

**Special Permit (SPP 12-000138)**

**Applicant: Connections New Century Public Charter School/Community Based Education Support Services (CBESS)**

**Request: To Develop a K to 12 Charter School Campus with Dorm Facilities and Related Uses**

**Tax Map Key: 2-5-006:141**

**Folder with all Documents related to ICA Remand (File 9)**

<u>EXHIBIT</u>	<u>DATE</u>	<u>DESCRIPTION</u>
1	11/23/2016	Letter from Corporation Counsel to the Windward Planning Commission (WPC) regarding notification of Civil Case No. CAAP-16-0000813 in Intermediate Court of Appeals (CBESS v. WPC.)
2	1/31/2020	Memorandum Opinion from Intermediate Court of Appeals (ICA) remanding CAAP-16-0000813 back to the WPC for further proceedings regarding Special Permit Application No. SPP-12-000138 for Connections/CBESS.
3	6/15/2021	Letter from Planning Director Zendo Kern to WPC recusing himself from SPP-12-000138 and notifying them that Deputy Planning Director Jeff Darrow will represent the Planning Department instead.
4	6/15/2021	Letter from Planning Department (PD) to Ted H.S. Hong, Esq., and Gregg M. Ushiroda notifying them that the WPC will be holding a discussion and Executive Session regarding the ICA's Memorandum Opinion remanding Special Permit Application No. SPP-12-000138 for Connections/CBESS back to WPC.
5	6/15/2021	Letter from PD to Surrounding Property Owners (SPO) notifying them that the WPC will be holding a discussion and Executive Session on July 1, 2021, regarding the ICA's Memorandum Opinion Remanding SPP-12-000138 back to WPC.
6	6/18/2021	Email from Melissa M. O'Bitts transmitting letter from Gregg M. Ushiroda to PD withdrawing himself as counsel of record for Connections and requesting postponement of pre-hearing conference until new counsel can make appearance.

- 7        6/18/2021    Letter from Gregg M. Ushiroda of State Department of Attorney General to PD withdrawing himself as counsel of record for Connections and requesting postponement of pre-hearing conference until new counsel can make appearance.
- 8        6/18/2021    Email from Michael Matsukawa in response to Melissa M. O'Bitts' email regarding SPP-12-000138 for Connections New Century Public Charter School/Community Based Education Support Services (CBESS).
- 9        7/1/2021     WPC Minutes and Transcripts for the July 1, 2021, WPC Hearing.
- 10       7/1/2021     Email from John Thatcher to WPC Commissioners regarding false testimony made at the July 1, 2021, WPC Hearing.
- 11       7/6/2021     WPC letter to Parties requesting Briefs regarding Remand of Connections New Century Public Charter School/CBESS SPP-12-000138 on TMK: 2-5-006:141.
- 12       7/13/2021    PD letter to Ted H.S. Hong, Esq., Carter K. Siu, and Michael J. Matsukawa, Esq. notifying them of the August 5, 2021, WPC Hearing for the Remand of Connections/CBESS Special Permit Application No. SPP-12-000138.
- 13       7/13/2021    PD letter to Surrounding Property Owners notifying them of the August 5, 2021, WPC Hearing for the Remand of Connections/CBESS Special Permit Application No. SPP-12-000138.
- 14       7/27/2021    Letter from Carter K. Siu of State Department of Attorney General regarding WPC's request for Briefs for the Remand of Connections/CBESS Special Permit Application No. SPP-12-000138.
- 15       7/27/2021    Intervenor's Brief on scope of further hearing on remand of Connections/CBESS Special Permit Application No. SPP-12-000138 submitted by Michael J. Matsukawa, Esq.  
(date rec'd.)
- 16       7/28/2021    Appellee's Brief on scope of hearing on remand of Connections/CBESS Special Permit No. SPP-12-000138 submitted by Elizabeth A. Strance, Esq. and Jean K. Campbell, Esq. on behalf of the Planning Dept.

- 17      7/28/2021      Applicants' Brief on scope of hearing on remand of Connections/CBESS Special Permit No. SPP-12-000138 submitted by Ted H.S. Hong, Esq.
- 18      8/3/2021      Email from Ming Peng providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 19      8/3/2021      Email from Erik Lash providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 20      8/3/2021      Email from Ke'ala Lee Loy providing testimony from Dr. Henry Lee Loy on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 21      8/4/2021      Letter from Ted H.S. Hong, Esq. to WPC in objection to the Commission's acceptance and consideration of public testimony concerning the merits of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 22      8/5/2021      WPC Minutes and Transcripts for the August 5, 2021, WPC Hearing.
- 23      8/5/2021      Record of Voting sheets for August 5, 2021, WPC Hearing.
- 24      8/13/2021      Letter from Linda Pexa providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 25      8/18/2021      WPC letter to Ted H.S. Hong, Esq., Carter K. Siu, Michael J. Matsukawa, Esq., and Jean K. Campbell notifying them of the voting results of the August 5, 2021, WPC Hearing regarding Special Permit No. SPP-12-000138 for Connections/CBESS.
- 26      8/18/2021      Email from Dayva Keolanui providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 27      8/27/2021      Email from Dr. Henry Lee Loy following up on his testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 28      9/10/2021      Letter from Kevin M. Richardson of State Department of Attorney General introducing himself as the new counsel of record for Connections New Century Public Charter School for Special Permit No. SPP-12-000138.

- 29 9/13/2021 PD letter to Ted H.S. Hong, Esq., Kevin M. Richardson, Michael J. Matsukawa, Esq., notifying them of October 7, 2021, WPC Hearing for Connections/CBESS.
- 30 9/13/2021 PD letter to Suurounding Property Owners notifying them of October 7, 2021, WPC Hearing for Connections/CBESS.
- 31 9/16/2021 Email from Mireille Desjardins providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 32 9/16/2021 Email from Albert Gary Gardner providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 33 9/16/2021 Email from Carolyn Kaichi providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 34 9/17/2021 Email from Hansen Tsang providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 35 9/21/2021 Email from Ward Pirie providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 36 9/22/2021 Email from Eric Boyd transmitting testimonies from Tammy Keao and William Boyd on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 37 9/22/2021 Email from Eric Boyd transmitting testimonies from Deissery Pestano, Heather Forbes McDaniel and Ipoleikalani Pestano on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 38 9/22/2021 Email from Patti Taira-Tokuuke providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 39 9/23/2021 Letter from Ivan Mochida providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 40 9/24/2021 Email from Larry Kimura providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 41 9/24/2021 Email from Michael J. Matsukawa submitting Intervenor's Proposed Amended Findings of Facts, Conclusions of Law, and Decision and Order for remand of Connections/CBESS Special Permit No. SPP-12-000138.

- 42 9/26/2021 Email from Jenny Nishida providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 43 9/26/2021 Email from Linda Pexa providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 44 9/27/2021 Email from Anna Kennedy providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 45 9/27/2021 Email from Eric Boyd transmitting testimony from Paul Mendoza on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 46 9/29/2021 Email from Eric Boyd transmitting a petition in support of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 47 9/29/2021 Email from Eric Boyd transmitting testimony from John Gallagher on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 48 9/29/2021 Email from Eric Boyd transmitting student testimonies from Tosh Thompson, Staycen, Ke'ilikai Kaua, Gauge Ponce, Deann, Rhodzyn Bohol, Tahan, and Mason Graham in support of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 49 9/29/2021 Email from Melvin H. Yokota providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 50 9/30/2021 Email from Malanai Arcuri providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 51 9/30/2021 Email from Eric Boyd transmitting student testimony from Brianna in support of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 52 9/30/2021 Email from Eric Boyd transmitting student testimony from Alexis Raimon in support of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 53 9/30/2021 Email from Heidi Richgruber providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 54 9/30/2021 Email from Eric Boyd transmitting testimony from Tricia Schalk on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.

- 55      10/1/2021      Email from Eric Boyd transmitting student testimonies from Kaena Au, Laliyah Prieto, Kamakoa Bagorio, Isaak Lucas, Mica Mahalak, and Savannah in support of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 56      10/1/2021      Email from Eric Boyd transmitting testimony from Kathleen "Kathy" Booth on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 57      10/1/2021      Email from Eric Boyd transmitting student testimonies from Katie Strong and Emily Garland in support of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 58      10/1/2021      Email from Dr. Henry Lee Loy providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 59      10/1/2021      Email from Eric Boyd transmitting student testimony from Nainoa Hines in support of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 60      10/1/2021      Email from Yolanda Keehne providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 61      10/1/2021      Email from Joy A. Loo providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 62      10/1/2021      Email from Michael Matsukawa transmitting typographical changes to Exhibit "1" of Intervenor's Proposed Finding of Facts, Conclusions of Law, and Decision and Order on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 63      10/1/2021      Email from Eric Boyd transmitting testimony from John Woolverton on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 64      10/2/2021      Email from Segundo Andaya providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 65      10/2/2021      Email from Pauline Ke'ala Lee Loy providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 66      10/3/2021      Email from Fay Sakata providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.

- 67 10/3/2021 Email from Ryan Nishida providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 68 10/3/2021 Email from Steven Sakata providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 69 10/4/2021 Email from Eric Boyd transmitting student testimony from Alison in support of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 70 10/4/2021 Email from June Sakamoto providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 71 10/4/2021 Email from Newton "Kimo" Miller providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 72 10/4/2021 Email from Eric Boyd transmitting student testimony from Kauai in support of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 73 10/4/2021 Email from Lester Sakamoto providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 74 10/4/2021 Email from Eric Boyd transmitting student testimony from Landon in support of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 75 10/4/2021 Email from Eric Boyd transmitting testimony from Dirk Monterosso on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 76 10/4/2021 Email from Allen Novak providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 77 10/4/2021 Email from Eric Boyd transmitting student testimony from Olivia in support of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 78 10/4/2021 Email from Regina Miller providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 79 10/4/2021 Email from Liz Stanton-Barrera providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.

- 80 10/4/2021 Email from Donna Therrien providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 81 10/4/2021 Email from Wayne Kanemoto providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 82 10/4/2021 Email from Toby Yamashiro providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 83 10/5/2021 Email from Leilani Saarinen providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 84 10/5/2021 Email from Michael Bishop providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 85 10/5/2021 Email from Kristi Davis providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 86 10/5/2021 Email from Ted H.S. Hong transmitting Romeo Garcia's testimony and presentation on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 87 10/5/2021 Email from Gerri K. Hala Latu providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 88 10/5/2021 Email from Alan Iwasaki providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 89 10/5/2021 Email from Eric Boyd transmitting testimonies from Joann, Leilani Bauer, Lucas Kratel and Lamatro Pocdoa in support of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 90 10/5/2021 Email from Eric Boyd transmitting student testimony from Joshua Okamoto in support of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 91 10/5/2021 Email from Joseph K. Kamelamela & Karen Napua Brown providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 92 10/5/2021 Email from Ka'iu Kimura and Randy Kurohara providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.

- 93 10/5/2021 Email from Eric Boyd transmitting testimony from Andrea Lord on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 94 10/5/2021 Email from Eric Boyd transmitting student testimonies from 1st graders in support of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 95 10/5/2021 Email from Lawai‘a Naihe providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 96 10/5/2021 Email from Shinji Salmoiraghi providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 97 10/5/2021 Email from Eric Boyd transmitting 4th grade student testimonies from Sophia, Chloe and Kawika in support of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 98 10/5/2021 Email from Blaine Stuart providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 99 10/5/2021 Memorandum from Ted H.S. Hong, Esq. transmitting Applicant CBESS' Proposed Findings of Fact, Conclusions of Law and Order, and additional Exhibits in support of application SPP-12-000138.
- 100 10/5/2021 Email from Pamela Thatcher providing testimony on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 101 10/5/2021 Email from Eric Boyd transmitting testimony from Pam Thatcher on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 102 10/6/2021 Memo from Ted H.S. Hong, Esq. transmitting Applicant CBESS' Proposed Conditions of Approval on remand of Special Permit No. SPP-12-000138 for Connections/CBESS.
- 103 10/7/2021 Record of Voting Sheets for October 7, 2021, WPC Hearing.
- 104 10/8/2021 Email from Ke‘ala Lee Loy transmitting a letter to the WPC Commissioners in response to the October 7, 2021, WPC Hearing for the remand of Special Permit No. SPP-12-000138 for Connections/CBESS.

- 105      10/12/2021      PD letter to Ted H.S. Hong, Esq., Kevin M. Richardson, and Michael J. Matsukawa, Esq. notifying them of the November 4, 2021, WPC Hearing for the Remand of Connections/CBESS Special Permit No. SPP-12-000138.
- 106      10/12/2021      PD letter to Surrounding Property Owners notifying them of the November 4, 2021, WPC Hearing for the Remand of Connections/CBESS Special Permit No. SPP-12-000138.
- 107      10/13/2021      Letter from WPC to Ted H.S. Hong, Esq., Kevin M. Richardson, and Michael J. Matsukawa, Esq. notifying them of the voting results of the October 7, 2021, WPC Hearing regarding Special Permit No. SPP-12-000138 for Connections/CBESS.
- 108      10/26/2021      WPC Proposed Findings of Facts, Conclusions of Law, Decision  
(rec'd. date)      and Order for Connections/CBESS (SPP-12-000138).