

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

AGENDA

DATE: JULY 14, 2015
TIME: 9:00 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pākū Building,
250 South High Street, Wailuku, Maui, Hawaii 96793

RECEIVED
2015 JUL -2 AM 8:58
OFFICE OF THE
COUNTY CLERK

Members: John "Keone" Ball (Chair), Max Tsai (Vice-Chair), Sandra Duvauchelle, Wayne Hedani, Richard Higashi Larry Hudson, Ivan Lay, Jason Medeiros, Keaka Robinson

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.

C. COMMUNICATIONS

1. MR. MARK ALEXANDER ROY, AICP, Vice-President of MUNEKIYO HIRAGA on behalf of INTRAWEST submitting the 2015 Annual Report to the Maui Planning Commission on the disbursement of funds in the Settlement Agreement with the WEST MAUI PRESERVATION ASSOCIATION, INC. (WMPA) on the Special Management Area Use Permit and Step 2 Planned Development Approval for the proposed Honua Kai Resort, North Beach Park, and Related Improvements at TMK: 4-4-014: 006 and 008 and 4-4-001: 010, Kaanapali, Lahaina, Island of Maui. (SM1 2004/0017) (PD2 2004/0005) (C. Thackerson)

Condition No. 32 reads:

"That an annual report shall be filed with the Maui Planning Commission on the disbursement of the funds in the Settlement Agreements for their information."

This annual report is provided for the Commission's information and review.

D. ADOPTION OF WRITTEN DECISION AND ORDER

1. Having voted on September 23, 2014 to deny the Short-Term Rental Home Permit request by MS. DENISE HOLLAND in order to operate the Maui Vacation Home, a three (3) bedroom short-term rental home operation located in the R-2 Residential District at 1161 Lahilahi Place, TMK: 4-5-004: 037, Lahaina, Island of Maui. (STWM T2013/0013) (L. Callentine), the Commission will consider and may adopt the draft Findings of Fact, Conclusions of Law and Decision and Order.

E. PENDING LITIGATION

1. Judicial appeal of the Commission's denial of the request by MR. TERRY EPSTEIN for a State Land Use Commission Special Use Permit and a Short-Term Rental Home Permit in order to operate the Shambala Short-Term Rental Home, a six (6)-bedroom short-term rental home in the State Agricultural District at 120 Kaimanu Place, TMK: 2-1-019: 100, Wailea, 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 ITS ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE COMMISSION'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES, PURSUANT TO SEC. 92-5(a)(4), HRS.

- F. Workshop conducted by the Department of Public Works on their review of project preliminary drainage reports

The workshop is for information purposes.

- G. Workshop conducted by the Department of Public Works on their review of project traffic impact assessment (TIAR) reports

The workshop is for information purposes.

- H. ACCEPTANCE OF THE ACTION MINUTES OF JUNE 23, 2015 MEETING AND REGULAR MINUTES OF THE MAY 26, 2015 MEETING

I. DIRECTOR'S REPORT

1. Designation of the Hana Advisory Committee to the Maui Planning Commission to conduct the public hearing and provide its recommendation on the following applications:

- a. ROBERT and ERICA REYNOLDS requesting a State Land Use Commission Special Use Permit and a Short-Term Rental Home Permit in order to operate the Hana Estate Short-Term Rental Home (STRH) in the State Agricultural District on approximately 6.81 acres of land located at 110 Maia Road, TMK: 1-3-009: 076, Hana, Island of Maui. (SUP2 2012/0022) (G. Flammer)

This short-term rental home application is being referred to the Maui Planning Commission for review and action because the proposed short-term rental home is located in the Hana community plan area and the number of bedrooms proposed for short-term rental home use is greater than three.

The Commission may act on whether to refer the matter to the Hana Advisory Committee or not.

- b. MR. KLEE IRWIN requesting a State Land Use Commission Special Use Permit in order to operate Kawika's Hill Short-Term Rental Home (STRH) in the State Agricultural District on approximately 1.8 acres of land located at 1400 Hana Highway, TMK: 1-2-003: 040, Hana, Island of Maui. (SUP2 2015/0004) (G. Flammer)

The Commission may act on whether to refer the matter to the Hana Advisory Committee or not.

- 2. SMA Minor Permit Report (Appendix A)
- 3. SMA Exemption Report (Appendix B)
- 4. Discussion of Future Maui Planning Commission Agendas
 - a. July 28, 2015 meeting agenda items

J. NEXT REGULAR MEETING DATE: **JULY 28, 2015**

K. 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 14, 2015 was on June 29, 2015.

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,

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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.

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.
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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: 06/10/2015 - 06/30/2015

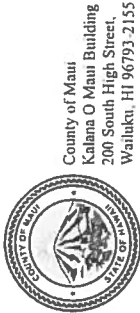
06/30/2015

Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20150044	HALLOWEEN IN LAHAINA	HALLOWEEN IN LAHAINA 2015	MINOR STRUCTURES ACCESSORY/LAHAINA	OED & LAHAINA TOWN ACTION COMMITTEE	WADE	06/10/2015	A W/COND-APPROVED WITH CONDITIONS	2460010090000 2460010100000 2460080060000
SM2 - 20150046	LAHAINA LIBRARY	LAHAINA PUBLIC LIBRARY	LANDSCAPE RESTORATION/LAHAINA	MAUI FRIENDS OF THE LIBRARY	WADE	06/12/2015	A W/COND-APPROVED WITH CONDITIONS	2460010070000 2460010100000
SM2 - 20150047	MALU ULU OLELE PARK	MALU ULU OLELE PARK FENCE IMPROVEMENTS	FENCE IMPROVEMENTS/LAHAINA	DEPARTMENT OF MANAGEMENT	WADE	06/17/2015	A W/COND-APPROVED WITH CONDITIONS	2460070010000 2460070020000
SM2 - 20150048	EDWARDS, TOM & PAM	EDWARDS, TOM & PAM	DWELLING ADDITION	JONES, JAMES L	AAKO	06/16/2015	A W/COND-APPROVED WITH CONDITIONS	2430030170042
SM2 - 20150049	HARBOR LIGHTS AOAO	HARBOR LIGHTS AOAO	INSTALL PV SYSTEM/KAHULUI	HARBOR LIGHTS AOAO	SCOTT	06/17/2015	A W/COND-APPROVED WITH CONDITIONS	2370020180000
SM2 - 20150050	AHIHI KINAU	AHIHI KINAU NATURAL AREA RESERVE FENCING	TEMPORARY FENCE/MAKA WAO	SCOTT FRETZ	BUJKA	06/22/2015	A W/COND-APPROVED WITH CONDITIONS	2210040730000
SM2 - 20150051	BUSH RESIDENCE	BUSH RESIDENCE	DWELLING ADDITIONAL TERATION/WAILUKU	BUSH MODENE NEELY FAMILY TRUST	DIAS	06/23/2015	A W/COND-APPROVED WITH CONDITIONS	2330011030000
SM2 - 20150052	KAUNOA SENIOR CENTER	KAUNOA SENIOR CENTER LOBBY ENCLOSURE	LOBBY ENCLOSURE PROJECT/PAIA	KATHLEEN ROSS AOKI	DIAS	06/25/2015	A W/COND-APPROVED WITH CONDITIONS	2380010080000
SM2 - 20150053	MAKENA N GOLF COURSE	MAKENA N GOLF COURSE	EXPANSION MAINT BLDG/KIHEI	ATC MAKENA HOLDINGS, LLC	DIAS	06/25/2015	A W/COND-APPROVED WITH CONDITIONS	2210051080000
SM2 - 20150054	FLATBREAD COMPANY	FLATBREAD COMPANY	RESTAURANT ALTERATION ATE/PAIA	FRANCIS E SKOWRONSKI	WADE	06/29/2015	A W/COND-APPROVED WITH CONDITIONS	2260020020000

Grand Total : 10

PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 06/10/2015 - 06/30/2015



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Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20150198	HO'U HUI ANA FORCE	CLEAR VACANT LAND, STAGING AREA/ WAIEHU	ROJAC CONSTRUCTION, INC.	AZBILL	06/10/2015	A-APPROVED	2330011010000
SM5 - 20150199	4TH OF JULY - 2015	4TH OF JULY FIREWORKS - 2015\LAHAINA	LAHAINATOWN ACTION COMMITTEE	AAKO	06/10/2015	A-APPROVED	2460010090000
SM5 - 20150200	4TH OF JULY - 2016	4TH OF JULY FIREWORKS - 2016\LAHAINA	LAHAINATOWN ACTION COMMITTEE	AAKO	06/10/2015	A-APPROVED	2460010090000
SM5 - 20150201	4TH OF JULY - 2017	4TH OF JULY FIREWORKS - 2017\LAHAINA	LAHAINATOWN ACTION COMMITTEE	AAKO	06/10/2015	A-APPROVED	2460010090000
SM5 - 20150202	4TH OF JULY - 2018	4TH OF JULY FIREWORKS - 2018\LAHAINA	LAHAINATOWN ACTION COMMITTEE	AAKO	06/10/2015	A-APPROVED	2460010090000
SM5 - 20150203	4TH OF JULY - 2019	4TH OF JULY FIREWORKS - 2019\LAHAINA	LAHAINATOWN ACTION COMMITTEE	AAKO	06/10/2015	A-APPROVED	2460010090000
SM5 - 20150204	FOUR SEASONS RESORT	ADA UPGRADES-INTERIOR OF BLDG/WAILEA	BJ WICKETT	DIAS	06/12/2015	A-APPROVED	2210230070000
SM5 - 20150205	MAUI OCEAN CENTER	INTERIOR REMODEL OF THEATER/MAALAEA	MAUI OCEAN CENTER	DIAS	06/12/2015	A-APPROVED	2360080020000
SM5 - 20150206	SILVER GENESIS INC	REMOVE & REPLACE UNIT 216 / LAHAINA	BRIAN VOLK	DIAS	06/15/2015	A-APPROVED	2440080220072
SM5 - 20150207	HARBOR LIGHTS AOAO	INSTALL PV SYSTEM/KAHULUI	HARBOR LIGHTS AOAO	SCOTT	06/16/2015	A-APPROVED	2370020180000
SM5 - 20150208	CANTERA RESIDENCE	INTERIOR RENOVATION / LAHAINA	BETTY CANTERA	DIAS	06/19/2015	A-APPROVED	2440080220263
SM5 - 20150209	BARNETT REMODEL	BATHROOM REMODELING/LAHAINA	RONNY & MARY KAY BARNETT	DIAS	06/22/2015	A-APPROVED	2460320400000
SM5 - 20150210	KOBATAKE, DARIN	MAIN DWELLING ADDITION / KIHEI	DARIN KOBATAKE	HIGA	06/23/2015	A-APPROVED	2390350990000
SM5 - 20150211	SEARS STORE #2148	MODIFY BUILDING ELEVATION/KAHULUI	PAKO PIMSAGUAN	FASI	06/24/2015	A-APPROVED	2370020200000
SM5 - 20150212	THE BUNGALOWS	DEMOLISH OLD HOME/INSTALL ELECTRIC POLE	DANIEL M. LUJAN	AAKO	06/24/2015	A-APPROVED	2430020560000
SM5 - 20150213	WOODHEAD, JOHN	MAIN DWELLING/POOL/RET.WALL/KIHEI	RICK MCGOVERN	DIAS	06/26/2015	A-APPROVED	2390610080000
SM5 - 20150214	WAILEA BEACH VILLAS	STRENGTHEN CRACK REPAIR/WAILEA	SHARON WRIGHT	DIAS	06/27/2015	A-APPROVED	2210080910000
SM5 - 20150215	LAHAINA WATERFRONT	LAHAINA WATERFRONT ROOF REPLACEMENT	LAHAINA WATERFRONT, LLC	AAKO	06/29/2015	A-APPROVED	2450010080000
SM5 - 20150216	SUZUKI FAMILY TRUST	MAIN DWELLING/GARAGE/ETC - WAILEA	WARREN SUZUKI	HIGA	06/29/2015	A-APPROVED	2210200210000

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Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20150217	WARINER, DEAN ETAL	DWELLING, CARPORT / HANA	PATRICIA B. WARINER	HIGA	06/29/2015	A-APPROVED	21500502000000

Grand Total : 20