

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

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2014 JUL 11 AM 11:45

AGENDA

OFFICE OF THE
COUNTY CLERK

DATE: JULY 22, 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), John "Keone" Ball (Vice-Chair), Sandra Duvauchelle, Jack Freitas,
Wayne Hedani, Richard Higashi, 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 HEARINGS (Action to be taken after each public hearing.)

1. STATE OF HAWAII DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES requesting a State Land Use Commission Special Use Permit for the Maui Veterans Cemetery Expansion project of 10 acres and related improvements in the State Agricultural District at TMK: 2-4-002: por. of 009 Lot 4-A, Makawao, Island of Maui. (SUP2 2014/0009) (P. Fasi)
2. MR. EDWARD GRAMIT of the MAHINA SURF AOA requesting a Change of Zoning for the Mahina Surf from R-3 Residential District to the A-1 Apartment District for property located at 4057 Lower Honoapiilani Road at TMK: 4-3-009: 005, Lahaina, Island of Maui. (CIZ 2012/0003) (P. Fasi)
3. KAHANA SUNSET AOA requesting a Community Plan Amendment from Multifamily to Hotel, a Change in Zoning from R-3 Residential District to H-M Hotel District, a Special Management Area Use Permit, and a Shoreline Setback Variance for the proposed Kahana Sunset Shoreline and Site Improvements Project for property situated at 4909 Lower Honoapiilani Road, TMK: 4-3-003: 015, Napili, Lahaina, Island of Maui. (CPA 2012/0003) (CIZ 2012/0007) (SM1 2012/0003) (SSV 2012/0002) (J. Buika)

The Kahana Sunset AOA proposes to demolish a portion of the existing seawall (114 feet) and the ten-foot (10') concrete stairs sited within the Shoreline Setback Area and construct a structurally engineered shoreline armoring system approximately ten (10) feet mauka of the current seawall in order to stabilize the shoreline. A thirteen-foot (13') wide stairway will be constructed thirty (30) feet mauka of the existing stairway. The damaged seawall at the existing drainage

outfall will be located three (3) feet mauka of the existing wall. A gazebo and existing shower will remain but will be relocated. The existing 300-foot long, 36-inch, corrugated metal, storm-drain line will be repaired and retrofitted to minimize sediment, debris, and pollutants into the ocean. The project will include landscape planting.

D. NEW BUSINESS

1. MR. GREGG LUNDBERG, General Manager of WESTIN MAUI, LLC requesting review and comments on the Draft Environmental Assessment (EA) in support of the Shoreline Setback Variance and the relocation of the existing County sewer line for the proposed Master Plan Improvements for the Westin Maui Resort & Spa, at 2365 Kaanapali Parkway, TMK: 4-4-008: 019, Kaanapali, Island of Maui. (EA 2014/001) (A. Cua)

The proposed improvements include a new parking structure, new landscaping facility, ballroom expansion and meeting room expansion, new back of the house structure, demolition of structures, roof additions, spa improvements, relocation of existing sewer line, and other related improvements.

The approving authority of the Environmental Assessment is the Maui Planning Commission.

The EA trigger is the Shoreline Setback Variance and the relocation of the existing County sewer line.

The Applicant has also submitted applications for a Special Management Area Use Permit and a Shoreline Setback Variance. The public hearings on these applications will be scheduled after the Chapter 343, HRS process has been completed.

The Commission may concur on the filing of the Draft EA and anticipated Findings of No Significant Impact (FONSI) determination with the Office of Environmental Quality Control (OEQC) for publication. It may also provide its comments on the Draft EA.

E. UNFINISHED BUSINESS

1. MR. ISAAC HALL, attorney for JAMES BENDON, ROBERT and MARGARET KAPLAN, CYRUS MONROE, and PETER SIRACUSA submitting an appeal dated December 19, 2013 of the issuance of an SMA Exemption for the milling and resurfacing of Runway 2-20 at the Kahului Airport at 1 Kahului Airport Road, TMK: 3-8-001: 019, Kahului, Island of Maui (APPL 2013/0012) (SM5 2013/0350) (SMX 2013/0324) (P. Fasi) (Matter was previously discussed at the April 22, 2014 Maui Planning Commission meeting)

The Commission and the public were notified of this appeal through the January 14, 2014 Maui Planning Commission agenda.

Pursuant to the Maui Planning Commission's Special Management Area Rules and its Rules of Practice and Procedure, the parties in the subject appeal are:

- a. Appellants - James Bendon, Robert and Margaret Kaplan, Cyrus Monroe, and Peter Siracusa
 - b. Applicant - State Department of Transportation, Airports Division
 - c. Appellee - Department of Planning
2. MR. ISAAC HALL, attorney for Appellants JAMES BENDON; ROBERT and MARGARET KAPLAN, CYRUS MONROE, and PETER SIRACUSA submitting a Notice of Withdrawal dated June 20, 2014 of the Notice of Appeal to the Maui Planning Commission from the Decision by the Planning Director to issue SMA exemption to the State Department of Transportation for the milling and resurfacing of Runway 2-20 at the Kahului Airport at 1 Kahului Airport Road, TMK: 3-8-001: 019, Kahului, Island of Maui. (SM5 2013/00350) (SMX 2013/0324) (APPL 2013/0012) (P. Fasi)

The Commission may acknowledge receipt of the Notice of Withdrawal of the Notice of Appeal and file matters relating to the appeal.

F. ADOPTION OF WRITTEN DECISION AND ORDER

1. Proposed Findings of Fact, Conclusions of Law and Decision and Order denying requests for a State Land Use Commission Special Use Permit and a Short-Term Rental Home Permit for the Shambala Short-Term Rental Home and Denying Petition to Intervene of the requests by Mr. Terry Epstein for property situated on approximately 2.02 acres of land in the State Agricultural District at 120 Kaimanu Place, TMK: 2-1-019: 100, Kihei, Island of Maui. (SUP2 2012/0030) (STKM T2012/0012) (D. Dias)

***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.**

The Commission may take action to adopt, adopt with modifications, or take some other action the proposed Findings of Fact, Conclusions of Law, and Decision and Order.

G. ACCEPTANCE OF THE ACTION MINUTES OF THE JULY 8, 2014 MEETING AND REGULAR MINUTES OF THE APRIL 8, 2014 MEETING

H. DIRECTOR'S REPORT

1. SMA Minor Permit Report (Appendix A)
2. SMA Exemption Report (Appendix B)
3. Discussion of Future Maui Planning Commission Agendas
 - a. August 12, 2014 meeting agenda items

I. NEXT REGULAR MEETING DATE: AUGUST 12, 2014

J. 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 on July 22, 2014 was on July 8, 2014.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE COMMISSION'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\072214)



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

PD-Approved SMA Minor Projects for Maui

Permit Completion Date: 06/25/2014 - 07/09/2014

07/09/2014

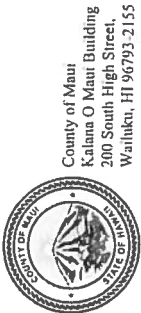
Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20140069	OLD LAHAINA COURTHOU	OLD LAHAINA COURTHOUSE - REPAIR OF DOORS AND WINDOWS	OLD LAHAINA COURTHOUSE	LAHAINA RESTORATION FOUNDATION	LOPEZ	06/25/2014	A W/COND-APPROVED WITH CONDITIONS	24600 10090000
SM2 - 20140070	GRAYFER, BORIS	GRAYFER, BORIS	APARTMENT REMODEL, UNIT 3- 806/LAHAINA	MARC A TARON	SCOTT	07/02/2014	A W/COND-APPROVED WITH CONDITIONS	24400802201 80
SM2 - 20140071	WAILEA MARRIOTT	WAILEA BEACH MARRIOTT RESORT	UPGRADE WIRELESS FACILITY/WAILEA	VERIZON WIRELESS	THACKERSON	07/03/2014	A W/COND-APPROVED WITH CONDITIONS	221008061 0000
SM2 - 20140072	THE MAHANA	THE MAHANA AT KAAANAPALI LANAI TOWER	CONDO/HOTEL REPAIR/KAAANAPALI	MARIE KIMMEY	SCOTT	07/03/2014	A W/COND-APPROVED WITH CONDITIONS	24400 10990000
SM2 - 20140073	HOPE CHAPEL DUPLEX	HOPE CHAPEL DUPLEX	NEW RESIDENTIAL DUPLEX/KIHEI	ROBERT ROBINSON	THACKERSON	07/01/2014	A W/COND-APPROVED WITH CONDITIONS	2220020720000
SM2 - 20140075	HALE KAAANAPALI PLANT	HALE KAAANAPALI PLANTER SPALL REPAIRS	HALE KAAANAPALI PLANTER/LAHAINA	MARIE KIMMEY	SCOTT	07/08/2014	A W/COND-APPROVED WITH CONDITIONS	24400660 1 0000

Grand Total : 6

APPENDIX A

PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 06/25/2014 - 07/09/2014



County of Maui
Kalana O Maui Building
200 South High Street,
Waikuku, HI 96793-2155

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20140198	HUNT, ROBERT/NANCY	DEMO OLD/BUILD NEW RESIDENCE/LAHAINA	ATOM KASPRZYCKI	SCOTT	06/28/2014	A-APPROVED	2430070090000
SM5 - 20140199	SMITH CONDO REMODEL	CHARLES SMITH CONDO REMODEL	CHARLES AND ALICE SMITH	SCOTT	06/28/2014	A-APPROVED	2390010020204
SM5 - 20140200	PUAMANA ASSOC CLUBHO	CLUBHOUSE RENOVATION/LAHAINA	VOLK PACIFIC BUILDERS INC	SCOTT	06/28/2014	A-APPROVED	2460280010000
SM5 - 20140203	LUNT, ANDREW & JENNI	MAIN DWELLING ADDITION/ALTERATION	WENDELL CORPUZ	HIGA	07/01/2014	A-APPROVED	2390360550000
SM5 - 20140204	HOWARD, RICHARD B.	ADD BAMBOO PANELS TO EXISTING WALL/KIHEI	RICK MCGOVERN		07/01/2014	A-APPROVED	2390500940000
SM5 - 20140205	MAKANI SANDS	MINOR FACILITY REPAIRS/LAHAINA	MAUI LODGING PROPERTIES		07/04/2014	A-APPROVED	2430060120000
SM5 - 20140206	TUNGGAL, HERA & HAN	INTERIOR RENOVATION #614/KIHEI	HERA & HAN TUNGGAL	SCOTT	07/04/2014	A-APPROVED	2390010750078
SM5 - 20140207	BUMANGLAG.PATROCINI O	MAIN DWELLING ADD/ALTER - KAHANA	MELVIN PICO		07/07/2014	A-APPROVED	2430090560000
SM5 - 20140208	TUNGGAL, HERA & HAN	REMODEL UNIT #608/KIHEI	HERA & HAN TUNGGAL	SCOTT	07/07/2014	A-APPROVED	2390010750073
SM5 - 20140209	SAKURAI, KENNETH	MAIN DWELLING, GARAGE/LAHAINA	KENNETH M SAKURAI	SCOTT	07/07/2014	A-APPROVED	2430031270000
SM5 - 20140210	WEAR, LISA	WINDOW REPLACE, REPAIR DRYWALL/LAHAINA	LISA WEAR	SCOTT	07/07/2014	A-APPROVED	2460320320000

Grand Total : 11