

MEETING OF THE PLANNING COMMISSION
MINUTES SUMMARY
Wednesday, June 28, 2023



([HYPERLINK TO WEBEX AUDIOVISUAL RECORDING OF MEETING](#))

The Planning Commission held a meeting on Wednesday, June 28, 2023, 1:30 p.m. In-person and Remote Meeting at Mission Memorial Auditorium, 550 South King Street, Honolulu, Hawaii. Chair Meatoga III presided.

COMMISSIONERS PRESENT: Pane Meatoga III, Chair
Ryan Kamo, Vice Chair [remote]
Ken K. Hayashida
Melissa May [remote]
Kai Nani Kraut [remote]

COMMISSIONERS EXCUSED: Hilarie Alomar
[prior notice given]
Nathaniel Kinney
[prior notice given]

DEPUTY CORPORATION COUNSEL: Rozelle Agag
(Advisory to the Commission)

COMMISSION STAFF: Gloria Takara
Secretary-Reporter

DIT STAFF: Gregory Cieless, WebEx Management

[1:03]

I. CALL TO ORDER

[3:29]

II. APPROVAL OF MINUTES: The minutes of the March 8, 2023 and April 5, 2023 meetings, as previously circulated, to be approved by the Commission.

[3:43]

[It was moved by Hayashida and seconded by Kamo that the minutes of the March 8, 2023 and April 5, 2023 meetings, as previously circulated, be approved. Motion was unanimously carried, 5:0.]

[4:01]

III. PUBLIC HEARING

Public hearing notice published in the Honolulu Star-Advertiser on Monday, May 29, 2023.

WAIANAE – STATE SPECIAL USE PERMIT – 2008/SUP-2 (FK)
WAIMANALO GULCH SANITARY LANDFILL

Petitioner:	City and County of Honolulu, Department of Environmental Services
Landowner:	City and County
Location:	92-460 Farrington Highway, Waianae
Tax Map Keys:	9-2-050: 005 and 006
Existing Use:	Municipal Solid Waste Landfill
Existing Zoning:	AG-2 General Agricultural District
Land Area:	Approximately 200.622 acres
Request:	The request is to modify the date in Condition No. 1 of the Planning Commission's Findings of Fact, Conclusions of Law, and Decision and Order, dated June 10, 2019 for Special Use Permit No. 2008/SUP-2 from December 31, 2022 to December 31, 2024. This is the date when the Applicant is required to identify an alternative landfill site.

[4:13]

Chair Meatoga announces the following into the record:

Petitioner, Department of Environmental Services has submitted a request to Modify Condition No. 1 of Special Use Permit (SUP) 2008/SUP-2 and Condition No. 5, State Land Use Commission (LUC) Docket No. SP09-403 for the Waimanalo Gulch Sanitary Landfill (WGSL), Tax Map Keys 9-2-050: 005 and 006 Ewa District, Oahu, Hawaii request to modify Condition No. 1 of the Planning Commission's 2019 Decision on Case No. 2008/SUP-2 recommending approval of a Special Use Permit for Waimanalo Gulch Sanitary Landfill (WGSL).

The Land Use Commission in Docket No. SP-09-403 granted the Special Use Permit which included Condition 5.

Today is the public hearing portion of the request to modify the condition. The Commission has scheduled a contested case hearing on this request, and that is scheduled for Wednesday, August 9, 2023 at 1:30 pm at Mission Memorial Auditorium.

At the contested case, the Commission anticipates taking up the several pleadings filed including:

1. Ko Olina Community Association and Maile Shimbukuro's Motion to Recognize Them as Exiting Parties or in the Alternative Petition to Intervene, filed June 9, 2023.
2. Ko Olina Community Association and Maile Shimabukuro's Objection to Notice of Hearing.
3. Schnitzer Steel Hawaii Corp's Petition to Intervene, filed June 13, 2023.
4. Schnitzer Steel Hawaii Corp's Motion for Enlargement of Time, filed June 13, 2023.

Today's public hearing purpose is to allow the public to comment on the request to modify the condition. We will first ask the Department of Planning and Permitting to make its presentation on the request to modify. To my fellow Commissioners, I ask the Commissioners to hold off on asking the Department or testifiers questions at this time and reserve them for the contested case hearing.

We will now begin with a presentation by the Department of Planning and Permitting.

[6:49]

Franz Kraintz, Community Planning Branch Chief, DPP

[11:29]

Chair Meatoga announces to the Commissioners to hold off on asking the Department or testifiers questions at this time and reserve them for the contested case hearing.

[11:46] Public Testimony [in-person]

- 1) Ian Sandison, Esq. for Intervenor Schnitzer Steel Hawaii Corp
- 2) Cynthia Rezentes

[no remote public testifiers]

[19:07]

Advisement by Deputy Corp Counsel Rozelle Agag

[20:27]

[It was moved by Hayashida and seconded by Kamo to continue the public hearing on the Waianae State Special Use Permit 2008/SUP-2 (FK), Waimanalo Gulch Sanitary Landfill to August 9, 2023, 1:30 p.m., in the Mission Memorial Auditorium, public hearing kept open. Motion was unanimously carried, 5:0.]

[21:23]

Executive Session

An Executive Session may be called in order for the Commission to consult with its attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities pursuant to Section 92-5(a)(4), Hawaii Revised Statutes.

[22:10]

[It was moved by Hayashida and seconded by Kamo that the Commission go into executive session to consult with its attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities pursuant to Section 92-5(a)(4), Hawaii Revised Statutes. Motion was unanimously carried, 5:0.]

[22:29 – 24:28]

[At this time the Commissioners, both in-person and remotely, convened into executive session. Everyone not participating in the executive session exited the Auditorium, and also the announcement was made by the DIT staff that those joining via the WebEx will be moved to the lobby.]

[When the Commissioners reconvened into regular session, everyone entered back into the Auditorium and also the people joining via the WebEx was moved out of the lobby back into regular session.]

[24:34]

IV. ANNOUNCEMENTS

[no announcements]

[24:49]

V. ADJOURNMENT

[It was moved by Hayashida and seconded by May that the Planning Commission June 26, 2023 meeting be adjourned. Motion was unanimously carried, 5:0.]

I certify that the foregoing is a true and correct summary of the proceedings, prepared to the best of my ability of the meeting held on Wednesday, June 28, 2023.

Gloria Takara
Secretary-Reporter
Planning Commission