

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

AGENDA

DATE: NOVEMBER 10, 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. MR. DAVE TAYLOR, Director, DEPARTMENT OF WATER SUPPLY requesting a Phase II Project District Approval to replace the existing Iao Water Treatment Plant (WTP) with a new WTP and related improvements on 2.6 acres on West Alu Road, the Iao Valley Road and West Main Street intersection, TMK: 3-5-001: 067 (por.) and 091, Wailuku, Island of Maui. (PH2 2015/0001) (P. Fasi)
2. STEVEN NICKENS and IVY NICKENS requesting a State Land Use Commission Special Use Permit and a Bed and Breakfast Permit in order to operate the Hula Hale Bed and Breakfast, a two (2)-bedroom bed and breakfast home located in the State Agricultural District at 1340 Kauhikoa Road, TMK: 2-7-035: 005, Haiku, Island of Maui. (SUP2 2015/0009) (T. Furukawa)

D. NEW BUSINESS

1. VICTORY DEVELOPMENT requesting an Environmental Assessment Determination on the Final Environmental Assessment prepared in support of the Community Plan Amendment from Multi-Family to Hotel for the Nani Loa Condominium Hotel project, a 39-unit hotel condominium project and related improvements on approximately 1.438 acres of land at TMK: 3-9-020: 032, Kihei, Island of Maui. (EA 2015/0004) (CPA 2015/0002) (SM1 2015/0004) (P. Fasi) (Draft EA reviewed at the June 9, 2015 MPC meeting.)

The EA trigger is the community plan amendment.

OFFICE OF THE  
COUNTY CLERK

2015 OCT 30 AM 9:42

RECEIVED

The applicant has also applied for a Special Management Area Use Permit. The public hearing on the Community Plan Amendment and the Special Management Area Use Permit will not be scheduled until after Chapter 343, HRS process has been completed.

The Commission may accept the Final Environmental Assessment as a Findings of No Significant Impact (FONSI) or take some other action.

E. COMMUNICATIONS

1. MR. PAUL H. PETERS, attorney for MR. JAMES WALKUS submitting a Petition for Reconsideration received on October 23, 2015 on the Commission's action to deny the Short-Term Rental Home Permit request by action taken at the October 13, 2015 meeting on the request by MR. JAMES WALKUS to operate a five (5) bedroom short-term rental home in the R-2 Residential District for property located at 1143 Front Street, TMK: 4-5-004: 058, Lahaina, Island of Maui. (STWM T2015/0012) (J. Dack for L. Callentine)

\*An Executive Session may be called on this item 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.

The Commission may decide if at least one Commissioner is willing to make a Motion to Rescind their denial action at a future date certain meeting.

F. ACCEPTANCE OF THE ACTION MINUTES OF THE OCTOBER 27, 2015 AND REGULAR MINUTES OF THE SEPTEMBER 22, 2015 MEETING

G. DIRECTOR'S REPORT

1. Notification of the Issuance of the following Special Management Area (SMA) Emergency Permit:

October 23, 2015 SMA Emergency Permit Approval Letter to Mr. Joseph Higgins of Allana Buick & Bers, Inc. for repair of three (3) sinkholes at the Papakea Resort located at 3543 Lower Honoapiilani Road, TMK: 4-4-001: 056, Lahaina, Island of Maui. (SM3 2015/0014) (SSA 2015/0055) (K. Scott)

This is for information purposes.

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 (deferred from the October 27, 2015 meeting.)

This is for information purposes.

3. SMA Minor Permit Report
4. SMA Exemptions Report
5. Discussion of Future Maui Planning Commission Agendas
  - a. November 24, 2015 meeting agenda items

H. NEXT REGULAR MEETING DATE: NOVEMBER 24, 2015

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 on November 10, 2015 was on October 27, 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.

Maui Planning Commission Agenda  
November 10, 2015  
Page 4

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\111015.age)



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: 10/14/2015 - 10/28/2015

10/28/2015

Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20150077	MILLAR WELL	CHESTER MILLAR	NEW WELL / KIHAI	JACOB FREEMAN	SCOTT	10/21/2015	A W/COND-APPROVED WITH CONDITIONS	2210050790000
SM2 - 20150078	COUNTY CIVIL DEFENSE	CIVIL DEFENSE EMERGENCY WARNING SIREN REPLACEMENTS	EMERGENCY WARNING SIRENSWAILUKU-KAHULUI	COUNTY OF MAUI	AAKO	10/27/2015	A W/COND-APPROVED WITH CONDITIONS	2320120020000 2380010190000 2380011190000 2380071230000
SM2 - 20150080	HOLIDAY LIGHTING	HOLIDAY LIGHTING OF BANYAN TREE	LIGHTING OF BANYAN TREE LAHAINA	LAHAINA TOWN ACTION COMMITTEE	QUIGLESS	10/27/2015	A W/COND-APPROVED WITH CONDITIONS	2460010090000

Grand Total : 3

ATTACHMENT A

# PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 10/14/2015 - 10/28/2015



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 - 20150321	LYERLY, LINDA	REPLACE BREEZEWAY WINDOWS\LAHAINA	LINDA LYERLY	SCOTT	10/15/2015	A-APPROVED	2460310240000
SM5 - 20150324	JONEZ CONDO REMODEL	JONEZ CONDO RENOVATION/KIHEI	RICK MCGOVERN	QUIGLESS	10/15/2015	A-APPROVED	2210080700026
SM5 - 20150325	DAVIS, ANTHONY/JANIC	INTERIOR RENOVATIONS / LAHAINA	ANTHONY & JANICE DAVIS	CABAIS	10/21/2015	A-APPROVED	2420010320089
SM5 - 20150327	POLYNESIAN SHORES	POLYNESIAN SHORES RE-ROOFING/LAHAINA	MARIE KIMMEY	SCOTT	10/19/2015	A-APPROVED	2430080020000
SM5 - 20150328	PIONEER INN	ADDITIONAL FLOOD DAMAGE REPAIRS\LAHAINA	JIM LENNON	SCOTT	10/21/2015	A-APPROVED	2460010080000

Grand Total : 5

## ATTACHMENT B