AH Committee

From: GREG BUNDY <GBBMP5@hotmail.com>
Sent: Monday, June 24, 2019 8:39 AM
To: AH Committee
Subject: In opposition to AH-1(1), AH-1(2), AH-27 and AH-28
Attachments: Letter from HI LUC.docx

Affordable Housing Committee,

As a resident of the West Side of Maui, I would like to voice my opposition to AH-1(1), AH-1(2), AH-27 and AH-28 in that the resolutions call for almost 30 acres of the agriculturally zoned land in Launiupoko to be rezoned to urban.

We live full-time in Launiupoko on Punakea Loop (the same road that the proposed developments would be on), and our agricultural land is being used for its intended purpose – agriculture. We grow plumerias and fruit, including mangos, papayas, bananas, breadfruit and more – to give back to the community. We are not people who mis-use or take advantage of this agricultural land in ways that are not allowed, such as illegal short-term rentals or otherwise. We are being good stewards of the land and expect the same from others around us in Launiupoko - including developers.

This is really about greedy developers and trying to circumvent the community planning process that is underway - all under the guise of affordable housing, so it shouldn't be fast-tracked as such. We need smart and meaningful development that goes through the proper channels. No shortcuts. The State of Hawaii Land Use Commission (LUC) in their letter (see attached, which is pages @272-274 from the over 600+ page document re: Makila East) indicated that the applicant is 'deliberately engaging in parcelization so as to circumvent the comprehensive review of the project by the LUC'. If the State has an issue, the County should too. In addition, the local community has recently participated in the West Maui community planning process and all planning options maintained Launiupoko as agricultural land – the West Maui community has already voiced our feedback/position as such. In addition, proposed changes to land use like this should be looked at holistically (all three projects together) and as part of the broader planning process. It looks like the developers are doing it in this way to maximize their profit, without care for the fact that the area cannot support this amount of housing from an infrastructure perspective (water is a HUGE issue, roads (there's limited ways in and out...and we were reminded of this criticality when we fled the fire last August, septic, transportation, etc). I've heard this same developer also owns the entire Wainee area above the aquatic center and below the bypass, less than a mile away, which can be connected to county services and can have the infrastructure needed to support it. So, if that is the case, why is that option not being considered instead? It seems so logical, but, no, the developer stands to make more money off of doing this development in Launiupoko. Don't get me wrong, development here and elsewhere is needed, but this is not how it should be done and it should be for the right reasons - not greed.

Affordable housing is a very serious issue on the island, but it needs to be well-planned and appropriately located on the West Side. It also needs to be permanent – not just for 10 years...not having it be in perpetuity tells me this is absolutely not about affordable housing. After 10 years, the people that need affordable housing will not likely be able to buy a house there. I know we are desperate for affordable housing for our community, but it must be done right and in the right places, such as near transportation, jobs and services – and where the infrastructure (water, sewer, etc.) is there to support it. These projects are not truly about affordable housing, but rather a way to get the broader development projects approved 'under the radar'. Not to mention, if we actually cracked down on the illegal short-term rentals, that would make a difference in our housing crisis. This is a multi-faceted issue and multiple things need to be done to solve the problem – and approving these developments 'as is' is not going to move that needle and only creates more problems. Don't be fooled, don't fall for it.

Based on our experience in the past year with lack of non-potable water to water our farm (no, we don't use the ag water to water our lawn and landscaping, unlike some), Launiupoko does not have the water to support these developments. “Show me the water!” needs to be proven. Another water study under current conditions should be required, and for all three projects. My understanding is that the allocation of water needs we ended up with in our development was because the developer estimated what the usage would be at full build out. Obviously, it was too low an estimate, because we already have a water shortage, so this is important to be done right and there needs to be enough water for everyone now and in the future. My understanding is that the two proposals are being presented with water data from 2016/2017 and the report was submitted before the CWRM decision in late March 2018. A lot has happened since then so it would seem logical that a new independent study be prepared with current data and including the new water plan for demand just to make double-extra sure that the new non-potable supply is not harming the existing potable supply and there is enough of both for everyone forever. And since we know there is a third project out there that is planned for the area too, the county should look at all three of them as if they were one project and make a decision on one cohesive plan.

Last but not least, I’ll let the experts speak to the specifics around the likely impacts to the environment, as a few of them shared at the prior Council meetings, to build such large-scale developments in Launiupoko, but a proper, independent environmental impact study should be done. Considerations should include damage to the coral reefs from grading, the negative impact of a large increase in septic and/or what the impact of a sewage treatment facility will cause, what this means for increased pollution at Launiupoko Beach Park due to a large influx of residents in the area, and the list goes on.

To sum it up, I ask that you decide against approving AH-1(1), AH-1(2), AH-27 and AH-28 with these considerations in mind. I understand that compromise is required on all sides and that we need affordable housing, but this should all be done very thoughtfully and as part of the community planning process, not in a knee jerk fashion to check something off the list that could have significant impact on our environment, our community, our island. Mahalo for your consideration.

Regards,

Greg

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LAND USE COMMISSION
Department of Business, Economic Development & Tourism
State of Hawai`i

DANIEL E. ORODENKER
Executive Officer

June 13, 2017

Mr. Vince Bagoyo
Bagoyo Development Consulting Group
1500 Kilinoe Place
Wailuku, Hawaii 96793

Dear Mr. Bagoyo:

Subject: Draft Application for Proposed Makila Rural-East Workforce Housing Project Pursuant to 201H, Hawaii Revised Statutes
Lahaina, Island of Maui, Hawaii
TMK: (2) 4-7-013: 006, 007, 008, and 010

We have reviewed the subject draft application transmitted by your letter dated June 6, 2017.

We understand that the project site is located within the State Land Use Agricultural District, and that the development, identified as the Makila Rural-East Workforce Housing Project, will consist of 50 affordable workforce single-family residential housing units with a minimum lot size of 10,000 square feet and 45 market-priced agricultural lots with a minimum lot size of approximately one acre. The 50 affordable workforce single-family housing units will be located on approximately 14.6 acres, while the agricultural lots will encompass approximately 49.3 acres. Included as part of the project are a neighborhood store, community park, agricultural farm area, and open space greenbelt. The total acreage of the project site is approximately 97.5 acres. We further understand that the Applicant, Hope Builders LLC, intends to develop the 50 workforce single-family residential housing under the Hawaii Revised Statutes ("HRS") chapter 201H process and will file a district boundary amendment with the County of Maui to reclassify the approximately 14.6 acres of land for the workforce housing from the Agricultural District to the Urban District pursuant to HRS §205-3.1. The 45 agricultural lots are to remain within the Agricultural District.

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Based on our review of the project description, we believe that the Applicant is deliberately engaging in parcelization so as to circumvent the comprehensive review of the project by the Land Use Commission ("LUC"). The delineation of the 14.6-acre workforce housing site to just under the 15-acre statutory threshold for consideration of district boundary amendments by the LUC disregards the potential impacts of the project on areas of statewide concern, including but not limited to transportation infrastructure, school facilities, and civil defense, and is contrary to the spirit and intent of the State Land Use Law promulgated under HRS chapter 205. Although the proposed neighborhood country store appears to be integral to the workforce housing, we are unable to determine if it is included in the district boundary amendment as there is conflicting information in the application. We believe that it should be included inasmuch as it represents a commercial use not only for residents of the project but for the greater Launiupoko community, and will therefore generate impacts beyond the boundaries of the project.

As they represent approximately 50 percent of the project, consideration should also be given to include the proposed 45 agricultural lots as part of the district boundary amendment. This would allow regulatory agencies to comprehensively review the project as an integrated whole rather than on a segmented basis. Although it is noted that residents/homeowners of the workforce housing may be encouraged to start small-scale agriculture, such as vegetable and fruit tree gardens, on their individual lots, we question the ability of the project's 45 agricultural lots to have viable farms and diversified agricultural activities conducted on them in a manner consistent with HRS chapter 205. As you may know, agricultural activities in the Agricultural District must be actively and primarily pursued.

As the application readily acknowledges, the majority of the soils on the project site are not classified by the Agricultural Lands of Importance to the State of Hawaii system, indicating that they are not considered prime, unique, or other important agricultural land of statewide or local importance for agricultural use. The Land Study Bureau further characterizes the soils as "stony to very stony" and rates the majority of the soils as "E," or poor, if not irrigated. Although the soils are rated as "B" if irrigated, the previous irrigation system on the site was removed by the previous owners after sugarcane cultivation ceased operations, and it has never been activated or reconstructed since. To address the irrigation needs of the agricultural lots, we acknowledge that the Applicant plans to construct additional distribution lines for irrigation and a non-drinking water well near the Makila Reservoir to augment the two existing diversions in the Launiupoko and Kauaula Streams.

However, there is no discussion on the cumulative and long-term impacts from the project and the existing and planned subdivisions in the region on these water sources.

Given the existing limitations of the soil for agricultural production, we reiterate our concern that the individual components of the project should be treated as a single development for the purposes of the district boundary amendment. If the Applicant remains intent on excluding the agricultural lots, we believe that an agricultural assessment of the project site should be conducted before any decision is made on the application. Such an assessment should describe, among other things, the type of agricultural crops that may be actively and primarily cultivated on the site and the cumulative and long-term impacts from the project and other neighboring developments on the non-drinking water sources that will be used to irrigate these crops.

We have no further comments to offer at this time. Should you have any questions or require further clarification, please feel free to call our office at 587-3822.

Sincerely,

Daniel E. Orodenker
Executive Officer