

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

House Committee on Health

House Committee on Human Services and Housing

HB 2433, RELATING TO ADULT RESIDENTIAL CARE HOMES

Testimony of Chiyome Leinaala Fukino, M.D.
Director of Health

January 31, 2008
11:00 a.m.

1 **Department's Position:** The Department of Health appreciates the intent of this measure; however, we
2 must oppose the measure.

3 **Fiscal Implications:** Administrative expenses.

4 **Purpose and Justification:** Citizens have voiced their concerns regarding the establishment of Type II
5 Adult Residential Care Homes (ARCHs) in their neighborhoods. However, options relating to the
6 location of ARCHs in their communities and the proximity of ARCHs to other homes are dictated and
7 limited by both Hawaii Revised Statutes section 46-4 and the Federal Fair Housing Act. The department
8 licenses Type II ARCHs when it meets criteria stipulated in Hawaii Administrative Rules Title 11
9 Chapter 100.1. These criteria relate to the health and safety of prospective residents and do not take in
10 to account, the location of the ARCH, its proximity to other homes, or the prevailing support or
11 opposition of the surrounding community. The department has no jurisdiction over the location of
12 ARCHs within a community. Nor does the department have jurisdiction over land usage, zoning, and
13 building permits. Because the department does not have any overarching authority in these situations,
14 we feel we are not in a position to conduct community informational hearings.

15 Thank you for the opportunity to testify.

From: Jeannine Johnson [mailto:jeannine@hawaii.rr.com]

Sent: Tuesday, January 29, 2008 9:33 PM

To: HSHtestimony

Cc: killeens@hawaii.rr.com; Rep. Barbara Marumoto; zbolt@hawaii.rr.com; berthaleong@pruhawaii.com; bchuck@ch2m.com; cdjou@co.honolulu.hi.us; chrisbhi@aol.com; Cindy.S.Inouye@hawaii.gov; hihaven@hotmail.com; schellj001@hawaii.rr.com; casen@hawaii.edu; gbruce@honolulu.gov; heatherwood@hawaii.rr.com; jschn@lava.net; jamallster@yahoo.com; jeannine@hawaii.rr.com; kho4@honolulu.gov; Kquinn@hawaii.rr.com; Linda.w.starr@hawaii.gov; Rep. Lyla B. Berg; melvyn.yap@morganstanley.com; mparke@hawaii.edu; peter.reply@flatearthventures.com; sbh@lava.net; Hawaii.film@hawaiiintel.net; sroig@HonoluluAdvertiser.com; bearstp@yahoo.com; 'Donna Wong HTF'; 'Elizabeth Reilly'; 'Masuda, Chase'; 'Chase & Kate Masuda'; 'Douglas Wong (E-mail)'; 'Shari Anthony'; 'SCOT MURAOKA'; 'Sharon'; 'lynn k'; 'Garrett Miyake'; 'Wayson Chow'; 'Jeanne Ohta'

Subject: NB#2 Testimony in Strong Support of HB 2433 re ARCH homes

Jeannine Johnson, Legislative Sub-Committee Chair

Kuli'ou'ou / Kalani Iki Neighborhood Board #2

5648 Pia Street, Honolulu, Hawai'i 96821

Phone: 373-2874 (h) / 523-5030 (w)

January 29, 2008

Via email to HSHtestimony@Capitol.hawaii.gov

COMMITTEE ON HUMAN SERVICES & HOUSING

Rep. Maile S. L. Shimabukuro, Chair

Rep. Karl Rhoads, Vice Chair

Rep. Karen Leinani Awana Rep. Josh Green, M.D.

Rep. Della Au Belatti Rep. John Mizuno

Rep. Joe Bertram, III Rep. James Kunane Tokioka

Rep. Rida T.R. Cabanilla Rep. Gene Ward, Ph.D.

COMMITTEE ON HEALTH

Rep. Josh Green, M.D., Chair

Rep. John Mizuno, Vice Chair

Rep. Karen Leinani Awana Rep. Karl Rhoads

Rep. Della Au Belatti Rep. Maile S. L. Shimabukuro

Rep. Joe Bertram, III Rep. James Kunane Tokioka

Rep. Rida T.R. Cabanilla Rep. Gene Ward, Ph.D.

RE: HB2433 RELATING TO ADULT RESIDENTIAL CARE HOMES

Hearing on Thursday, January 31, 2008, at 11:00 am in Conf. Room 329

Dear Chairs Shimabukuro and Green, Vice Chairs Rhoads and Mizuno and Honorable Committee Members:


As Committee Chair of the **Kuli'ou'ou / Kalani Iki Neighborhood Board #2** Legislative Sub-Committee, I am pleased to inform you Neighborhood Board #2 supports HB2433 which requires a type II adult residential care home in a residential area applying for a license to give notice of its application; requires the applicant to notify the Department of Health (DOH) if also applying for county permits; and requires the DOH to hold a hearing in the district where the proposed home is to be located and invite county attendance. **Neighborhood Board #2** represents over 6,000 households, with a population of almost 20,000 people (State of Hawaii Data Book 2002) in East Honolulu.

At its March 1, 2007, meeting, the **Neighborhood Board #2** was informed of the eight-bed Adult Residential Care Home (ARCH Type II) proposed to be built at 5304 Limu Place. It was also informed of the serious physical limitations of Limu Place, a small dead-end street in 'Āina Haina, and its residents' concerns about increased traffic, lack of adequate parking and safety issues. As a result, the **Neighborhood Board #2** voted unanimously to oppose an eight-bed Adult Residential Care Home (ARCH Type II) at 5304 Limu Place.

At its November 1, 2007, meeting, the **Neighborhood Board #2** recognized that the proliferation of adult residential care home (ARCH) in residentially zoned areas was becoming a major concern and voted unanimously, again, to require any ARCH II facility with more than five (5) patients in a residential neighborhood to give notice of its proposed permit application to the surrounding residents as well as provide them with an opportunity to be heard at a presentation at their neighborhood board whose geographic area contains the proposed ARCH II facility.

Because I am unable to testify in person, Chair Robert Chuck has authorized Limu Place resident Susan Killeen to represent **Neighborhood Board #2** and present this testimony at the hearing.

Mahalo,



Legislative Sub-Committee Chair

Kuli'ou'ou / Kalani Iki Neighborhood Board #2

cc: Chair Robert Chuck
Sen. Sam Slom (via email)
Rep. Lyla Berg (via email)
Rep. Barbara Marumoto (via email)
Ms. Susan Killeen

January 30, 2008



Aina Haina Library
5246 Kalanianaʻole Highway
Honolulu, HI 96821

Wayson Chow
President

Dave Dunbar
Vice-President

Art Mori
Treasurer

Jeanne Ohta
Membership Secretary

Directors At Large:
Lenore Johnson
Gregg Kashiwa
Chien-Wen Tseng

Bertha Leong
Past President

Via Fax (808) 586-6189

Representative Maile S. L. Shimabukuro, Chair
Representative Karl Rhoads, Vice-Chair
House Committee on Human Services & Housing
State Capitol, Room 406
415 So. Beretania St.
Honolulu, Hawaii 96813

Representative Josh Green, M.D., Chair
Representative John Mizuno, Vice-Chair
House Committee on Health
State Capitol Room 327
415 So. Beretania St.
Honolulu, Hawaii 96813

Dear Representatives Shimabukuro, Green, Rhoads and Mizuno:

Re Support for HB 2433 Relating to Adult Residential
Care Homes

Hearing: Thursday, January 31, 2008: 11 a.m.

I am writing to **support HB 2433** on behalf of the **Aina Haina Community Association**, a forty two year old community organization representing about 1600 households, in Eaat Oahu.

About a year ago, the neighbors of 5304 Limu Place discovered that an adjacent home was undergoing substantial reconstruction and being converted from a single family residence, into an Adult Residential Care Home (Type II)—8 patient, staffed with full time certified nurse assistants, and absentee non-resident owners. These Aina Haina residents were surprised, and dismayed to learn that State laws and the City Land Use Ordinance permitted an ARCH II eight patient 24/7 care home business, to be built in a suburban residential neighborhood, without any written notice and without any prior hearings for affected neighbors.

As a result, the Friends of Limu Place quickly organized, approached the Aina Haina Community Organization (AHCA), and the Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2, and obtained unanimous resolutions opposing the continued conversion of the 5304 Limu Place residence into an 8 patient, fully staffed ARCH II Care Home. **See Exhibit "1"**

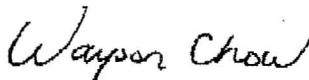
Representatives Shimabukuro, Green, Rhoads & Mizuno
HB 2433
January 30, 2008
Page 2

The Aina Haina Community Association recognizes the need for and supports decentralized ARCH I care homes (with on site resident owners), in residential neighborhoods. Nevertheless, the Aina Haina Community Association and the Kuli'ou'ou--Kalani Iki Neighborhood Board No. 2 unanimously oppose allowing business investors to convert single family homes within residential neighborhoods, into staffed ARCH Type II care home businesses, without prior written notice and a public hearing involving participation from adversely affected neighbors, the State Department of Health, and the City Department of Planning and Permitting.

In summary, the **Aina Haina Community Association strongly supports passage of HB 2433**, carefully balancing the needs of long time neighbors, with the need for safe, affordable and caring decentralized ARCH I Care Homes...

If additional information is needed, please feel free to contact me by phone 599-8844 or by email waysonc@aol.com, at any time

Sincerely,



Wayson Chow, President
Aina Haina Community Association

Encl: Exhibit "1" Kuli'ou'ou--Kalani Iki Neighborhood Board #2 Resolution
Unanimously Opposing ARCH II Care Homes @5304 Limu Place in Aina
Haina.



KULIOUOU/KALANI IKI NEIGHBORHOOD BOARD NO. 2

NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 400 • HONOLULU, HAWAII,
96813 PHONE (808) 527-5749 • FAX (808) 527-5760 • INTERNET <http://www.honolulu.gov>

March 9, 2007

Via e-mail and Inter-office mail

Director Henry Eng, FAICP
Department of Planning and Permitting
650 S. King Street, 7th Floor
Honolulu, HI 96813

Dear Director Eng:

Subject: Opposition to 5304 Limu Place Adult Care Home

At the March 1, 2007 meeting of the Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2, a presentation was made by concerned residents that an eight-bed Adult Residential Care Home (ARCH Type II) is under construction at 5304 Limu Place in Aina Haina. A power point presentation showed the inadequate parking available and the physical limitations (narrow and short dead-end street) of Limu Place and how the safety of the residents living near the proposed facility would be impacted by this proposed Adult Care Home.

After a lengthy discussion by residents and Neighborhood Board members, the following resolution was passed by the Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2:

Resolution Regarding 5304 Limu Place

Whereas, due to the serious physical limitations of Limu Place, a small dead-end street in Aina Haina, and residents' concerns about increased traffic, lack of adequate parking and safety issues,

BE IT RESOLVED that the Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2 is opposed to an eight-bed Adult Residential Care Home (ARCH Type II) at 5304 Limu Place.

BE IT FURTHER RESOLVED that the Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2 shall send a letter to Mr. Henry Eng, FAICP, Director, Department of Planning and Permitting informing him of this resolution.

We urgently request that you investigate the possibility of not allowing this development to continue as it jeopardizes the safety of the nine homes on the dead-end street. Due to its limited street parking spaces and the already heavy usage from its current residents, there simply is not enough street parking to accommodate

Exhibit "1"

Letter to Mr. Henry Eng
March 9, 2006
Page 2

an Arch Type II home. Insufficient parking spaces will result in illegal parking, road congestion and an unsafe street for the children and residents of Limu Place. Traffic generated by deliveries of food and supplies, Handi-Vans, Emergency Response vehicles, employee, and family visitations to this Care Home site will only add to the extreme congestion and resulting danger to the residences of Limu Place.

We understand that the Department of Planning & Permitting must follow the establish City Ordinances when decisions are made to permit ARCH Type II Adult residential Care Home facilities. We do, however, believe that the safety considerations can be reason enough for preventing such a facility on a narrow and short dead-end street where parking is already limited.

We thank you for your cooperation in looking into this matter.

Very truly yours,

Robert I. Chuck, P.E.
Chair
Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2

Cc: Mayor's representative Gordon Bruce
Councilmember Charles Djou
Senator Sam Slom
Representative Lyla Berg
Shirley Souza, State Department of Health
Bertha Leong, President, Aina Haina Community Association



Aina Haina Library
5246 Kalaniana'ole Highway
Honolulu, HI 96821

Wayson Chow
President

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Treasurer

Jeanne Ohta
Membership Secretary

Directors At Large:
Lenore Johnson
Gregg Kashiwa
Chien-Wen Tseng

Bertha Leong
Past President

Date: January 30, 2008

To: Representative Maile S.L. Shimabukuro, Chair
Representative Karl Rhoads, Vice-Chair
State House Committee on Human Services & Housing

Representative Josh Green, Chair
Representative John Mizuno, Vice-Chair
State House Committee on Health

Fax: (808) 586-6189

From: Wayson Chow, President
Aina Haina Community Association

SUBJECT **SUPPORT FOR HB 2433**
Hearings: Thursday, January 31, 2008 11 a.m..

Please See Attached Letters in Support & Exhibit(s)

NO. OF PAGES BEING SUBMITTED 5 pages
(including cover sheet)

HAWAII COALITION OF CAREGIVERS

P.O. Box 2441
Honolulu, Hawaii 96804

January 31, 2008

Testimony in **Opposition to HB2433**
HSH/HLT – **Jan. 31, 2008, 11:00 a.m., Room 329**

Ladies and Gentlemen of the Hawaii State Legislature:

The Hawaii Coalition of Caregivers (HCCG) **opposes** HB2433 that would require Type II adult residential care homes (ARCHs) to additional onerous requirements of publishing notice to the general public and subjecting applicants to a public hearing.¹

As you may know, caring for our ever-increasing ranks of *kupuna* must be addressed by the State given the demographic trend indicating the aging of our population, including the imminent retirement of baby boomers that will strain our elderly care delivery system. Incidents where our elders have been shipped off to the mainland because of the insufficient number of elderly care facilities in this State have been documented and publicized. With all they have contributed to our society, this indignation of our *kupuna* should not continue.

Hawaii already has the ignoble distinction as being one of the few states in America with an insufficient number of elderly care facilities, especially home and community based options that preserve the dignity of elderly people by integrating them into a home and community setting as opposed to an institution.

These increased requirements of publication and a public hearing will discourage caring citizens like HCCG's members from opening new homes. The cost of operating a home has skyrocketed while reimbursements for the 24/7 unglamorous care provided (bathing, dressing, cooking, transporting, entertaining, etc.) to residents has stagnated. Medicaid reimburses a mere \$1,200 per month for 24/7 care. In addition, caregivers must invest substantial capital in bringing their homes to applicable standards set by the State and to ensure the comfort and safety of residents. Publication and a public hearing will further add to the cost and time of opening a home. The increased risk that the State will have increasing difficulty finding space, much less desirable space, for its *kupuna* because of this bill cannot be ignored.

HB2433 would create an unworkable system where negative comments by one or a few residents in a particular community could derail a caregiver's attempt to provide services that are already difficult to obtain. The number of caregivers and total inventory of ARCH beds have been on the decline even without these additional requirements of publication and a public hearing. How many more beds will be lost if this measure passes? How many more caregivers will be discourage to open beds that could be filled by an elderly *kupuna* hoping to be integrated in the community?

Indeed, HB2433 involves a dispute between a few care homes and their neighbors. The concerns expressed by this bill are limited to particular neighborhoods in East Honolulu. The solution to this dispute between neighbors need not and should not adversely affect the entire State. Many communities have embraced care homes and the presence of *kupuna*. Even in communities where the proponents of this bill live, the opinion of neighbors is not uniformly against care homes. In fact, we would venture to submit that the proponents of this bill constitute a small minority of residents.

Disputes between neighbors will occur regardless of this bill. Problems cited by proponents like increased traffic, noise, and lack of parking cannot be attributed to care homes. These problems reflect general trends in any modern urban area. Certainly, if particular care homes are in fact bad neighbors, they should be held accountable, but the entire industry along with the *kupuna* it serves should not be dragged down. Bad neighbors are everywhere, but not all care homes are bad neighbors.

For the reasons discussed above, HCCG respectfully **opposes** HB2433.

Very truly yours,

Hawaii Coalition of Caregivers

By: _____
Bryan P. Andaya

ⁱ The Hawaii Coalition of Caregivers (HCCG) consists of four organizations working in collaboration towards the common mission of uniting the home and community based care giving industry to improve the quality of care provided to elderly and developmentally disabled clients in various home and community based programs, as well as to improve the state of the industry. HCCG consists of: The Alliance of Residential Care Administrators (ARCA), the Preferred Care Providers (TPCP), the United Group of Home Administrators (UGHO), and the Adult Foster Home Association of Hawaii (AFHA). Together, members of the four organizations comprise about 90% of the home and community-based care givers in the State of Hawaii, or the equivalent of 4,000 beds.

Testimony- Flynn

Members of the Hawaii State House of Representatives, Committee on Human Services and Housing.

Thank you for the opportunity to testify in support of HB 2433, Relating to Adult Residential Care Homes.

My quiet Kaimuki neighborhood on Maunalani Circle is the latest residential (R-10 zoned) community to be targeted as the site of one or more Adult Residential Care Homes (ARCH). I am opposed to the approval of any business in a residential community without the opportunity for citizen input. The proposed statutory material will provide for public hearings before permits are granted for ARCH type II businesses.

The proposed commercial Alzheimer's care facilities are businesses and should not be allowed in residential neighborhoods at all. They benefit a few and cause irreparable harm to neighbors. These care homes are tremendously lucrative to the operators. If 8 clients are served at \$7000 to \$8000 per client, the business owners could gross from half to three quarters of a million dollars per year from clients. In addition, there are tax breaks and other funding that may push their profits even higher.

The houses in our neighborhood are single-family homes. Converting them to accommodate disabled unrelated clients will necessitate construction inside and out which will change the character of the house and yard from a family home to an institution. In addition to visitors, these business facilities will require hired attendants, service providers, supply trucks, ambulances, all of which will bring more traffic, parking problems, noise and unrelated people to our quiet neighborhood. Property values are potentially depressed; anyone selling a home must disclose the presence of such a business operating in the neighborhood.

Lest you think this is a "Not In My Backyard" NIMBY response, please note that we already have Maunalani Nursing and Rehabilitation Center on one end of the circle. We all try to be good neighbors, but enough is enough without private homes also being converted to similar businesses. My neighbors and I feel very frustrated that these ARCH facilities can presently be approved without any need for compliance with county zoning laws or public hearing. The only approval presently needed is from the Department of Health that addresses just the health and safety of patients, not neighborhoods.

As a physician and senior citizen I am also all too aware of the dearth of long-term care facilities in Hawaii. However, allowing disruptive businesses to be opened all over the islands in private neighborhoods is a passive, not an active, planned solution to this shortage.

Sincerely,
Mary M. Flynn, MD

-----Original Message-----

From: Lynda Pelayo [mailto:lpelayo@hawaii.rr.com]
Sent: Tuesday, January 29, 2008 2:42 PM
To: HSHtestimony
Subject: Testimony- HB 2433

Transmittal Cover - Pelayo
HSHtestimony@Capitol.hawaii.gov

Testifier's Name: Lynda Pelayo, Citizen

Committee: COMMITTEE ON HUMAN SERVICES & HOUSING

Date/Time of Hearing: January 31, 2008, 11:00AM

Measure #: HB 2433

Number of copies committee requesting: 3

Testimony- Pelayo

Members of the Hawaii State House of Representatives, Committee on Human Services and Housing.

Thank you for the opportunity to testify in support of HB 2433, Relating to Adult Residential Care Homes.

I am opposed to the approval of any business in a residential community without the opportunity for citizen input. One of my neighbors who owns several homes (most of which are used as rental properties) on my street is wanting to open one or more Adult Residential Care Homes (ARCH). The proposed statutory material will provide for public hearings before permits are granted for ARCH type II businesses.

Changing a residential home into a full blown business, with delivery trucks, employees, patients, ambulances and first responder fire trucks with sirens blasting at all hours of the night is unfair to the neighbors. We already have a very large nursing home and rehabilitation center in our neighborhood. This professionally run establishment has their own parking lot for their employees, visitors and deliveries. The residential homes in questions have no parking. The street is already completely full because of the tenants living in their other homes.

We purchased our house because it was far away from the commercial premises of Kaimuki town. We are literally at the top of the mountain. Our property values will be affected by people running such a commercial enterprise, which we must disclose upon sale of our home. It is completely unfair for one resident to be able to cause this to happen without any input from those affected by both noise, traffic, and potential property value drops.

Also, we purchased a home in a residential neighborhood because we are

raising our children and want them to be in a safe, quiet area around other kids and families.

There is no democracy when an entire neighborhood is against what basically turns into re-zoning efforts by one person, and the entire neighborhood has no say at all, and the one person can do whatever they like.

Aloha,
Lynda Pelayo

--

From: ART COSTAS [mailto:artcostas@hawaii.rr.com]

Sent: Tuesday, January 29, 2008 7:25 PM

To: HSHtestimony

Subject: HB2433

To: Committee on Human Services & Committee on Health

Date: 1/30/2008

Time: 6:00 PM

Measure: HB2433

Dear Representatives Shimabukuro, Rhoads, Green and Mixuno,

As a proud 21 year resident of Maunalani Circle, I urge you to support HB2433. Adding another ARCH facility in our Neighborhood some 4 houses from the Maunalani Nursing Home is beyond reason. In this particular case, adding a "for profit" ARCH could easily turn into a clustering of nursing homes and change our small and unique neighborhood for ever.

We have so much more to share but hope you can at least allow public/neighborhood discussion. The individuals in this instance are fast tracking without regard for their neighbors desire to keep the neighborhood as it should be.

I respectfully urge you to support HB2433.

Respectfully Submitted by,

Art & Berit Costas
5072 Maunalani Circle
808-734-3074

From: Cheryl [mailto:varadyc002@hawaii.rr.com]
Sent: Tuesday, January 29, 2008 9:40 PM
To: HSHtestimony
Subject: HB2433

Testifier's Names: Lothar M. Varady, M.D. and Cheryl G. Varady
Committee on Human Services and Housing, dated 1/31/08 a 11:00 AM
Measure # HB2433
Number of copies committee requesting: 3

To: Members of Committee on Human Services and Housing

We urge you to support HB2433.

While we all understand the importance of caring for the elderly, the location of ARCH facilities can seriously impact a neighborhood because of parking and traffic issues, and may be totally unsuitable for many neighborhoods,

Thus, input from the community should be considered before permits for ARCH facilities are granted, and the input should take the form of public hearings.

We therefore request your support of HB 2433.

Mahalo

Lothar M. Varady, M.D.
Cheryl G. Varady

From: Linda LeGrande [mailto:mohalaway@hawaii.rr.com]
Sent: Wednesday, January 30, 2008 8:15 AM
To: HSHtestimony
Subject: HB2433

TO: - Committee on Human Services
- Committee on Health

Date/Time
of Hearing: - January 31, 2008 (may have been postponed to a later date, please
submit this testimony when needed, thank you)
Measure: - HB2433

Dear Representatives,

I urge you to support HB2433. As our population ages, we must plan housing for our seniors and moving them into our neighborhoods, and housing them in adult residential care facilities (ARCHs) presents new challenges. Good planning now will prevent problems in the future with regard to traffic, parking, infrastructure, cultural differences and community relationships.

It is a good practice to allow the neighbors and residents to feel that they have a say in their communities. In all of our 'Plans' at both the City and State levels, we emphasize the importance of involving the 'community'.

Please support HB2433 and let's begin the process of intelligent and careful planning for these needed facilities.

I respectfully urge you to support HB2433. Thank you.

Sincerely,

Linda LeGrande
2243 Mohala Way, Honolulu
808) 947-7400

To: Committee on Human Services and Housing & Committee on Health

Date: 1/31/08

Time: 11:00 AM

Measure: HB2433

Dear Representatives Shimabukuro, Rhoads, Green and Mizuno,

I urge you to support HB2433. While I respect the need to find alternative ways to care for our elders and the general concept of ARCH care facilities in our communities as a solution to this issue, we must be sure we have a long-term vision in mind as we license these homes.

I feel that it is inappropriate to allow an ARCH II facility (6 or more patients) to be built in most residential neighborhoods. This can create issues with parking, traffic and safety, in addition to changing the character of the community. ARCH II facilities do not require the home-owners to live on the premises and so their investment in the neighborhood will necessarily be different than that of someone who resides there (as in the ARCH I).

We have had many issues to date with a homeowner of a proposed ARCH II on Limu Place and the neglect of the property and disregard for neighbors. (Vector Control has been called in twice on a rat problem and gross pool neglect to the degree that mosquito larvae were thriving.)

A public hearing and community discussion should be required before even considering a permit to build or renovate in preparation for an ARCH II license from the State. In this way, neighbors are able to have input in the process.

I respectfully urge you to support HB2433. Thank you for this opportunity to testify.

Sincerely,

Susan Killeen
Friends of Limu Place
808-373-2288

From: Susan Wo [mailto:susanwo@hawaii.rr.com]

Sent: Wednesday, January 30, 2008 10:37 AM

To: HSHtestimony

Subject: letter in support of HB 2433

To the Members of the Hawaii State House of Representatives, Committee on Human Services and Housing

We are writing in support of HB 2433.

For almost seventeen years, our family has called Maunalani Heights home. We live on Mana Place, a quiet dead end street off of Maunalani Circle. Can you imagine waking up to birds chirping, the scent of the forest in the breeze, and the knowledge that surrounding you are fellow neighbors who have taken an active interest in preserving the serenity of our community? It is a very peaceful feeling.

Recently, it has been brought to our attention that the Mosher family, aloof neighbors on Maunalani Circle, has plans to convert 2 of their six houses into adult residential care homes. When we purchased our house and decided to raise our children in this serene community, we did so knowing that this was a quiet RESIDENTIAL neighborhood with no possibility of businesses able to spring up next to us. Were we too naive in believing that R-10 meant residential zoned and only people with the intent on living in our neighborhood as residents would be our neighbors? We thought the R-10 zoning PROTECTED us from having businesses being built next to us.

Please do not allow a business to disrupt our quiet residential neighborhood with additional traffic (service or visitor), parking burdens, or the suffocating sights and sounds that follow any business. Please protect our R-10 zoning.

Sincerely,

Susan and Bennett Wo

**To: Committee on Human Services and Housing &
Committee on Health**

Date: 1/31/08

Time: 11:00 AM

Measure: HB2433

Dear Representatives Shimabukuro, Rhoads, Green and Mizuno,

I urge you to support HB2433. It is certainly important that we find ways to accommodate our aging population, and I support the idea of care facilities in residential neighborhoods, however I don't believe that the ARCH II facilities (6 or more residents) are appropriate in most residential areas. This can create issues with parking, traffic and safety.

In addition, ARCH II facilities do not require the home-owners to live on the property, and as such, I don't think a commercial enterprise (an ARCH II) should be permitted in a residential neighborhood.

A public hearing with community input should certainly be required before issuing any permits in preparation for an ARCH II license. Residents must be allowed to discuss the issues that will affect their communities.

We have had many challenges with a homeowner of the ARCH II currently being built at 5304 Limu Place in terms of property neglect, and neighbors have called the Department of Health with concerns about rats and a polluted swimming pool. The subsequent report states that mosquito larvae were present and a health hazard.

I hope that the city and state will create proper oversight so that communities will not be negatively affected in the future, as this will be a growing problem. Let's care for our elderly and be mindful of home owners' rights.

I respectfully ask that you support HB2433. Thank you for this opportunity.

Sincerely,

Garrett K. Miyake
5325 Limu Place
808-216-6041

From: Janice Taketa [mailto:janicehtaketa@mac.com]
Sent: Tuesday, January 29, 2008 10:16 PM
To: HSHtestimony
Cc: Heather Bolan; susanwo@hawaii.rr.com; Costas,Art and Barret COSTAS; Saari,Jim and Flynn,Mary Saari & Mary Flynn; Cone,jim Cone; varadyc002@hawaii.rr.com; Sharon Schneider; Ken Johnson; Perterson,John
Subject: Fwd: Testimony for HB 2433

Begin forwarded message:

From: Janice Taketa <janicehtaketa@mac.com>
Date: January 29, 2008 4:16:28 PM HST
To: HSHtestimony@Capitol.hawaii.gov
Cc: Heather Bolan <bolan@Capitol.hawaii.gov>
Subject: Testimony for HB 2433

Transmittal Cover- Taketa
Testifier's Name : Janice Hanley Taketa, M.S. CCC-SP, Citizen

Committee: COMMITTEE ON HUMAN SERVICES& HOUSING

Date/Time of Hearing: January 31,2008,11:00

Testimony-Taketa
Members of the Hawaii State House of Representatives, Committee on
Human Services and Housing

Thanks you for the opportunity to testify in support of HB 2433

My husband Kelvin and I moved into this quiet Maunalani Circle neighborhood 10 years ago believing it was a good residential neighborhood to raise our two children. This is a neighborhood for families not businesses. Presently there is a family 3 doors away from us that own 6 houses on our circle. Their intention is to convert a number of these homes into Adult Residential Care Homes. We are opposed to the

approval of any business in a residential community without at least the opportunity for citizen input. When this family was approached about their intentions their reply was, " We can do anything we want. We don't need any approval or licenses." If this is true, our state is not addressing the needs of all citizens. It is only assisting those with commercial goals. This neighborhood is our home. we should b able to voice our concerns about the activities that are going to change the character of our home.

An Alzheimer Care Facility is a commercial venture. We are zoned R-10 not commercial.

To be specific about our case, our neighborhood has no sidewalks, little parking and steep cliffs. The family attempting to convert at least 2 homes has already repeatedly violated zoning laws by having as many as 8 unrelated families living in one of their houses and at least 3 in another. They have never taken their neighbors into consideration with any of their activities.

As a speech language pathologist I am concerned for the welfare of the potential clients in this neighborhood. If any client should wander off they would be in grave danger. There are no sidewalks , we have blind curves, and steep cliff access.

Our state is in dire need of more long-term care facilities but disrupting residential neighborhoods should not be the solution.

Sincerely,
Janice Hanley Taketa M.S.CCC-SP

COMMITTEE ON HUMAN SERVICES AND HOUSING & COMMITTEE ON HEALTH
FAX 586-6189
DATE: 1/31/08
TIME: 11:00 AM

RE: HB2433

THIS CORRESPONDENCE IS IN SUPPORT OF HB2433.

MY WIFE AND I KNOW FROM PERSONAL EXPERIENCE THE PROBLEMS THAT
ARISE WHEN COMMERCIAL ENTERPRISES CAN BE PLACED IN A
RESIDENTIALLY ZONED AREA WITH ZERO NEIGHBORHOOD INPUT.

WE STRONGLY URGE YOU TO GIVE THIS BILL YOUR COMPLETE SUPPORT.

MAHALO

JOE AND SHARI ANTHONY
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*Joe and
Shari Anthony*

----- Forwarded Message

From: <Dkwong1@aol.com>

Date: Wed, 30 Jan 2008 16:17:21 EST

To: <repmarumoto@Capitol.hawaii.gov>

Cc: <killeens@hawaii.rr.com>, <Dkwong1@aol.com>

Subject: HB 2433 re ARCH Homes

Dear Representatives,

We strongly support HB 2433.

Thank you for your concern for our community.

Douglas and Jocelyn Wong
5324 Limu Place
Honolulu Hawaii 96821
Ph: 373-3198