

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 9, 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. DIRECTOR'S REPORT

1. EA/EIS Report
2. SMA Minor Permit Report
3. SMA Exemptions Report

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

1. MR. JUSTIN GORDON requesting a State Land Use Commission Special Use Permit and a Bed and Breakfast Permit to operate the Sugar Ranch Maui Bed and Breakfast to use up to six (6) bedrooms for bed and breakfast purposes in the State Agricultural District at 141 Makahiki Street, TMK: 3-8-002: 114, Spreckelsville, Island of Maui. (SUP2 2010/0001) (BBWK T2010/0002) (G. Flammer)

The public hearing on the bed and breakfast permit application is necessary because pursuant to Section 19.64.050.A.3a at least 30 percent of the owners and lessees of record within a 500-foot distance of the lot on which the B&B home is

proposed have filed a written protest within the 45 days of the mailing of the application notice.

- a. Public Hearing
- b. Action

D. UNFINISHED BUSINESS

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 senior 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) (Deferred at the October 12, 2010 and October 26, 2010 meetings.)

The Commission may take action on this matter.

E. ACCEPTANCE OF THE ACTION MINUTES OF THE OCTOBER 26, 2010 MEETING

F. DIRECTOR'S REPORT

1. Designation of the Hana Advisory Committee to the Maui Planning Commission to conduct the public hearing on the following application:

JOHN S. ROMAIN requesting a Change in Zoning from the Urban Reserve District to the Service Business Residential (SBR) District for property situated at 4869 Uakea Road, TMK: 1-4-005: 026, Kawaipapa, Hana, Island of Maui. (CIZ 2010/0001) (D. Dias)

The Commission may take action for the Hana Advisory Committee to conduct the public hearing on this application.

2. Planning Commission Projects/Issues
3. Discussion of Future Maui Planning Commission Agendas
 - a. November 23, 2010 meeting agenda items

G. NEXT MEETING DATE: November 23, 2010

H. 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

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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 October 26, 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\110910.age)