

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

AGENDA

DATE: AUGUST 9, 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: Kent Hiranaga (Chair), Warren Shibuya (Vice-Chair), John "Keone" Ball, Donna Domingo, Jack Freitas, Ivan Lay, Ward Mardfin, Lori Sablas, 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. PUBLIC HEARINGS (Action to be taken after each public hearing.)

1. MR. ROBERT T. MCDANIEL III representing KANAHA PROFESSIONAL PLAZA, LLC requesting a Special Management Area Use Permit for the proposed Maui Medical Plaza Project, the construction of a six-story (approximately 132,865 square foot) professional medical services office/laboratory facility, a six-story attached parking structure and related improvements at 151 Hana Highway, TMK: 3-7-011: 028, Kahului, Island of Maui. (SM1 2010/0006) (J. Buika)

- a. Public Hearing
- b. Action

C. NEW BUSINESS

1. TETRA TECH EC, INC. on behalf of AUWAHI ENERGY, LLC requesting acceptance of the Final Environmental Impact Statement (EIS) for the Auwahi Wind Farm, a wind farm with a net generating capacity of approximately 21 megawatts, augmented with an energy storage system; a collector switchyard operations and maintenance facility and related infrastructure; a 9.0 mile, 34.5 kilovolt (kV) generator- tie line; an interconnection substation; a microwave communication tower; and a construction access route along public roadways and pastoral roads located at Ulupalakua Ranch, Districts of Hana, Kula, and Kihei, Island of Maui. (EIS 2011/0001) (J. Prutch) (The Commission reviewed the draft EIS on March 22, 2011.)

The Commission may take action to accept the Final EIS or take some other action.

D. COMMUNICATIONS (To begin at 1:00 p.m. or soon thereafter.)

1. Finalization of various details to make for a more efficient proceeding regarding the contested case hearing scheduled for August 23, 2011 on the following appeal:

DANIEL GRANTHAM and LUCIENNE DENAIE of the WAIPIO BAY BENEVOLENT ASSOCIATION, LLC appealing the Director's decision of December 6, 2010 to issue an SMA minor permit for the Bolles 3-Lot Subdivision and related improvements on 20 acres of land at TMK: 2-9-007: 052, Huelo, Hamakualoa, Island of Maui. (APPL 2011/0001) (SM2 2010/0083) (P. Fasi) (The notification to the Commission of the appeal was on the May 10, 2011 agenda)

The parties are: 1) Waipio Bay Benevolent Association, LLC (Appellant); 2) Department of Planning (Appellee); and 3) Jeffree Trudeau for the Bolles Family (Applicant)

Details include the order of business, time limits and the order of presentation of Opening and Closing Statements by the parties, and order of the presentation of cases by the parties.

The Commission may take action on the details.

- E. ACCEPTANCE OF THE ACTION MINUTES OF THE JULY 26, 2011, THE REGULAR MINUTES OF THE APRIL 26, 2011 AND THE PORTION OF THE JUNE 28, 2011 MINUTES PERTAINING TO ITEMS C-4 and C-5, Adoption of the Written Decision and Order on it's April 26, 2011 Action to Deny the Petition to Intervene request for Dairy Road Partners on the Special Management Area Use Permit request for the proposed Maui Business Park Phase II Subdivision and Motion for Reconsideration and to Vacate Decision of the SMA for Maui Business Park Phase II by Dairy Road Partners.

F. DIRECTOR'S REPORT

1. EA/EIS Report
2. SMA Minor Permit Report
3. SMA Exemptions Report
4. Planning Commission Projects/Issues

- a. Revising the SMA Boundaries

Presentation of GIS Layer Maps by the Planning Department.

This is for information and discussion purposes only

5. Discussion of Future Maui Planning Commission Agendas

- a. August 23, 2011 meeting agenda items

G. NEXT REGULAR MEETING DATE: AUGUST 23, 2011

H. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

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 Petition to Intervene was on July 26, 2011.

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.

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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 SIX (6) 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\080911.age)