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OFFICE OF THE  
COUNTY CLERK

AGENDA

DATE: JANUARY 28, 2014  
TIME: 9:00 A.M.  
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui, Hawaii 96793  
Members: Ivan Lay (Chair), Warren Shibuya (Vice-Chair), John "Keone" Ball, Sandra Duvauchelle, Jack Freitas, Wayne Hedani, Jason Medeiros, Max Tsai, Penny Wakida

- A. CALL TO ORDER
- B. PUBLIC TESTIMONY - At the discretion of the Chair, public testimony may also be taken when each agenda item is discussed, except for contested cases under Chapter 91, HRS. Individuals who cannot be present when the agenda item is discussed may testify at the beginning of the meeting instead and will not be allowed to testify again when the agenda item is discussed unless new or additional information will be offered.

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

- 1. WALLACE MACSKILL and KENNETH STODDART requesting a Bed and Breakfast Permit in order to operate The Ilikahi, a four (4)-bedroom bed and breakfast home operation located in the R-2 Residential District at 441 Ilikahi Street, TMK: 4-6-006: 004, Lahaina, Island of Maui. (BBWM T2012/0002) (L. Callentine)

This bed and breakfast home application is being referred to the Maui Planning Commission for review and action because the property is located within 500 ft. of a previously permitted bed and breakfast home operation.

- a. Public Hearing
- b. Action

- 2. STEVE and JANNA SCHLAG requesting a Short-Term Rental Home Permit in order to operate Azure, a four (4) bedroom short-term rental home operation located in the R-3 Residential District at 45 W. Mahi Pua Place, TMK: 4-4-018: 015, Lahaina, Island of Maui. (STWM T2013/0011) (L. Callentine)

This short-term rental home application is being referred to the Maui Planning Commission for review and action because at least two written protests from owners or lessees of record of two or more lots adjacent to or directly across the street from the proposed short-term rental home were received by the director within the prescribed 45-day time period. Further, fifteen percent or more of the owners and lessees of record within five hundred feet radius of the proposed short-term rental home lot submitted written protests to the director.

- a. Public Hearing
- b. Action

D. NEW BUSINESS

1. MR. JAMES P. ARGYROPOULOS requesting comments on the Draft Environmental Assessment prepared in support of the Shoreline Setback Variance for the Argyropoulos Shoreline Setback Mitigation project to remove the existing remnant seawall/debris along the shoreline and construction of a hybrid revetment/seawall to mitigate the severe erosion fronting the project site at 475 Hana Highway, TMK: 2-6-009: 005, Kuau, Island of Maui. (EA 2013/0003) (SM1 2013/0015) (SSV 2013/0004) (J. Buika)

The entity who will decide on the acceptance of the Final Environmental Assessment is the Maui Planning Commission.

The EA trigger is the proposed work being conducted in the Shoreline Area.

The public hearing on the Special Management Area (SMA) Use Permit and Shoreline Setback Variance will be conducted by the Maui Planning Commission after the Chapter 343 process has been completed.

The Commission may provide its comments on the Draft Environmental Assessment.

E. COMMUNICATIONS

1. MS. MELANIE ADAMS requesting a transfer of the State Land Use Commission Special Use Permit from THERESA KAY MILLER to MELANIE ADAMS and MAKAWAO UNION CHURCH and a 20-year time extension to continue to operate a preschool, ALOHA KAI ACADEMY (formerly Anuenue Preschool) within the existing church facilities at the Makawao Union Church located in the State Agricultural District, TMK: 2-5-004: 011, Makawao, Island of Maui. (SUP2 940010) (L. Callentine)

The Commission may take action on these requests.

- 2.. MS. KATHRYN PETTY-TUBMAN of RE/MAX RESORT REALTY requesting a Use Determination to operate a real estate information center and office primarily for the convenience of the Marriott Hotel guests at the Wailea Beach Marriott Resort Hotel at 3700 Wailea Alanui Drive Suite #225, TMK: 2-1-008: 061, Wailea, Island of Maui. (UD 2013/0002) (G. Flammer)

The Commission may take action on this request.

F. ACCEPTANCE OF THE ACTION MINUTES OF JANUARY 14, 2014 AND REGULAR MINUTES OF THE OCTOBER 22, 2013 MEETINGS

G. 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 request administratively:

STATE OF HAWAII, DEPARTMENT OF TRANSPORTATION, AIRPORTS DIVISION (DOT-A) requesting a six (6)-month time extension on the Special Management Area (SMA) Use Permit condition to initiate construction of the Kahului Airport Parking Expansion and Airport Access Road at TMK: 3-8-001: 019, Kahului, Island of Maui. (SM1 2008/0022) (P. Fasi)

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. EA/EIS Report

Circulation of the electronic version of the Central Maui Regional Park Final Environmental Assessment on the State Department of Land and Natural Resources' Central Maui Regional Park Project. The Commission will conducting a public hearing on the County Special Use Permit for this project at its February 11, 2014 meeting. (P. Fasi)

3. SMA Minor Permit Report (Appendix A)
4. SMA Exemptions Report (Appendix B)
5. Discussion of Future Maui Planning Commission Agendas
  - a. February 11, 2014 meeting agenda items

H. NEXT REGULAR MEETING DATE: FEBRUARY 11, 2014

I. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

AN EXECUTIVE SESSION MAY BE CALLED IN ORDER FOR THE COMMISSION TO CONSULT WITH THEIR ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE COMMISSION'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES PURSUANT TO SEC. 92-5(a)(4), HRS.

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 DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793. The deadline for filing a timely Petition to Intervene for an item where the first public hearing date is January 28, 2014 was on January 13, 2014.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE COM MISSION'S RULES OF PRACTICE AND PROCEDURE. IN ACCORDANCE WITH THESE RULES MAXIMUM TIME LIMITS OF AT LEAST THREE MINUTES MAY BE ESTABLISHED BY THE COMMISSION ON INDIVIDUAL TESTIMONY.

WRITTEN TESTIMONY REQUESTED SHOULD BE RECEIVED AT LEAST TWO (2) 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.

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.

DOCUMENTS ARE ON FILE WITH THE PLANNING DEPARTMENT.

THE ADDRESS OF THE COMMISSION IS C/O DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE DEPARTMENT OF PLANNING AT 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR 1-800-272-0125 (Lanai) OR NOTIFY THE DEPARTMENT OF PLANNING IN WRITING AT ONE MAIN PLAZA 2200 MAIN STREET SUITE 315, 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 ENSURE THAT IT IS CIRCULATED TO THE COMMISSION.

**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\012814.age)



County of Maui  
 Kahana O Maui Building  
 200 South High Street,  
 Wailuku, HI 96793-2155

## PD-Approved SMA Minor Projects for Maui

Permit Completion Date: 12/24/2013 - 01/15/2014

01/15/2014

Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20130146	SANCHEZ, SCOTT/RHONDA	SANCHEZ, SCOTT & RHONDA	SECURE OFFICE OF TIRE & AXEL/HAIKU	SCOTT & RHONDA SANCHEZ	FASI	12/31/2013	A W/COND-APPROVED WITH CONDITIONS	2270040460000
SM2 - 20140001	DUKE'S BEACH HOUSE	DUKE'S BEACH HOUSE RESTAURANT	NORTH LANAI IMPROVEMENTS/LAHAINA	DUKE'S MAUI, LLC	THACKERSON	01/08/2014	A W/COND-APPROVED WITH CONDITIONS	2440140060000
SM2 - 20140002	COM DEPT OF PARKS	COM DEPT OF PARKS AND RECREATION	RELOCATE SAND FR. PARKING 2 BEACH/KANAHA	DEPARTMENT OF PARKS & RECREATION	BUIKA	01/13/2014	A W/COND-APPROVED WITH CONDITIONS	2380011190000

Grand Total : 3

## APPENDIX A

# PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 12/24/2013 - 01/15/2014



County of Maui  
Kahana O Maui Building  
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Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20130372	KILOHANA DR	PROP IS RIGHTOFWAY PRIVATELY OWNED	A&B WAILEA LLC		12/24/2013	A-APPROVED	2210080440000 2210080440000
SM5 - 20130374	KE KANI KAI	VACANT LAND - RETAIN'G WALL	MICHAEL NEWBRO	HIGA	12/27/2013	A-APPROVED	2210051170000
SM5 - 20130375	HALEAKALA SOLAR	TENANT IMPROVEMENTS/KAHULUI	HALEAKALA SOLAR INC	AZBILL	12/30/2013	A-APPROVED	2370090040000 2370090050000
SM5 - 20130376	CLEMENTS, TOM & CATH	KITCHEN COUNTERTOP REPLACEMENTS/LAHAINA	BILL SALAWICH	CALLENTINE	12/31/2013	A-APPROVED	2460320210000
SM5 - 20130377	LONGHI, ROBERT	MAIN DWELLING ALTERATION/LAHAINA	NICHOLAS T WAGNER	CALLENTINE	12/31/2013	A-APPROVED	2460030080000
SM5 - 20140001	SANDERS & MOULTON	1ST FARM DWELLING/HAIKU	GARY SANDERS & BETTY LYNN MOULTON		01/03/2014	A-APPROVED	2290030650000
SM5 - 20140002	KAHULUI OFFICE BUILD	TENANT IMPROVEMENT UNIT 390/KAHULUI	GREGORY L SKOG	AZBILL	01/07/2014	A-APPROVED	2370070100000
SM5 - 20140003	CASANOVA, RENAUD	SWIMMING POOL & FENCE/KIHEI	RICKY J MCGOVERN		01/08/2014	A-APPROVED	2390600870000
SM5 - 20140004	WOESSNER, KAUALANI	REPLACE CESSPOOL W/SEPTIC TANK / HANA	KAUALANI WOESSNER	HIGA	01/08/2014	A-APPROVED	2140140170000
SM5 - 20140005	RIXEY, HENRY	MAIN DWELLING/KIHEI	HENRY RIXEY	AZBILL	01/09/2014	A-APPROVED	2390090180000
SM5 - 20140006	UH MAUI - PAINA BLDG	COMPRESSOR REPAIR/BLDG 2253 PAINA/KAHUL	JEFF DELA CRUZ	AZBILL	01/09/2014	A-APPROVED	2380007040000
SM5 - 20140007	WYSOCKI, MICHAEL	MAIN DWELLING/GARAGE KIHEI	MICHAEL WYSOCKI		01/09/2014	A-APPROVED	2390610140000
SM5 - 20140008	JENKINS, THOMAS	SWIMMING POOL/SPA/WATER FEATURE/PAIA	RAY ROGERS		01/09/2014	A-APPROVED	23800021130000
SM5 - 20140009	TUBMAN, KATHRYN	ATF DWELLING REMOVAL&REPLACEMENT/KIHEI	KATHRYN E PETTY-TUBMAN	HIGA	01/10/2014	A-APPROVED	2390430580000
SM5 - 20140010	MCDONALD'S OF KAHANA	RESTAURANT RENOVATIONS/KAHANA	DEAN FRAMPTON	AZBILL	01/10/2014	A-APPROVED	2430050350000
SM5 - 20140011	HANSEN, JEFFRY	MAIN DWELLING/GARAGE - KIHEI	JAMES A MCCALL	HIGA	01/10/2014	A-APPROVED	2210250220000
SM5 - 20140012	BUTLER / YINGLING	MAIN DWELLING ADDITION/KIHEI	MARY ET TA YINGLING		01/10/2014	A-APPROVED	2390290330000
SM5 - 20140013	LAUDET, ALEXANDRE	MAIN DWELLING ADDITION/AL TERATION/PAJA	ALEXANDRE LAUDET		01/10/2014	A-APPROVED	2250130080000
SM5 - 20140014	33 AUHANA STREET	DWELLING ALTERATION/KIHEI	FINLAND, JOE	HIGA	01/13/2014	A-APPROVED	2390030050000
SM5 - 20140015	CAMPBELL RENOVATION	RESIDENTIAL RENOVATION/LAHAINA	MARIE KIMMEY	AZBILL	01/14/2014	A-APPROVED	2420010240043
SM5 - 20140016	KAUHALE MAKAI AOAO	SMA APP/ANTENNAS/CABINET/EQUIP BLDG-KIHE	CASCADIA PM		01/15/2014	A-APPROVED	2390010750000

01/15/2014

# PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 12/24/2013 - 01/15/2014



County of Maui  
Kalana O Maui Building  
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Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
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Grand Total : 21