

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 13, 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 HEARING (Action to be taken after public hearing.)

1. MR. MARCELINO RAZA, JR. representing the IGLESIA NI CRISTO (CHURCH OF CHRIST) requesting a County Special Use Permit and a Special Management Area (SMA) Use Permit for the demolition of the existing church facility and the construction of a new Iglesia Ni Cristo Church Facility and related improvements at 1518 Malo Street, TMK: 4-5-014: 009, Lahaina, Island of Maui. (CUP 2008/0006) (SM1 2008/0025) (A. Benesovska)

- a. Public Hearing
- b. Action

C. COMMUNICATIONS

1. LANCE COLLINS, attorney on behalf of THE WAHIKULI NEIGHBORHOOD COMMUNITY ASSOCIATION, BRIAN CAREY, SONJA SANCHAGRIN, and JAMES FOSTER submitting a Petition to Intervene dated November 2, 2011 on the requests by MR. ALLAN A. VILLANUEVA, Acting Secretary of the IGLESIA NI CRISTO (CHURCH OF CHRIST) CHURCH for a County Special Use Permit and a Special

Management Area Use Permit to demolish an existing church building and construct a new church building and related improvements in the R-3 Residential District at 1518 Malo Street, TMK: 4-5-014: 009, Lahaina, Island of Maui. (CUP 2008/0006) (SM1 2008/0025) (A. Benesovska)

- a. Memorandum in Opposition to Petition to Intervene from MR. HENRY PAGBA, SR. on behalf of the IGLESIA NI CRISTO CHURCH dated November 7, 2011
- b. Applicant's Opposition to Petition to Intervene from MR. MANUEL B. SANTOS, Corporate Officer of Applicant received on November 14, 2011.
- c. Supplemental Motion in Opposition to Petition to Intervene filed on October 31, 2012 by B. MARTIN LUNA and ARSIMA A. MULLER of CARLSMITH BALL, LLP, attorneys on behalf of the Applicant IGLESIA NI CRISTO (CHURCH OF CHRIST) to the Petition to Intervene filed on November 2, 2011 by the Wahikuli Neighborhood Community Association, Brian Carey, Sonja Sanchagrín, and James Foster.
- d. Memorandum in Opposition to Petition to Intervene filed on October 31, 2012 by PATRICK K. WONG (Corporation Counsel) and JANE E. LOVELL (Deputy Corporation Counsel) on behalf of the COUNTY DEPARTMENT OF PLANNING.

The Commission may take action on the Petition to Intervene and will do so before taking any final action is taken on the County Special Use Permit and Special Management Area Use Permit requests. If the intervention request is granted the Commission may proceed to select a Hearings Officer/ Hearings Panel and a Mediator.

D. ACCEPTANCE OF THE ACTION MINUTES OF THE OCTOBER 23, 2012 MEETING AND REGULAR MINUTES OF THE OCTOBER 9, 2012 MEETING

E. DIRECTOR'S REPORT

1. MR. WILLIAM SPENCE, 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 following time extension requests administratively:
 - a. MR. RODERICK FONG, General Partner of MAUI WAIQHULI PARTNERS requesting a two (2)-year time extension on the Special Management Area Use Permit condition to initiate construction of the Hoonani Subdivision, a 27-residential lot subdivision at Hoonani Street, TMK: 3-9-001: 007, Kihei, Island of Maui. (SM1 2008/0024) (J. Buika)

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.

- b. MS. WENDY A. FUJINAKA, AIA of RIECKE SUNNLAND KONO ARCHITECTS, LTD. on behalf of the NISEI VETERANS MEMORIAL CENTER requesting a two (2)-year time extension on the Special Management Area Use Permit condition to complete construction of the Nisei Veterans Memorial Center project 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.

2. Planning Commission Projects/Issues
 - a. Amending the SMA Boundaries
3. EA/EIS Report
4. SMA Minor Permit Report
5. SMA Exemptions Report
6. Discussion of Future Maui Planning Commission Agendas
 - a. November 27, 2012 meeting agenda items

F. NEXT REGULAR MEETING DATE: NOVEMBER 27, 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.

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\111312.age)