

**MAUI PLANNING COMMISSION  
ACTION MINUTES  
MAY 9, 2017**

**A. CALL TO ORDER**

The regular meeting of the Maui Planning Commission was called to order by Chairperson Sandra Duvauchelle at approximately 9:07 a.m., Tuesday, May 9, 2017, Planning Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui.

A quorum of the Commission was present. (See Record of Attendance.)

**B. PUBLIC TESTIMONY** - At the discretion of the Chair, public testimony may also be taken when each agenda item is discussed, except for contested cases under Chapter 91, HRS. Individuals who cannot be present when the agenda item is discussed may testify at the beginning of the meeting instead and will not be allowed to testify again when the agenda item is discussed. **Testimony will be limited to a maximum of three (3) minutes.**

**C. PUBLIC HEARINGS** (action to be taken after each public hearing.)

1. MR. CHRIS W. SMITH requesting a Short-Term Rental Home Permit to operate the 106 Halelo Street Short-Term Rental Home, a 6-bedroom short-term rental home located in the R-3 Residential District at 106 Halelo Street, TMK: 4-4-009: 007, Lahaina, Island of Maui. (STWM T2016/0025) (L. Callentine)

The subject application is being brought to the Maui Planning Commission for review because there are at least two (2) permitted short-term rental home operations located within 500 ft. of the subject property.

**It was moved by Ms. Canto, seconded by Ms. Gomes, then**

**VOTED: To Approve the Short-Term Rental Home Permit as Recommended by the Department.**  
**(Assenting – P. Canto, T. Gomes, L. Carnicelli, R. Higashi, S. Duvauchelle)**  
**(Dissenting – L. Hudson, K. Robinson, C. Tackett)**  
**(Excused – S. Castro)**

2. MR. STEVEN GATCHELL requesting a Short-Term Rental Home Permit in order to operate the Summit Residence at Kaanapali Vista, a 4-bedroom short-term rental home located in the R-3 Residential District at 41 Holomakani Place, TMK: 4-4-009: 030, Kaanapali, Lahaina, Island of Maui. (STWM T2017/0001) (E. Aako)

The subject application is being brought to the Maui Planning Commission for review because there are at least 2 permitted short-term rental home operations located within 500 ft. of the subject property.

**It was moved by Mr. Carnicelli, seconded by Ms. Canto, then**

**VOTED: To Approve the Short-Term Rental Home Permit as Recommended by the Department.**  
**(Assenting – L. Carnicelli, P. Canto, C. Tackett, R. Higashi, S. Duvauchelle)**  
**(Dissenting - K. Robinson, T. Gomes, C. Tackett)**  
**(Excused – S. Castro)**

3. MS. MARIANNE WHEELER requesting a Land Use Commission Special Permit in order to operate the Kula 4200 Bed and Breakfast, a 2-bedroom bed and breakfast home located in State Agricultural District at 570 Hapapa Road, TMK: 2-3-039: 012, Kula, Island of Maui. (SUP2 2017/0003) (T. Furukawa)

**It was moved by Mr. Higashi, seconded by Mr. Carnicelli, then**

**VOTED: To Approve the Land Use Commission Special Use Permit as Recommended by the Department.**  
**(Assenting – R. Higashi, L. Carnicelli, L. Hudson, K. Robinson, P. Canto, T. Gomes, C. Tackett)**  
**(Excused – S. Castro)**

#### **D. COMMUNICATIONS**

1. MR. DAVID DANTES, M.D. requesting a 5-year time extension on the State Land Use Commission Special Permit in order to continue to operate the Maui Tradewinds Bed and Breakfast, a 3-bedroom B&B located in the State Agricultural District at 4320 Une Place, TMK: 2-8-002: 158, Haiku, Island of Maui. (SUP2 2002/0002) (E. Aako)

**It was moved by Mr. Carnicelli, seconded by Ms. Gomes, then**

**VOTED: To Approve the Five-Year Time Extension on the State Land Use Commission Special Use Permit as Recommended by the Department.**  
**(Assenting – L. Carnicelli, T. Gomes, L. Hudson, K. Robinson, P. Canto, T. Gomes, C. Tackett, R. Higashi)**  
**(Excused – S. Castro)**

2. MS. LORRAINE GRACE of SUNRISE CENTER, INC.dba LAUNA IO ECO-EDUCATION CENTER requesting a 5-year time extension and an amendment to the State Land Use Commission Special Use Permit for the Hale Akua Garden Farm Retreat Center in the State Agricultural District at 110 Door of Faith Road, TMK: 2-9-007: 056, 057, and 053, Huelo, Haiku, Island of Maui. (SUP2 2005/0004) (G. Flammer)

The amendment request is to add a condition to allow one child age 12 or under to also occupy a room to be consistent with a condition of the Conditional Permit, Ordinance No. 4404.

**It was moved by Ms. Canto, seconded by Mr. Tackett, then**

**VOTED: To Approve the Five-Year Time Extension and Amendment to the State Land Use Commission Special Use Permit as Recommended by the Department.**  
**(Assenting – P. Canto, C. Tackett, L. Carnicelli, L. Hudson, K. Robinson, T. Gomes, R. Higashi)**  
**(Excused – S. Castro)**

**E. ORIENTATION WORKSHOP NO. 2**

1. Update of the General Plan – Long Range Division and Plan Implementation
2. Special Management Area Rules and Shoreline Setback Rules
3. Flood Hazards
4. County's Policy Against Discrimination

Planning Department Staff made presentations to the Commission.

**F. COMMUNICATIONS**

1. Commission Discussion on amending Section 12-201-34 of the Commission's Rules of Practice and Procedure regarding Maximum Time Period for Decision,

Corporation Counsel and Director will work on producing a draft document from comments received from the Commission in order for Commission to have a hard copy to work with and discuss further.

**G. ACCEPTANCE OF THE ACTION MINUTES OF THE APRIL 25, 2017 MEETING**

**It was moved by Mr. Carnicelli, seconded by Mr. Higashi, then**

**VOTED: To Accept the Action Minutes of the April 25, 2017 Meeting.**  
**(Assenting – L. Carnicelli, R. Higashi, K. Robinson, P. Canto, T. Gomes, C. Tackett)**  
**(Excused – S. Castro, L. Hudson)**

**H. DIRECTOR'S REPORT**

1. SMA Minor Permit Report
2. SMA Exemptions Report

**It was moved by Mr. Higashi, seconded by Mr. Carnicelli, then**

**VOTED: To Accept SMA Minor and SMA Exemption Reports.  
(Assenting – R. Higashi, L. Carnicelli, K. Robinson, P. Canto,  
T. Gomes, C. Tackett)  
(Excused – S. Castro, L. Hudson)**

3. Discussion of Future Maui Planning Commission Agendas
  - a. May 23, 2017 agenda items

**I. NEXT REGULAR MEETING DATE: MAY 9, 2017**

**J. ADJOURNMENT**

The meeting was adjourned at 4:48 p.m.

Submitted by,

Carolyn Takayama-Corden  
Secretary to Boards & Commissions II

### **RECORD OF ATTENDANCE**

#### **Present**

Pua Canto  
Lawrence Carnicelli  
Sandy Duvauchelle, Chairperson  
Tina Gomes  
Richard Higashi, Vice Chairperson  
Larry Hudson (excused at 11:47 a.m.)  
Keaka Robinson  
Christian Tackett

#### **Excused**

Stephen Castro

#### **Others**

Will Spence, Director, Planning Department (9:00 a.m.-11:37 a.m)(1:00 p.m. – 4:48 p.m.)  
Michele McLean, Deputy Director, Planning Department (11:42 a.m. – 11:47 a.m.)  
James Giroux, Deputy Corporation Counsel, Department of the Corporation Counsel  
Rowena Dagdag-Andaya, Deputy Director, Department of Public Works (on-call)