, to help Ms. Moses. I've been tasked by the nonprofit. And I continue to be hopeful and show up as my best, best self and listen and hear what the community is saying, and translate that into conditions of approval that help support their concerns. You know, to reiterate what the Director has said, there's been a number of hiccups along the way and a number of things that could have been done a little differently. I know that my duty here going forward is to continue to show up as my best self, continue to try and engage. And I know for me and my duty with the nonprofit is to continue to have an open door with the community, and try and engage them to build bridges.

AU: Thank you, Ms. Lee Loy. Okay.

MOSES: I appreciate that. It was quite obvious in your testimony and the conditions that you put together after that community meeting. So I want you to know that it is definitely acknowledged. Thank you.

AU: Okay, ready to entertain a motion again.

GONZALES: Mr. Chairman, I would like to introduce a motion to deny Special Permit Application 12-138, Connections New Century Public Charter School/CBESS. My reasons being traffic, multiple traffic concerns, water, and, lastly, I just don't think it's a proper use of the land.

AU: Okay, do I have a second?

ISHIBASHI: Second.

AU: Discussion? Okay, I -. Ms. Lee Loy, you can have a seat.

S. LEE LOY: Thank you.

AU: Okay, Ms. Lee Loy summed it up in her last three sentences. You know, she's, regardless what she's feeling, us as a Commission, we need to focus on what we're here for. So I'm going to refer, from this point on, as we go through this discussion process, I'm going to refer to our jobs here as a Commission. Connections is a great school, great thing, is a great charter school. We've heard a lot of good things about it. The community does, is not happy with it. You know, those are the facts. Right? Connections is a good school, the community does not want it.

And we are here to represent our communities in a land use matter. Okay, so we need to strongly consider our community, which is our job. I'm not saying first and foremost our job is

land use, but our job is to look at every application and see, is it proper, is it appropriate, and we take into consideration, part of it we take into consideration what the community feels. So, you know, I am on the fence on this project. I think development is inevitable. There's development coming up all around us. Okay? We've got Walmart. When Walmart was built everybody was against it. People petitioned it, people didn't want it. Now everybody goes there. You know a change, development, I think, goes hand in hand. It's not easy to swallow. Okay, community? So don't get me wrong. You know, if it was in my backyard I wouldn't be too happy with it either. But our jobs as a Commission, we have to do our jobs. That's why we are appointed for these positions. So keep that in mind as we move forward.

GONZALES: I'd like to say a few things too. And, again, no one is against the school, no one is against the children.

ISHIBASHI: That's correct.

GONZALES: My son graduated from a charter school. It was a wonderful thing for him. I just think we're in the wrong spot and we need to look for another one. And we'll all still be here to help you with that. I just, you know, we talked about this when we were in session, you know, no matter what we do here today, half of you aren't going to be happy with us. So we all feel bad. But we do have to move on. We've got to get this off our agenda. We've got to get it to where it needs to go next; and I think that's where we're at, that's where I'm at.

AU: I would like to hear what my Fellow Commissioner who lives in that district has to say about this particular application. Commissioner Ono?

ONO: I'm not sure that I qualify. I live about a mile away, but I live in Lower Kaumana.

AU: Well, I believe that's in your district though.

ONO: Yeah, it is. Okay. But I'm not -.

AU: This application is in your district. So, yeah, I just like to hear what you have to say about it.

ONO: I'm not immediately impacted by this proposal. I've got to admit I live just slightly above Kaumana Terrace. And couple of times in a year I do catch the traffic; and it's right below my house. So traffic is a problem. So with this addition I would suggest that traffic would be heavier coming down Kaumana.

I've been retired for some 12 years now, so I'm kind of out of the loop, so to speak, regarding the traffic problem. I sleep through traffic and get up after traffic starts. So I really can't respond to the concerns about traffic as it impacts me. But while I was working, I did have to leave much, much earlier to get to work.

ISHIBASHI: Brother Chair?

AU: Yes.

ISHIBASHI: Just one comment, couple of comments. Yeah, sad state of affairs that we reached at this level when we cannot see eye to eye on the issue. But I think this was done improper from the beginning. We came in with the State approving this thing without even talking to the community. We respect our communities and what they have to say, and their process. And time and again the Commission has always relied on the community's input. And to circumvent that and allowing permits to go in place before that process takes place, that's why we're trying to correct that earlier today of putting in conditions where we meet with the community first before we even put up the signs and invite them out. So it's important that we get into that discussion and change that opportunity to allow more community input prior to allowing any type of permitting to take place. So it's a lesson learned.

And, again, we're not one Kaumana Commission, that's not us, that's not us. We're not here for Kaumana, we're here for the island. We're here to work, recognize everything that goes in planning, in this County; and we're just taking care of the windward side. But we respect all communities. So we don't belong to Kaumana community. So I'll put that out straight.

My main concern is the water. You know, water is very important. We're got to get the necessary water. So how we're going to limit the enrollment in the school based on water? I cannot even believe we've been doing something like that. We cannot limit participation in the school based on our allocation of water, that's not right. That's not how it's supposed to be. We're going to plan one development, let's do it right. Get the proper water that we need to complete the whole project.

The traffic is one other thing. It's so close in and out with only one entrance, one exit, that's not right. We've got to think a little bit better when we're planning these things to have the proper entrance and exiting in these facilities. So we plan big and we plan proper, then we get the thing done right. Then we got to see this healing process take place. And we just thank you all for participating. It's important that you all participate in the process.

Talking about the school, the school is great. Curriculum is there. Any way we can reach our children and have them want to learn, that's what it is, want to learn, want to participate and learn and get educated, that's what it's all about. And Connections does that, it does provide that connection to the minds of our youth. So that's so important. So, again, thank you guys for being part of the process.

AU: You know, I'm surprised that the DOE even approves catchments. You know, I live on a catchment system. I don't drink the catchment water. I drink bottled water and, you know, I treat my water good. I take real good care of it; but it takes a lot of time. You know. But on the same token, you know, up Mauna Kea they bring up water all the time. Okay, there are places out that people bring in potable water and it's safe to drink. But I'm just surprised that the DOE even allows that, at any school. I wouldn't want my child to be washing his hands at, let's say Connections, and that particular bathroom is not hooked up to the County water, and he's

washing his hands and, you know, he's five years old and he gets thirsty and he drinks it. Okay, and right now we have all this flu stuff going around on the mainland. You know, I mean potable water, the difference between potable water and drinking water, it's very important to have a safe, safe water for our kids. So I'm very surprised that the DOE even allows that.

Another thing that I want to talk about is, you know, what our Madam Director was saying, something went wrong from the start. And this is a, from this application we're going to move forward on. For any Charter School that comes in front of us, you know, this is not the way to do it, on both parties, community as well as the applicant. And I'd like Commissioner Gonzales to, if he could clarify in his motion what is the improper use of the land, just for the record, so we can state -.

GONZALES: I think the use of the land is improper, No. 1, because there's no water, there's not enough water. You know, we have no idea how much we're going to need, how many kids we're going to have, so we can't really, you know, come to any kind of resolution on the water.

Traffic, it's a bad use of the land because this is going to create too much traffic, not only Edita and Mele Manu but all up and down Kaumana Drive. I mean only one exit in and out of the school, I'm not comfortable with that. If there's a fire, a medical emergency, what if the ambulance can't get up Kaumana Drive? I don't think it's the proper use of the land.

You know, at some point, just a while ago, I don't even remember what Commissioner Moses said but someone has also deemed this is Rural land. You know, again, we don't need a 400-student school in the middle of this rural/agricultural neighborhood. Clear enough?

AU: Yes.

GONZALES: Okay.

AU: Okay, so the process that we're going to take right now, we're not voting on this. Okay. We made a motion to deny and it was seconded. We went through a discussion. And now what is going to happen is our Planning Department and our Corporation Counsel is going to have to come up with Findings of Fact, Conclusions of Law; and they're going to report back to our Commission next meeting, if time allows us, and then we vote upon it. They're going to get together the information based off of the denial, and then we vote on it.

TORIGOE: Okay, can I just add -?

AU: Yeah, please take over.

TORIGOE: Thank you, Mr. Chairman. This is based on Rule 4-22 of the Planning Commission Rules, also Hawai'i Revised Standards, Statutes, 91-11. Also, the proposed decision is going to be served on the parties, or actually on the school, on the applicant. And they will have an opportunity to file exceptions and to present argument to the Commission based on that also. And then you will be able to take your vote. So we'll have to set the timeframe for that, but I'll work with staff on that.

AU: Staff, can we get a timeframe now or is something that you guys have to work with after? Just for our records, so we know.

ARAI: Okay, the next meeting is February 7th. Following that would be March the 7th. So in order for us to prepare a draft Findings of Fact, Conclusion of Law and then allow for appropriate time for rebuttal by the parties, I'm wondering February 7th might be pretty tight. So my recommendation only, and if you all agree, would probably be to look at March 7th, which would give us enough breathing room to prepare the draft findings and allow for the parties to rebut the findings.

AU: Is the applicant prepared to possibly try and make the February meeting? Or do we have to, do you think there's time to meet the February meeting or do the March meeting, and consult with our Corporation Counsel to see if he can do it as well?

GONZALES: Mr. Chairman, and can I throw this in there, too? You've only got two more meetings left. Correct?

AU: Yes. Yes.

GONZALES: If we replace him we may need to start this all over again. So keep that in mind.

AU: From my understanding, the reason why we cannot vote on this today is because in the past two meetings, Commissioner Moses was not here at the last meeting and the meeting prior in November Commissioner Ishibashi was not here. So if we were all here we could vote on it. But because they weren't here what we need to do is we need to come up with the Findings and Fact and Conclusions of Law. Madam Director?

LEITHEAD TODD: If I'm hearing you correctly, the concern is that all of the Commissioners may not have had an opportunity to fully review the minutes of the meetings that they missed; and, therefore, before they take a vote on the matter they need to review that and put that on the record that they have fully read the entire record. Is that correct? Is that what we're doing here?

AU: Is that correct, Corporation Counsel?

TORIGOE: Let me just read the rules. It says "Whenever Commission members who are to render the final decision have not heard and examined all of the evidence, the decision, if adverse to a party to the proceedings, shall not be made until a proposal for a decision containing a statement of reasons and including determination of each issue of fact or law necessary to the proposed decision," and this case it would be a denial, "has been served upon the parties, and an opportunity has been afforded to each party adversely affected to file exceptions and present argument to the Commission members who are to render the decision, who shall personally consider the whole record or such portions thereof as may be cited by the parties." So it seems like on the plain language of this rule, which mirrors the HRS, - and we know that there are a couple of Commissioners who have not been at all of the hearings here, and the denial would be adverse to the applicant - this decision shall not be made until there is a written proposal with findings of fact and conclusions of law served on the parties, and there is an opportunity to

respond.

AU: So, so we're going to go back, we're going to work on, Corporation Counsel and the Planning Department is going to work on the Findings of Fact and Conclusions of Law. We're going to give the applicant a chance to respond, and we're going to hear it at our next meeting, and we're going to vote for it, vote on the motion to deny the special permit.

S. LEE LOY: I just want to clarify. I'm trusting that the conclusions, Findings of Fact and Conclusions of Law will be prepared within 30 days of this hearing, Mr. Torigoe?

TORIGOE: Yeah that's what we're talking about. And I'll try to figure out what's an appropriate date for the next meeting, and, you know, whether we can get the proposed findings to the parties in time for them to make a response.

AU: So that was my question to the applicant, are you prepared? And is our Planning Department prepared, and our Corporation Counsel prepared?

S. LEE LOY: From the applicant, CBESS, perspective I would request at least 45 days. The Attorney General's office, they have their own calendar. At minimum, you know, to review and cite the various land use components and land use laws and regulations, at minimum, we would ask for 45 days.

AU: Forty five days. Madam Director?

LEITHEAD TODD: I was going to say rather than specifically setting the March date, we'll see how quickly we can get this out and served to the parties. So that if we're 45 days out from March 7th, which gives us two weeks, I think to draft something and get it out, sure, then we could do it in March. But there may be an issue with setting it for March if AG's calendar -. So what I would suggest is that you direct us to go and prep the Findings of Fact and Conclusions of Law, serve it on the parties, and then reach an agreement with the parties on what day it would come back on the calendar.

S. LEE LOY: Mr. Torigoe, the applicant, CBESS, would be agreeable to those outlines with an opportunity to meet with the Planning Department and yourself, along with the AG's office, and Mr. Hong.

TORIGOE: Okay, so at this point is the direction then for us to try and work out a draft and to get it to you guys and see if it's going to be, if you have time to respond before March?

S. LEE LOY: That's correct. And maybe even going forward if we could have maybe like a scheduling conference so the various deadlines, where we could kind of collaborate on and with participation of the Attorney General's Office, that might be helpful.

LEITHEAD TODD: I think the concern here is that, if I'm hearing things correctly, is the applicant probably wants sufficient time to be served the proposed Findings of Fact and

Conclusions of Law, consult with their attorney, and give the attorney time to research and draft a response, and then serve it on the Commission in advance of our meeting. And that's why 30 days might not be enough of a turn-around because they need 30 days in order to file something in order to give the Commission time to read the objections or position of the AG before it's actually on our agenda.

AU: Just information for the public, Commission Gonzales expressed his concern about doing this all over again. I'm on the Commission for two more months, February and March. And if I was to be replaced, then we would have to get all the transcripts to the new Commissioner and the new Commissioner would have so much time, an "x" amount of time, to review all the information before the Commission can take a vote. Is that correct?

TORIGOE: Yes, that's correct.

GONZALES: I have a question. Now if Mr. Au isn't here when this comes back and it's still just the four of us, is that, that is enough for us to still vote?

LEIHEAD TODD: If Mr. Torigoe can correct me if I'm wrong, but my understanding is if we get new Commissioners and they read the entire the record, the minutes, all of the documents, the testimony because we have pretty close to verbatim transcripts of these proceedings, they can vote on the matter, even though they may not have been here. All they have to do is certify on the record that they have read all of the pleadings, all of the testimony, all of the minutes in the case then they can vote. They're going to have a lot of reading to do.

TORIGOE: That's correct.

AU: Okay, so -.

TORIGOE: So I guess it seems like we're in agreement that we'll work with the applicants and see if we can get the draft out to you; and you can consult with your attorneys in time to maybe put it on the March agenda, if that will work.

THATCHER: From our perspective I'd have to consult with our attorney before agreeing to anything. Honestly, I'd rather have you do the vote right now.

TORIGOE: Well, that's not really an option for us right now. So I think we can go ahead and try and work things out, and keep in touch with the Planning Staff and we'll bring it back on the agenda when it's practical.

S. LEE LOY: Again, from our perspective, you know, any correspondence, again, timing schedules, conference schedules are, some type of briefing schedule that we can come up with which would identify specific dates and times for us to respond would be helpful. So, thank you, Mr. Torigoe.

AU: So how is the community involved with this? The community is still going to be able to,

this is all public information?

LEITHEAD TODD: Once we come up with a proposed draft and serve it, then it's a public document. They can request a copy of it.

THATCHER: So at this next meeting where this is discussed, will you be taking public testimony?

LEITHEAD TODD: It's required to do public testimony for every meeting that we have.

S. LEE LOY: And I'm interested to have clarified -. Mr. Torigoe, I know that the conclusions, the Findings of Fact, Conclusions of Law will be made public. But it would only be ourselves and the Attorney General's office that would be preparing rebuttals, correct? Not members of the public, correct?

TORIGOE: That's correct.

S. LEE LOY: Thank you.

LEITHEAD TODD: However because it's going to be at a public meeting, members of the public can submit written testimony pertinent to the proposed Findings of Fact and Conclusions of Law.

AU: Okay, so we're all good. Well, we're on the same page at least. Everybody understands? Are we okay?

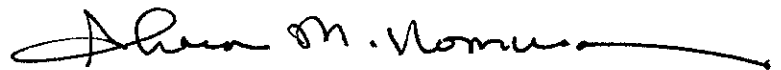
S. LEE LOY: Yes.

THATCHER: Yes.

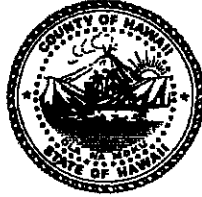
AU: Okay.

The discussion ended at 4:20 p.m.

Respectfully submitted,



Sharon M. Nomura, Secretary
Windward Planning Commission



County of Hawai'i

WINDWARD PLANNING COMMISSION

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JAN 24 2013

Monica Morris, Esq.
Office of the Attorney General
425 Queen Street
Honolulu, HI 96813

Ted H. S. Hong, Esq.
P.O. Box 4217
Hilo, HI 96720

Dear Ms. Morris and Mr. Hong:

Special Permit Application (SPP 12-000138)

Applicant: Connections New Century Public Charter School and Community
Based Education Support Services

Request: To Develop a K to 12 Charter School Campus with Dorm Facilities,
Intergenerational Programs, a Sustainable Agriculture Program and a
Forestry/Conservation Program

Tax Map Key: 2-5-006:141

The Windward Planning Commission, at its January 10, 2013 meeting, made a motion to deny the subject Special Permit application and directed its staff to prepare draft Findings of Fact, Conclusions of Law, and Decision and Order ("Order") for its consideration at its meeting to be held on March 7, 2013, where the motion to deny will be addressed. Once prepared, the draft Order will be provided to the Applicant with an opportunity for the filing of exceptions and presentation of argument to the Commission. The Commission requested that the time frame for the submittal of these documents be worked out between the Planning Department and the Applicant. Pursuant to Commission Rule 4-4(b), the Chairman or other presiding officer may hold conferences and make determinations as necessary to fix the schedule for these matters.

If you have questions concerning this matter, please contact Daryn Arai of the Planning Department at (808) 961-8142.

Sincerely,

Dean Au, Chairman Pro Tem
Windward Planning Commission

Lconnections01wpc

cc: Ivan Torigoe, Esq.
William Brilhante, Esq.

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JAN 24 2013

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