

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

AGENDA

DATE: SEPTEMBER 25, 2012 (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), Ivan Lay (Vice-Chair), John "Keone" Ball, Donna Domingo, Jack Freitas, Wayne Hedani, Warren Shibuya, Max Tsai, 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. CLYDE SAKAMOTO, Chancellor, UNIVERSITY OF MAUI - MAUI COLLEGE (UHMC) requesting a Special Management Area Use Permit for the proposed UHMC Photovoltaic System Project consisting of the installation of photovoltaic (PV) panels on new carport structures within the existing parking lot and related improvements located at the University of Hawaii - Maui College, TMK:3-8-007: 040 (por.), Kahului, Island of Maui. (SM1 2012/0002) (D. Dias)

- a. Public Hearing
- b. Action

2. KENNETH and ANJALI DESURE and DANI NUESCA requesting a State Land Use Commission Special Use Permit in order to continue to operate a bed and breakfast known as the Maui Ocean Breezes Bed and Breakfast on approximately 2.21 acres of land in the State Agricultural District at 240 North Holokai Road, TMK: 2-8-004: 104, Haiku, Island of Maui. (SUP2 2012/0004) (J. Prutch)

This is for a three (3) bedroom bed and breakfast home where two (2) guest rooms are located within the main farm dwelling and one (1) guest room is located within the second farm dwelling.

- a. Public Hearing
- b. Action

C. NEW BUSINESS

1. MR. KYLE GINOZA, Director, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT requesting comments on the Draft Environmental Impact Statement (EIS) prepared in support of the Special Management Area Use Permit and a Shoreline Setback Variance for the proposed Wailuku-Kahului Wastewater Reclamation Facility Shoreline Protection Extension at 281 Amala Place, TMK: 3-8-001: 188, Kahului, Island of Maui. (EAC 2012/0019) (SM1 2012/0004) (SSV 2012/0003) (J. Buika)

The Mayor will be responsible to accept the Final Environmental Impact Statement.

The public hearing on the Special Management Area Use Permit and the Shoreline Setback Variance will not take place until after the Chapter 343, HRS process has been completed.

The Commission may provide its comments on the Draft Environmental Impact Statement.

D. ACCEPTANCE OF THE ACTION MINUTES OF THE SEPTEMBER 11, 2012 MEETING AND REGULAR MINUTES OF THE JULY 10, 2012 MEETING

E. DIRECTOR'S REPORT

1. Planning Commission Projects/Issues
 - a. Amending the SMA Boundaries
2. EA/EIS Report
3. SMA Minor Permit Report
4. SMA Exemptions Report
5. 2012 Hawaii Congress of Planning Officials (HCPO) Conference - September 12-14, 2012, Ko Olina, Oahu.

Members may report on the highlights of the 2012 Conference.

6. Discussion of Future Maui Planning Commission Agendas
 - a. October 9, 2012 meeting agenda items

F. NEXT REGULAR MEETING DATE: OCTOBER 9, 2012

G. 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 to file a timely intervention request was on September 11, 2012.

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.

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\092512.age)