

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

AGENDA

DATE: JANUARY 26, 2010 (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, Orlando Tagorda

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. RODRIGO BUMANGLAG requesting a Special Management Area Use Permit in order to construct two other main single family dwellings on a 27,225 square foot lot in the R-2 Residential District at 357 South Kihei Road, TMK: 3-9-041:006, Kihei, Island of Maui. (SM1 2008/0026) (J. Buika)

- a. Public Hearing
- b. Action

2. MS. CHARME TAKSONY requesting a State Land Use Commission Special Use Permit in order to operate the Aloha Kai Academy, Inc. Preschool, a licensed childcare education program for up to 24 children at the Holy Rosary Church in the State Agricultural District at 954 Baldwin Avenue, TMK: 2-5-005: 003, Paia, Island of Maui. (SUP2 2009/0017) (G. Flammer)

- a. Public Hearing
- b. Action

3. MR. JEFFREY HUNT, AICP, PLANNING DIRECTOR transmitting proposed amendments to Chapter 19.32 Planned Developments, Chapter 19.36A Off-Street Parking, Chapter 19.40 Conditional Permits, and Chapter 19.45 Project Districts of the Maui County Code that would delegate approval and/or renewal of permits to the Planning Director and other miscellaneous revisions. (J. Alueta)
 - a. Public Hearing
 - b. Action

C. COMMUNICATIONS

1. HAWAIIAN CEMENT requesting 10-year time extensions on the following permits for its Pohakea Quarry and Base Course operation at TMK 3-6-004:007, Maalaea, Island of Maui: (P. Fasi)
 - a. County Special Use Permit to continue to operate a rock crushing and base course production facility. (CUP 2006/0001)
 - b. State Land Use Commission Special Use Permit to continue the Pohakea Quarry and Base Course operation. (SP06-0400)
 - c. Conditional Permit to continue the concrete recycling and green waste composting operation. (CP-07/0002)

The Commission may take action on these requests.

2. MR. GARY STICE of HANA BEACHFRONT ASSOCIATES appealing the Planning Director's decision requiring a Special Management Area Major Permit on the Special Management Area Assessment for proposed residential structures at Mauka Haneoo Road, Koki Beach, Hana, Island of Maui. (APPL 2008/0004) (T. Kapuaala) (The Commission was notified of the SMA Appeal as an agenda item on its February 24, 2009 agenda.)

The Commission may select a Mediator, a Hearings Officer, take action on the appeal, or take some other action.

3. FRIENDS OF MOKUULA, INC. requesting a four-year time extension on the period to initiate construction for the proposed construction of an 84 stall parking and ancillary improvements at TMK: 4-6-007: 001, por. of 002, and 036, Lahaina, Island of Maui. (SM1 2003/0008) (E. Wade)

The Commission may take action on this request.

- D. APPROVAL OF ACTION MINUTES OF THE JANUARY 12, 2010 MEETING and REGULAR MINUTES OF THE AUGUST 11, 2009 MEETING
- E. DIRECTOR'S REPORT

1. Scheduling of the date, time, and place for the following public hearing in the Makawao-Pukalani-Kula Community Plan region:

MR. FRED ROMANCHAK, Owner of the KULA LODGE, requesting a Phase II Project District Approval for the redevelopment of the existing Kula Lodge at 15200 Haleakala Highway, TMK: 2-3-022: 087, Kula, Island of Maui. (PH2 2008/0001) (P. Fasi) (Previously discussed at the January 12, 2010 meeting.)

The Commission may take action to establish a date, starting time, and place for the public hearing.

2. Notification of issuance of a Special Management Area Emergency Permit by pursuant to the Special Management Area Rules of the Maui Planning Commission:

Special Management Area Emergency Permit by letter dated December 29, 2009 to MS. LAURA VALENZUELA, General Manager of the KAHANA SUNSET AOO to complete temporary emergency protective measures and repairs to the Building "F" foundation and adjacent seawall at the Kahana Sunset, 4909 Lower Honoapiilani Highway, TMK: 4-3-003: 015, Lahaina, Island of Maui. (SM3 2009/0005) (RFC 2009/0280) (J. Buika)

3. Discussion on the SMA exemption no. SM5 2009/0360 issued for the Department of Environmental Management's replacement of Injection Well Nos. 1 and 2 at the Kahului Wastewater Treatment Plant. (J. Buika)

The Maui Planning Commission requested that this item be placed on the January 26, 2010 agenda.

4. Planning Commission Projects/Issues
5. Discussion of Future Maui Planning Commission Agendas
 - a. February 9, 2010 meeting agenda items
6. EA/EIS Report
7. SMA Minor Permit Report
8. SMA Exemptions Report

G. NEXT REGULAR MEETING DATE: February 9, 2010

H. 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 on December 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\011210.age)