

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

AGENDA

DATE: OCTOBER 12, 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), Ward Mardfin (Vice-Chair), Donna Domingo, Jack Freitas, Kent Hiranaga, Lori Sablas, Warren Shibuya, Orlando Tagorda, Penny Wakida

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. RESOLUTION THANKING JEFFREY S. HUNT FOR HIS SERVICE AS PLANNING DIRECTOR
- C. DIRECTOR'S REPORT
 - 1. EA/EIS Report
 - 2. SMA Minor Permit Report
 - 3. SMA Exemptions Report
- D. PUBLIC HEARINGS (Action to be taken after each public hearing item.)
 - 1. STATE DEPARTMENT OF EDUCATION requesting a Phase II Project District Approval and Project District Phase II Map Amendment for the construction of the Wailuku II Elementary School (grades K-5) and related improvements in the Wailuku-Kahului Project District 3 (Kehalani) on approximately 14.0 acres of land at TMK: 3-5-001: 077 (por.) and TMK: 3-5-001: 078 (por.), Wailuku, Island of Maui. (PH2 2010/0002) (D. Dias) (Commission conducted a site inspection on September 14, 2010)

- a. Public Hearing
- b. Action

- 2. WILLIAM R. and MACHIKO HEYDE requesting a State Land Use Commission Special Use Permit to operate the Piihloha Cottage Bed & Breakfast in the State Agricultural District at 2512 Kaupakalua Road, TMK: 2-7-002: 064, Haiku, Island of Maui. (SUP2 2009/0002)(J. Prutch)

- a. Public Hearing
- b. Action

E. UNFINISHED BUSINESS

- 1. MAUI MEMORIAL PARK, LLC requesting a County Special Use Permit and County Accessory Use Permit in order to expand the existing Maui Memorial Park on 10.936 acres of land in the County Agricultural District and the M-1 Light Industrial District at Waiinu Road, TMK: 3-8-046: 043, Wailuku, Island of Maui. (CUP 2010/0003)(ACC 2010/0001)(P. Fasi)(Public hearing conducted on May 11, 2010. Site inspection conducted on September 14, 2010)

The County Special Use Permit is for the lands on the property zoned County Agricultural District. The Accessory Use Permit is for the lands on the property zoned M-1 Light Industrial District.

The Commission may take action on this request.

F. COMMUNICATIONS

- 1. MR. DENNIS BOEHLJE for BETSILL BROTHERS CONSTRUCTION, INC. requesting a 5-year time extension on the Special Management Area Use Permit condition to complete construction of the Kalama Heights Phase II project, a 36-unit multi-family project with related on and off-site infrastructure improvements located at 101 Kanani Road, TMK: 3-9-017:002, Kihei, Island of Maui. (SM1 970012) (P. Fasi)

The Commission may take action on this matter.

G. SETTLEMENT AGREEMENT

- 1. Settlement agreement for a notice of violation (NOV 20090004) for operating a commercial kiosk within the special management area for property located at 75 Hana Highway, TMK: 2-6-002: 005, Paia, Island of Maui. (RFS No. 08-0002928) (T. Kapuaala)

* **An Executive Session may be called by the Commission in order to discuss their duties, powers, and liabilities as it relates to the subject settlement agreement.**

The Commission may take action on this matter.

H. WORKSHOP ON THE BUILDING PERMIT PROCESS (To begin at 1:00 p.m. or soon thereafter)

(Approximate times for each presenter.)

1:00 - 1:10	Overview of Workshop - Ann Cua
1:10 - 1:30	Building Permit Coordination - Public Works, DSA, Public Permits Section
1:30 - 1:45	Zoning Administration and Enforcement Administration, Dept. of Planning
1:45 - 2:00	Department of Water Supply
2:00 - 2:15	Department of Fire Safety
2:15 - 2:30	Wastewater Reclamation Division, Department of Environmental Management
2:30 - 2:45	Break
2:45 - 3:00	Department of Health
3:00 - 3:15	State Historic Preservation Division
3:15 - 3:30	Streamlining Bills by the Planning Department - Joe Alueta, Administrative Planning Officer

I. ACCEPTANCE OF THE ACTION MINUTES OF THE SEPTEMBER 28, 2010 MEETING

J. DIRECTOR'S REPORT

1. Planning Commission Projects/Issues
2. Discussion of Future Maui Planning Commission Agendas
 - a. October 26, 2010 meeting agenda items

K. NEXT MEETING DATE: October 26, 2010

L. 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. The deadline to file a timely intervention request was September 28, 2010.

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\101210.age)