

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

AGENDA

DATE: FEBRUARY 8, 2011 (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
4. 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 process the time extension request administratively on the following:
 - a. MS. WENDY FUJINAKA, AIA of RIECKE SUNNLAND KONO ARCHITECTS on behalf of the NISEI VETERANS MEMORIAL CENTER requesting a Special Management Area Use Permit 2-year time extension on the period to complete construction of the Nisei Veterans Memorial Center at TMK: 3-8-007: 123, Wailuku, Island of Maui. (SM1 93/0023) (C. Thackerson)

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.

C. COMMUNICATIONS

1. MR. ISAAC HALL on behalf of MR. SHEP GORDON submitting a Notice of Appeal on December 14, 2010 on the issuance of the Special Management Area Exemption for the roadway improvements by MR. FRANK BUD PIKRONE on South Kihei Road in the Keawakapu area, Kihei, Island of Maui. (APPL 2010/0005) (SM5 2010/0281) (T. Kapuaala)

The parties thus far are:

1. Isaac Hall on behalf of Shep Gordon - Appellant
 2. Department of Planning - Appellee
 3. Frank "Bud" Pikrone of the Wailea Community Association - Applicant
- a. January 24, 2011 letter from FRANK BUD PIKRONE withdrawing the Special Management Area Assessment No. SMX 2010/0393.
 - b. January 24, 2011 letter from WILLIAM SPENCE, Planning Director acknowledging the withdrawal of the SMA Assessment rendering the SMA exemption no. SM5 2010/0281 moot.

This is for the Commission's information that the SMA appeal (APPL 2010/0005) is no longer necessary due to the withdrawal of the SMA assessment by the applicant.

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

1. MR. PETER K. MARTIN of OLOWALU ELUA ASSOCIATES, LLC requesting a Special Management Area Use Permit in order to relocate the proposed Driveway "D" identified in the Olowalu Mauka Subdivision from its original location east of Kapaiki Village to Luawai Street, roadway intersection improvements, realignment of the old cane haul road intersection with Luawai Street, drainage improvements, subdivision for additional right-of-way, waterline upgrades and improvements to the fire/emergency access road at TMK: 4-8-003: 084 (por.), 101(por.), 102 (por.), and 118 (por.), Olowalu, Island of Maui. (SM1 2010/0008) (K. Wollenhaupt)
 - a. Public Hearing
 - b. Action
2. UNITY CHURCH OF MAUI requesting a County Special Use Permit Amendment to conduct Sunday Services located in the R-3 Residential District at 483 South High Street, TMK: 3-5-009: 007, Wailuku, Island of Maui. (CUP 2005/0009) (G. Flammer)
 - a. Public Hearing

- b. Action
 - 3. MR. WILLIAM SPENCE, Planning Director proposing various amendments to Chapter 19.31 of the Maui County Code relating to Public/Quasi-Public Districts. (J. Alueta)
- _____
 - a. Public Hearing
 - b. Action
- E. Workshop on the proposed flood maps for Maui County - Federal Emergency Management Agency (FEMA) and the Department of Land and Natural Resources (DLNR) (To begin at approximately 1:00 p.m. or soon thereafter.)
- F. Maui Planning Commission 2nd Special Session on Protecting, Developing, and Conserving Coastal Resources: Recent flooding impacts to Kihei and South Maui with focus on reducing future impacts to flood-prone areas of South Maui. (J. Buika)
- G. NEW BUSINESS
 - 1. MR. DOUGLAS POSELEY requesting an Environmental Assessment determination on the Final Environmental Assessment (EA) prepared in support of the Community Plan Amendment from Park to Agriculture for property situated near Milepost 15 Honoapiilani Highway at TMK: 4-8-003: 047, Olowalu, Island of Maui (EA 2010/0004) (G. Flammer) (Final EAs previously circulated at the November 9, 2010 Maui Planning Commission meeting.) (Commissioners: Please bring your copy with you.)

The accepting authority for the Environmental Assessment is the Maui Planning Commission.

The EA trigger is the Community Plan Amendment.

The project needs a Community Plan Amendment (CPA) and a Change in Zoning (CIZ). The public hearing on the CPA and CIZ applications will be conducted by the Maui Planning Commission after the Chapter 343 process has been completed.

The Commission may take action to accept the Final EA and issue a Findings of No Significant Impact (FONSI) or take some other action.
- H. ACCEPTANCE OF ACTION MINUTES OF THE JANUARY 25, 2011 MEETING AND REGULAR MINUTES OF OCTOBER 12, 2010 MEETING.
- I. DIRECTOR'S REPORT
 - 1. Planning Commission Projects/Issues
 - 2. Discussion of Future Maui Planning Commission Agendas

a. Agenda items for the February 22, 2011 meeting

J. NEXT MEETING DATE: February 22, 2011

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 for filing a timely intervention was on January 25, 2011.

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\020811.age)