

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

AGENDA

DATE: NOVEMBER 24, 2009 (Tuesday)  
TIME: 9:00 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), Donna Domingo, Kent Hiranaga, Ward Mardfin, Lori Sablas, Warren Shibuya, Jonathan Starr

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. GREGG BLUE requesting a Conditional Permit under Section 19.30A.040.C for the Blue Family Subdivision in order to subdivide out an additional 2-acre lot for a family member in the County Agricultural District as the maximum number of lots under the sliding scale was previously obtained for property situated at 15 Mauu Place, TMK: 2-7-008: 021, Haiku, Island of Maui. (CP 2008/0006) (J. Prutch)

- a. Public Hearing
- b. Action

C. COMMUNICATIONS

1. MS. JOAN MCGRATH of HAIKU HAY AND GRAIN, INC. requesting a ten (10) year time extension on a State Land Use Commission Special Use Permit to continue operation of a livestock feed, lumber, hardware, and garden supply store on approximately 3.12 acres of land in the State Agricultural District at TMK: 2-7-010: 002, Haiku, Island of Maui. (90/SUP-002) (L. Callentine)

The Commission may take action on this request.

2. DAVID DANTES and BEVERLY LIVINGSTON requesting an amendment to Condition No. 1 of a State Land Use Commission Special Use Permit to allow for a five-year time extension for the continued operation of the Maui Tradewinds Bed and Breakfast located in the State Agricultural District, 4320 Une Place, TMK: 2-8-002: 158, Haiku, Island of Maui. (SUP2 2002/0002) (J. Prutch)

The Commission may take action on this request.

3. Planning Director requesting action on his intention to rescind the January 2008 policy of non-support for community plan amendments during the General Plan Update.

The Commission may take action to provide its comments on the proposed action.

D. APPROVAL OF ACTION MINUTES OF THE NOVEMBER 10, 2009 MEETING and REGULAR MINUTES OF THE JULY 14, 2009 MEETING

E. DIRECTOR'S REPORT

1. 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 request:

MR. MICH HIRANO, AICP of MUNEKIYO & HIRAGA requesting a 2-year time extension on the Special Management Area Use Permit condition to initiate construction of the Hana Ranch Store Redevelopment project at TMK: 1-4-003: 056, Hana, Island of Maui. (SM1 2004/0020) (D. Dias)

The Commission shall acknowledge receipt of the request. The Commission may decide whether to waive its review or review the time extension request at a future meeting.

2. Planning Commission Projects/Issues
  - a. Update on the disbursement of funds from the Community Benefits Fund established by the West Maui Preservation Association (WMPA) for the Honua Kai SMA Settlement Agreement
3. Discussion of Future Maui Planning Commission Agendas
  - a. December 8, 2009 meeting agenda items
4. EA/EIS Report
5. SMA Minor Permit Report
6. SMA Exemptions Report

F. NEXT REGULAR MEETING DATE: December 8, 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 November 9, 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\112409.age)