

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

2015 SEP 10 PM 2:46

AGENDA

OFFICE OF THE
COUNTY CLERK

DATE: SEPTEMBER 22, 2015
TIME: 9:00 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building,
250 South High Street, Wailuku, Maui, Hawaii 96793

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. PUBLIC HEARINGS (Action to be taken after each public hearing.)
 - 1. MS. HELEN HUNT of HER MAUI LLC & N.B. LLC requesting a State Land Use Commission Special Use Permit for the use of two (2) dwellings with a total of five (5) bedrooms for a short-term Rental Home (STRH) in the County Agricultural Zoning District and the State Agricultural District on approximately 2.07 acres of land located at 89 Awaiku Street, TMK: 4-7-009: five, Lahaina, Island of Maui. (SUP2 2015/0006) (K. Wollenhaupt)
 - 2. MICHAEL AND LYNN FLEETWOOD requesting a Short-Term Rental Home (STRH) Permit to operate a four (4) bedroom STRH, Serene Napili Hale STRH, in the County R-2 Residential Zoning District and State Urban District on approximately 22,000 square feet of land located at 5150 Lower Honoapiilani Road, TMK: 4 3-003: 040, Lahaina, Island of Maui. (STWM T2015/0007) (K. Wollenhaupt)

The application is being brought before the Commission as there is another permitted STRH located within 500 feet of the subject property and two (2) or more adjacent neighbors filed a written protest within the specified 45-day time period.
 - 3. MS. MAXINE STURGEON requesting a State Land Use Commission Special Use Permit in order to operate the Holomakai Bed and Breakfast, a two (2)-room bed and breakfast located in the State Agricultural District at 165 N. Holokai Road, TMK: 2-8-004: 027, Haiku, Island of Maui. (SUP2 2015/0002) (L. Callentine)
 - 4. DEBRA A. WALDRON and RONALD J. CHAPPLE requesting a Bed and Breakfast Home Permit in order to operate the Hale Halama Bed and Breakfast, a five (5)-room bed and breakfast home located in the R-3 Residential District at 1514 Halama Street, TMK: 3-9-010: 014, Kihei, Island of Maui. (BBKM T2015/0005) (L. Callentine)

This application is being brought to the Planning Commission for review because there is another permitted bed and breakfast home located within 500 ft. of the subject property.

D. COMMUNICATIONS (To begin at 1:00 p.m. or soon thereafter.)

1. PAUL ALSTON & PAMELA W. BUNN of ALSTON HUNT FLOYD AND & ING, attorneys for Appellant SEASHORE PROPERTIES, LLC submitting a Notice of Appeal on July 27, 2015 of the Planning Director's decision to issue an After-The-Fact (ATF) Special Management Area (SMA) Minor Permit Approval for Flatbread Restaurant at 87/89 Hana Highway, TMK: 2-6-002: 002, Paia, Island of Maui. (SMX 2014/0291) (SM2 2015/0054) (APPL 2015/0002) (K. Scott)

a. ISAAC HALL, attorney for Applicant FRANCIS E. SKOWRONSKI and Intervenor MAUI AINA COMPANY, LLC submitting a Notice of Appearance of Counsel for Applicant Francis E. Skowronski and Intervenor Maui Aina, LLC dated August 20, 2015 on the abovementioned SMA appeal.

This is for notification purposes.

b. ISAAC HALL, attorney for Applicant FRANCIS E. SKOWRONSKI and Intervenor MAUI AINA COMPANY, LLC submitting a Petition to Intervene on behalf of MAUI AINA COMPANY, LLC dated August 20, 2015 on the abovementioned SMA appeal.

The Commission may take action on this request.

E. ACCEPTANCE OF THE ACTION MINUTES OF THE SEPTEMBER 8, 2015 MEETING AND REGULAR MINUTES OF THE AUGUST 25, 2015 MEETING

F. DIRECTOR'S REPORT

1. Pursuant to the provisions of Section 19.32.020.C of the Maui County Code, Planned Development, the Planning Director notifying the Commission of the Planning Director's review of the Step III Unified Site and Building Program on the following application:

KEALA O WAILEA, LLC requesting a Planned Development Step III approval for their proposed multi-family development at 55 Wailea Gateway Place, TMK: 2-1-028: 001, Wailea, Island of Maui. (PD3 2015/0002) (D. Dias)

The Commission may waive its review and allow the Planning Director to take final action on the Planned Development Step III application or review and take final action on the Planned Development Step III application.

2. SMA Minor Permit Report (Appendix A)

3. SMA Exemption Report (Appendix B)
 4. Discussion of Future Maui Planning Commission Agendas
 - a. October 13, 2015 meeting agenda items
- G. NEXT REGULAR MEETING DATE: October 13, 2015
- H. 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 September 22, 2015 was on August 24, 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, 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.

Maui Planning Commission Agenda
September 22, 2015
Page 4

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\092215.age)



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

PD-Approved SMA Minor Projects for Maui

09/09/2015

Permit Completion Date: 08/26/2015 - 09/09/2015

Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20130114	KAANAPALI INVESTMENT	KAANAPALI INVESTMENTS LLC	FIVE-LOT SUBDIVISION/KAANAPALI LLC	KANPALI INVESTMENTS LLC	WOLLENHAUPT	09/02/2015	A W/COND-APPROVED WITH CONDITIONS	2440080160000
SM2 - 20150042	MECO KAONOULU	MECO KAONOULU TRANSMISSION AND DISTRIBUTION LINE	MECO KAONOULU TRANSMISSION/DISTRIBUTION	MAUI ELECTRIC COMPANY	SCOTT	09/01/2015	DONE-DONE	2390011460000
SM2 - 20150064	KIM HEMBREE RESIDENC	KIM HEMBREE RESIDENCE - POLE AND TSF INSTALLATION	REMOVE & INSTALL NEW UTILITY POLE/ KIHEI	MAUI ELECTRIC COMPANY	SCOTT	09/01/2015	DONE-DONE	2390110090000
SM2 - 20150065	ROYAL KAHANA	ROYAL KAHANA - BATHROOM RMODEL	ROYAL KAHANA - DUNE PROJECT/LAHAINA	RSING TIDE ENGINEERING	SCOTT	09/02/2015	A-APPROVED	2430100070000

Grand Total : 4

ATTACHMENT A

PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 08/26/2015 - 09/09/2015



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

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20150270	LEE, JAMES/ROSEMARY	NEW 2-STORY MAIN DWELLING, GARAGE	LEE, JAMES & ROSEMARY	SCOTT	08/28/2015	A-APPROVED	2320150850000
SM5 - 20150271	NOMURA RESIDENCE	MAIN DWELLING RENOVATION / PAIA	PETER D NIESS	HIGA	08/27/2015	A-APPROVED	2260120150000
SM5 - 20150272	MONSTAVICIUS, ALGERD	APARTMENT ALTERATION	MICHELLE COCKETT	FASI	08/28/2015	A-APPROVED	22100806900034
SM5 - 20150273	LOWENTHAL RESIDENCE	RESIDENCE/PASTURE LAND/HAIKU	PHILIP L WENTHAL		08/28/2015	A-APPROVED	2280060580000
SM5 - 20150274	GANHININ, SEAN	TENT-WEDDING-KAANAPALI ROYAL GC/LAHAINA	SEAN GANHININ		09/01/2015	A-APPROVED	2440080090000 2440080180000
SM5 - 20150275	NIELSEN RESIDENCE	RENOVATE 2ND FLOOR KITCHEN/WAILEA	WAYNE PAK	HIGA	09/02/2015	A-APPROVED	2210240130000
SM5 - 20150276	HANA RANCH	FARM SHED & TRELIS/HANA	HANA RANCH LAND LLC		09/03/2015	A-APPROVED	2140020040000
SM5 - 20150277	JUAN RICCI	JUAN RICCI DWELLING/KIHEI	JUAN RICCI		09/03/2015	A-APPROVED	2390560200000
SM5 - 20150278	MILLER FAMILY TRUST	ACT 203-AG STORAGE SHED & BARN/HAIKU	JOSEPH MILLER III		09/04/2015	A-APPROVED	2280041090000
SM5 - 20150280	CHURCH, MARTIN	MAIN FARM DWELLING/CARPORT-ADDENDUM	MARTIN CHURCH AND NORA GURLEY		09/04/2015	A-APPROVED	2290020480000
SM5 - 20150282	WASSON, EUGENE/LINDA	ATF SHED / PAIA	EUGENE WASSON	AZBILL	09/08/2015	A-APPROVED	2380021150000
SM5 - 20150284	JENNIFER PRATT	RESIDENTIAL SOLAR PROJECT / KIHEI	JENNIFER PRATT		09/08/2015	A-APPROVED	2390410360000
SM5 - 20150285	ENGEL, MARLA	ENGEL SPA/LAHAINA	BILL ENGEL	SCOTT	09/08/2015	A-APPROVED	2430070150000

Grand Total : 13