

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

AGENDA

DATE: JULY 13, 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: Jonathan Starr (Chair), Donna Domingo, Jack Freitas, Kent Hiranaga, Ward Mardfin, Lori Sablas, Warren Shibuya, Orlando Tagorda

Public testimony will be taken at the start of the meeting on any agenda item, except for contested cases under Chapter 91, HRS, 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. COMMUNICATIONS

1. MR. CURT DEWEESE of SUNSTONE KEOKEA, LLC requesting a two-year time extension on the Special Management Area Use Permit condition to initiate construction of the Liloa Village Subdivision and related improvements. a 65-lot subdivision at TMK: 3-9-002: 116, 150, and 151, Kihei, Island of Maui. (SM1 2004/0010) (C. Thackerson)

The Commission chose to review the request rather than to waive its review at its April 13, 2010 meeting.

The Commission may take action on the request.

2. MR. ORLANDO DAVIDSON, Executive Officer of the State Land Use Commission requesting clarification of the Maui Planning Commission's recommended conditions on the HAWAIIAN CEMENT request for a 10-year time extension on the State Land Use Commission Special Use Permit for the Pohakea Quarry and Base Course operation at TMK 3-6-004:007, Maalaea, Island of Maui. (SP06-0400) (P. Fasi) (Commission action on the Hawaiian Cement request taken at the January 26, 2010 meeting.)

The Commission may provide clarification to the State Land Use Commission of its recommended conditions of its January 26, 2010 action.

- D. CONTINUATION OF ORIENTATION WORKSHOP (previously scheduled for the April 13, 2010 and May 25, 2010 meetings.)
 - 1. County Policy Against Discrimination
 - 2. Flow Chart for Land Use Applications Going to Council
 - 3. Flood Hazard Districts

- E. ACCEPTANCE OF THE ACTION MINUTES OF THE JUNE 22, 2010 MEETING AND REGULAR MINUTES OF THE APRIL 13, 2010 AND JUNE 8, 2010 MEETINGS.

- F. DIRECTOR'S REPORT
 - 1. Planning Commission Projects/Issues
 - 2. Discussion of Future Maui Planning Commission Agendas
 - a. July 27, 2010 meeting agenda items
 - 3. EA/EIS Report
 - 4. SMA Minor Permit Report
 - 5. SMA Exemptions Report

- G. Contested Case Hearing on the SMA Appeal (To begin at approximately 1:00 p.m.)
 - 1. MR. DANIEL GRANTHAM for the WAIPIO BAY BENEVOLENT ASSOCIATION, LLC appealing by filing dated September 22, 2009 the Planning Director's decision to grant a Special Management Area Exemption to JEFFREE TRUDEAU for a 3-lot subdivision at TMK: 2-9-007: 052, Haiku, Island of Maui. (SM5 2009/0242) (SMX 2009/0274) (APPL 2009/0005) (T. Kapuaala) (Commission was notified of the appeal at its October 13, 2009 meeting.)
 - a. Letter from the Planning Department rescinding the SMA exemption. The Department's rescission of the SMA exemption renders the appeal moot.

- H. NEXT MEETING DATE: JULY 27, 2010

- I. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

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.

UNLESS OTHERWISE SPECIFIED BY ANOTHER SPECIFIC PLANNING COMMISSION RULE, 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.

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\071310.age)