

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

RECEIVED
2015 OCT 18 AM 9:09

AGENDA

OFFICE OF THE
COUNTY CLERK

DATE: OCTOBER 27, 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 HEARING (Action to be taken after public hearing.)
 - 1. SUNSTONE HAWAII 3-0, LLC requesting a Special Management Area Use Permit and a Step II Planned Development Approval for the Proposed Renovations at Wailea Beach Marriott Resort Project involving replacing signage, renovation of outdoor pools, luau ground improvements, guestroom building improvements, a shade trellis off of the Grand Lanai, landscaping and related renovation of existing resort facilities at 3700 Wailea Alanui Drive, TMK: 2-1-008: 061, 074 (por.), and 076, Wailea, Island of Maui. (SM1 2015/0006) (PD2 2015/0001) (K. Scott)
 - 2. MR. JEFF ALFRIEND requesting a State Land Use Commission Special Use Permit in order to operate the Hale Kalani Bed and Breakfast in the State Agricultural District at 505 Kamehameheiki Road, TMK: 2-3-046: 002, Kula, Island of Maui. (SUP2 2015/0005) (E. Aako)
- D. SECOND PUBLIC HEARING
 - 1. MR. TOM CROLY on behalf of MR. and MRS. TERRY EPSTEIN requesting 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)

The Short-Term Home Rental Home Permit application is being brought to the Maui Planning Commission because the neighbor protest threshold has been met.

The first public hearing was conducted on October 8, 2013.

The matter was remanded back to the Maui Planning Commission by the Second Circuit Court for further review.

The Commission may take action on this request.

E. SPECIAL MANAGEMENT AREA (SMA) APPEALS (Item 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 24, 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)

The Commission and the public were notified of this appeal through the August 11, 2015 Maui Planning Commission agenda. The Commission granted the Petition to Intervene request from MAUI AINA COMPANY, LLC at its September 22, 2013 meeting.

The parties to the appeal are:

Appellant - Seashore Properties, LLC
Appellee - Maui County Department of Planning
Applicant - Francis Skowronski
Intervenor - Maui Aina Company, LLC

The Commission may take action on the following matters:

- a. August 20, 2015 Motion to Dismiss the Notice of Appeal submitted by ISAAC HALL, attorney for Applicant FRANCIS E. SKOWRONSKI and Intervenor MAUI AINA COMPANY
- b. Appointment of the Hearings Body/Hearings Officer
- c. Appointment of Mediator if parties wish to enter into mediation
- d. Selection of date(s) for the contested case hearing if the Commission is the hearings body
- e. Selection of presiding officer(s) to conduct prehearing conference(s) to establish deadlines for orderly conducting of the contested case hearing if the Commission is the hearings body.

F. COMMUNICATIONS

1. MS. CAROLINE KILLHOUR , Executive Director of HUI NOEAU VISUAL ARTS CENTER requesting the following amendments to the State Land Use Commission Special Use Permit for property situated at 2841 Baldwin Avenue, TMK: 2-4-002: 011 and portion of 006, Makawao, Island of Maui. (SUP2 980002) (A. Cua)
 - a. Extend the Hui Noeau SUP2 permit for 20 years.
 - b. Revise the permit boundary from 11.64 acres to 14.07 acres
 - c. Extend and expand operations of a high school program for the Haleakala Waldorf School for 5 years

The Commission may take action on these requests.

G. ACCEPTANCE OF THE ACTION MINUTES OF THE OCTOBER 13, 2015 MEETING

H. 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:

MR. ALFRED FAIRBANKS requesting a two (2)-year time extension on the Special Management Area Use Permit condition to initiate construction of the Alahele Subdivision and related improvements at TMK: 3-9-017: 034, Kihei, Island of Maui. (SM1 2007/0006) (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.

2. Reports from the members who attended the 2015 Hawaii Congress of Planning Officials (HCPO) Conference - October 14-16, 2015 at the Hawaii Convention Center, Honolulu, Hawaii

This is for information purposes.

3. SMA Minor Permit Report
4. SMA Exemptions Report
5. Discussion of Future Maui Planning Commission Agendas
 - a. November 10, 2015 meeting agenda items

I. NEXT REGULAR MEETING DATE: NOVEMBER 10, 2015

J. 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 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 October 27, 2015 was on October 13, 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.

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\102715.age)



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

PD-Approved SMA Minor Projects for Maui

10/14/2015

Permit Completion Date: 09/30/2015 - 10/14/2015

Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20010056	MAUI BEACH TRAILER	TRAILER LLOCATION EXTENSION - WEST PARKING LOT	MAUI BEACH HOTEL TRAILER LOCATION EXTENT	PETER SAVIO	QUIGLESS	10/12/2015	A W/COND-APPROVED WITH CONDITIONS	2370030090000
SM2 - 20150072	NORTH BEACH PARK	PROPOSED NORTH BEACH PARK SUBDIVISION	SUBDIVIDE NORTH BEACH PARK/LAHAINA	POWER PLAY DESTINATION PROPERTIES HAWAII, INC.	SCOTT	10/02/2015	A W/COND-APPROVED WITH CONDITIONS	2440140660000
SM2 - 20150073	ROHRS, FRED	ROHRS, FRED - HUELO HUI LP	REDO/CONSTRUCT ACCESS RD /HAIKU	CDF ENGINEERING LLC	SCOTT	10/07/2015	A W/COND-APPROVED WITH CONDITIONS	22290020190000
SM2 - 20150074	KALAMA PARK BATTING	KALAMA PARK BATTING CAGE	PREFAB CAGE & RELATED IMPROV / KIHIE	COUNTY OF MAUI	SCOTT	10/08/2015	A W/COND-APPROVED WITH CONDITIONS	2390030520000
SM2 - 20150075	WIMBERLEY WATERLINE	WIMBERLEY WATERLINE MAKENA	INSTALL WATER LINE/MAKENA	COMMISSIONER RAY P WIMBERLEY	CALLENTINE	10/08/2015	A W/COND-APPROVED WITH CONDITIONS	2210040680000

Grand Total : 5

ATTACHMENT A

PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 09/30/2015 - 10/14/2015



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

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20150308	KAMAOLE SHOPPING	SHOPPING CENTER RENOVATIONS/KIHEI	KAREN M SATO	CABAIS	10/01/2015	A-APPROVED	2390200050000
SM5 - 20150312	MAUI KAMAOLE CONDO	RENOVATE/REPAIR/MAINTAIN ROOF - KIHEI	JEFF DELA CRUZ	CABAIS	10/12/2015	A-APPROVED	23900041440000
SM5 - 20150313	MAUI KAMAOLE	RE-ROOF CLUSTER A/KIHEI	JEFF DELA CRUZ	CABAIS	10/12/2015	A-APPROVED	23900040820000 23900040820001
SM5 - 20150314	MAUI KAMAOLE	RE-ROOF CLUSTER A/KIHEI	JEFF DELA CRUZ	CABAIS	10/12/2015	A-APPROVED	23900041430000
SM5 - 20150316	MAKENA OHANA LLC	DECK/MAKENA	MIKE SUSAK		10/05/2015	A-APPROVED	2210051260000
SM5 - 20150317	KIHEI AQUATIC CENTER	KIHEI AQUATIC CENTER REPAIRS/KIHEI	COUNTY OF MAUI DEPT. OF PARKS & RECREATION	QUIGLESS	10/09/2015	A-APPROVED	2220240230000
SM5 - 20150318	K.O.R.V	HOTEL ALT: BLDG 5 UNITS 5521 & 5523	LA WRENCE W. CUNHA JR	THACKERSON	10/12/2015	A-APPROVED	2440140040000
SM5 - 20150319	HALE KEKOA	MAIN DWELLING	BOWERS, BRIAN DANIEL ETAL	SCOTT	10/12/2015	A-APPROVED	2210260760000
SM5 - 20150320	KAPLAN RESIDENCE	KAPLAN RESIDENCEKUAU	HUNTON CONRAD & ASSOCIATES INC.	SCOTT	10/13/2015	A-APPROVED	2260120290000
SM5 - 20150321	LYERLY, LINDA	REPLACE BREEZEWAY WINDOWSLAHAINA	LINDA LYERLY	SCOTT	10/12/2015	A-APPROVED	2460310240000
SM5 - 20150322	T-MOBILE/LAUNIUPOKO	ANTENNA UPGRADES / LAUNIUPOKO	WOND, LAUREL	FASI	10/13/2015	A-APPROVED	2470010300000
SM5 - 20150323	HALE KAMAOLE PV	INSTALLATION OF PV SYSTEM / KIHEI	KAMAOLE - CONDO MASTER	FASI	10/13/2015	A-APPROVED	23900040840000

Grand Total : 12