

PURSUANT TO CHAPTER 92, HAWAII REVISED STATUTES AS AMENDED, NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE MAUI PLANNING COMMISSION

AGENDA

DATE: May 12, 2009 (Tuesday)
TIME: 8:30 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Wayne Hedani (Chair), Bruce U'u (Vice-Chair), Jonathan Starr, John Guard IV, Kent Hiranaga, Ward Mardfin, Donna Domingo, Lori Sablas, Warren Shibuya

Public testimony will be taken at the start of the meeting on any agenda item in order to accommodate those individuals who cannot be present at the meeting when the agenda item(s) is (are) considered by the Maui Planning Commission. Public testimony will also be taken when the agenda item is taken up by the Maui Planning Commission. Maximum time limits on individual testimony may be established by the Planning Commission. A person testifying at this time will not be allowed to testify again when the agenda item comes up before the Commission, unless new or additional information will be offered.

Testifiers: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, and Conditional Permit require the approval of the Maui County Council. In order to be notified of future agendas of the Maui County Council please notify the Office of Council Services at (808) 270-7838 or by mail to the Maui County Council, 200 S. High Street, Wailuku, Maui, Hawaii 96793.

A. CALL TO ORDER

B. PUBLIC HEARINGS (Action to be taken after each public hearing.)

1. MR. DAVID TAMANAHA, Vice Chancellor of Administrative Affairs at MAUI COMMUNITY COLLEGE requesting a Special Management Area Use Permit for the Maui Community College (MCC) Science Building project, the construction of a 1-story approximately 33,000 square foot building, a 1-story, 650 square foot observatory building, a 61-stall paved parking lot, access road, chiller building, landscaping, associated utilities and infrastructure at 310 Kaahumanu Avenue, TMK: 3-8-007: 040 (portion), Kahului, Island of Maui. (SM1 2008/0008) (D. Dias)

- a. Public Hearing
- b. Action

2. MR. VINCE BAGOYO, JR. on behalf of MAUI WAIQHULI PARTNERS requesting a Special Management Area Use Permit for the Hoonani Subdivision in order to subdivide to create 28 single-family residential lots and a larger lot to include the drainage retention basin for property situated on Hoonani Street at TMK: 3-9-001: 007, Kihei, Island of Maui. (SM1 2008/0024) (J. Buika)

- a. Public Hearing
- b. Action

C. COMMUNICATIONS

1. Resolution Agreement between the County of Maui and Andrew Castellini for a Notice of Violation for activities within the Special Management Area without a permit for property located at 213 Hoolawa Road, TMK: 2-9-003:002, Haiku, Island of Maui. (T. Kapuaala)

The Commission may take action on the proposed Resolution Agreement.

D. ACTION MINUTES OF THE APRIL 28, 2009 MEETING AND REGULAR MINUTES OF THE FEBRUARY 24, 2009 MEETING

E. DIRECTOR'S REPORT

1. Notification of the submittal of the following Special Management Area Appeal pursuant to Section 12-206-26 of the Maui Planning Commission's Special Management Area Rules:

THOMAS D. WELCH, Esq. of MANCINI, WELCH & GEIGER representing PETER KLINT MARTIN and DEBORAH LEE MARTIN appealing the Planning Director's decision to take no further action on a Special Management Area (SMA) assessment application (SMX 2008/0330) for a proposed single-family dwelling due to inconsistency with the community plan designation of open space for Lot 46-A, Olowalu Makai-Hina Subdivision, TMK: 4-8-003: 046, Olowalu, Island of Maui. (APPL 2009/0001) (T. Kapuaala)

No action will be taken by the Commission. This item is agendaed for notification purposes only.

2. Planning Director notifying the Maui Planning Commission pursuant to Section 12-202-17(e) of the Maui Planning Commission's SMA Rules of his intent to issue time extensions on the following requests:

- a. MR. MILTON M. ARAKAWA, Director of Public Works requesting a two-year time extension on the period to initiate construction on the Special Management Area Use Permit for the Kaholopoo Bridge Replacement Project at TMK: 1-4-007, Hana, Island of Maui. (SM1 2001/0019) (J. Buika)

The Commission shall acknowledge receipt of the request. The Commission may review the time extension request or waive its review.

- b. MR. MILTON M. ARAKAWA, Director of Public Works requesting a two-year time extension on the period to initiate construction on the Special Management Area Use Permit for the Papahawahawa Bridge Replacement at TMK: 1-5-006: 001, 1-5-007: 001 (por.) , Hana, Island of Maui. (SM1 2001/0015) (J. Buika)

The Commission shall acknowledge receipt of the request. The Commission may review the time extension request or waive its review.

- c. MR. MILTON M. ARAKAWA, Director of Public Works requesting a two-year time extension on the period to initiate construction on the Special Management Area Use Permit for the Waiohonu Bridge Replacement at TMK: 1-4-012: 002, 016, and 019, Hana, Island of Maui. (SM1 2002/0025) (J. Buika)

The Commission shall acknowledge receipt of the request. The Commission may review the time extension request or waive its review.

- d. A&B KANE, LLC requesting a two-year time extension on the period to initiate construction on the Special Management Area Use Permit for the Kane Street Commercial Mixed Use Project on property bounded by Vevau Street and Kane Street, TMK: 3-7-005: 003, 011, and 023, Kahului, Island of Maui. (SM1 2005/0004) (J. Buika)

The Commission shall acknowledge receipt of the request. The Commission may review the time extension request or waive its review.

- e. MR. STEWART NORRIE requesting a two-year time extension on the period to initiate construction on the Special Management Area Use Permit for the Kihei Rentals and Supplies project, a two story office and shop complex of approximately 4,762 square feet on 13,243 square feet of land in the Kihei Business Park at 100 Kio Loop, TMK: 3-9-051: 033, Kihei, Island of Maui. (SM1 2003/0027) (P. Fasi)

The Commission shall acknowledge receipt of the request. The Commission may review the time extension request or waive its review.

- 3. Planning Commission Projects/Issues
- 4. Discussion of Future Maui Planning Commission Agendas
 - a. May 26, 2009 agenda
- 5. EA/EIS Report
- 6. SMA Minor Permit Report
- 7. SMA Exemptions Report
- 8. Special Maui Planning Commission Meeting on the Maui Island Plan Review - May 19, 2009, 9:00 a.m., Planning Conference Room, Wailuku, Island of Maui

F. NEXT REGULAR MEETING DATE: May 26 , 2009

G. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

ANY PETITION TO INTERVENE AS A FORMAL PARTY IN THE PROCEEDINGS BEFORE THE MAUI PLANNING COMMISSION MUST BE FILED WITH THE COMMISSION AND SERVED UPON THE APPLICANT NO LESS THAN TEN (10) DAYS BEFORE THE FIRST PUBLIC HEARING DATE. (Note: The calculation of time for deadlines ten days or less excludes weekends and State recognized holidays.) THE ADDRESS OF THE COMMISSION IS C/O THE MAUI PLANNING DEPARTMENT, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793. The deadline for filing a timely Petition to Intervene was April 28, 2009.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH ANY AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE MAUI PLANNING COMMISSION RULES OF PRACTICE AND PROCEDURE. WRITTEN TESTIMONY SHOULD BE RECEIVED AT LEAST TWO BUSINESS DAYS BEFORE THE MEETING TO INSURE DISTRIBUTION TO THE BOARD. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE NEEDED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE MEETING.

DOCUMENTS ARE ON FILE WITH THE PLANNING DEPARTMENT.

THE ADDRESS OF THE COMMISSION IS C/O THE MAUI PLANNING DEPARTMENT, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE MAUI PLANNING DEPARTMENT AT 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR 1- 800-272-0125 (Lanai) OR NOTIFY THE MAUI PLANNING DEPARTMENT IN WRITING AT 250 S HIGH STREET, WAILUKU, MAUI, HAWAII 96793 OR FAX NUMBER 270-7634; AT LEAST TWO (2) BUSINESS DAYS BEFORE THE SCHEDULED MEETING.

ANY FAXES SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY 5:00 P.M. ON THE SECOND WORKING DAY BEFORE THE MEETING TO INSURE THAT IT IS CIRCULATED TO THE BOARD.

PLEASE NOTE: **If any member of the Commission is unable to attend the scheduled meeting, please contact the Planning Department at least one day prior to the meeting date. Thank you for your cooperation.** (S:\all\carolyn\051209.age)