

MOLOKAI PLANNING COMMISSION

NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE MOLOKAI PLANNING COMMISSION

AGENDA

DATE: MAY 12, 2016
TIME: 11:00 AM
PLACE: Office of Hawaiian Affairs (OHA)
Conference Room, Kulana Oihi
600 Kamehameha V Highway
Kalamaula, Molokai

RECEIVED
2016 MAY -6 PM 12: 29
OFFICE OF THE
COUNTY CLERK

Members: Michael Jennings (Chair), Douglas Rogers (Vice-Chair), Wiliama Akutagawa, Billy Buchanan, Michael Drew, Lawrence Lasua, Marshall Racine, Robert Stephenson, Diane Swenson

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. COMMUNICATIONS

1. MR. DOUG MAYNE of STATE CIVIL DEFENSE and MS. ANNA FOUST of the COUNTY OF MAUI CIVIL DEFENSE requesting a Special Management Minor Permit for the removal of the existing siren and the installation of a new emergency warning siren within the Maunaloa Highway right-of-way at TMK: 5-2-009: 999, Kalamaula, Island of Molokai. (SMX 2014/0506) (Valuation: \$85,000) (S. Lopez)

The Commission may take action on this request.

D. DIRECTOR'S REPORT

1. MR. WILLIAM SPENCE, Planning Director notifying the Commission pursuant to the provisions of Section 12-302-13.1(a) of the Molokai Planning Commission's Special Management Area Rules that the following proposed action located within the special management area is not a "development" and therefore exempt from the requirements of the Molokai Planning Commission's Special Management Area Rules:

NEIGHBORHOOD POWER CORPORATION submitting an after-the-fact Special Management Area Assessment application for the installation of a 408 solar panel PV system located at Molokai Shores, 100 Kamehameha V Highway, TMK: 5-4-002: 013, Kaunakakai, Island of Molokai. (SMX 2015/0313) (Valuation: \$436,000) (S. Lopez)

The Commission may act to waive or not waive its review.

E. ORIENTATION SESSION NO.1

1. Opening Remarks
2. The Planning Framework
3. Zoning
4. Chapter 343 HRS - Environmental Assessments and Environmental Impact Statements
5. Bed and Breakfast Home Permits, Short-Term Rental Home Permits, and State Land Use Commission Special Use Permits
6. County's Policy Against Discrimination
7. General Plan and Plan Implementation - Long Range Division
8. Chapter 92, Hawaii Revised Statutes - The Sunshine Law
9. Ethics
10. Contested Cases
11. Property Rights
12. Nexus and rough proportionality

F. DIRECTOR'S REPORT

1. Agenda items for the future regular meetings
 - a. May 26, 2016 meeting
 - 1) MRS. THERESA THOMAS requesting a Short-Term Rental Home Permit in order to operate the Lanikai Short-Term Rental Home, a three (3) bedroom short-term rental home located in the State Rural District at 10464 Kamehameha V Highway, TMK: 5-7-003: 021, Waialua, Island of Molokai. (STMO T2016/0001) (S. Lopez)
 - 2) Orientation Workshop No. 2 - Special Management Area and Shoreline Area Rules
2. Pending Molokai Applications Report generated by the Planning Department (Appendix A)
3. Closed Molokai Applications Report generated by the Planning Department (Appendix B)

G. NEXT SCHEDULED REGULAR MEETING DATE: May 26, 2016

H. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

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.

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DOCUMENTS ARE ON FILE WITH THE DEPARTMENT OF PLANNING. THE ADDRESS OF THE COMMISSION IS C/O DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793.

UNLESS OTHERWISE SPECIFIED BY ANOTHER SPECIFIC PLANNING COMMISSION RULE, ANY PETITION TO INTERVENE AS A FORMAL PARTY IN THE PROCEEDINGS BEFORE THE MOLOKAI 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 May 12, 2016 was on April 28, 2016.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH ANY AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE.

WRITTEN TESTIMONY AND FAXES SHOULD BE RECEIVED AT LEAST TWO (2) BUSINESS DAYS BEFORE THE MEETING TO ENSURE DISTRIBUTION TO THE COMMISSION. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE REQUESTED 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.

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 Department of Planning at least one day prior to the meeting date. Thank you for your cooperation. (S:\ALL\SUZETTE\MoPC\AGENDAS\2016 Agendas\051216mopc_agenda.wpd)



County of Maui
Kalaniana'oli Building
200 South High Street,
Waikuku, HI 96793-2155

Open PD - Projects by TMK Report

Entry Date: 05/05/2012 - 05/05/2016

Permit Type: %

TMK: 25%

05/05/2016

| TMK | Project | Permit Name | Permit # | Applicant Name | Entry Date | Completion Date | Status | Project Lead |
|---------------|--|---|-----------------------------------|---------------------------------------|--------------------------|-----------------|--------------|------------------|
| 2510060720000 | RIZK, NORMAN / SMITH | MAUNALOA, MOLOKAI | FRMP - 20150109 | NORMAN RIZK / SUSAN SMITH | 12/14/2015 | | OPEN | WAIKIKI |
| 2510070420000 | HALLAS, DON/KERRY | FARM PLAN/MAUNALOA | FRMP - 20130099 | HALLAS, DON & KERRY | 12/19/2013 | | OPEN | WAIKIKI |
| 2510070530000 | ANDERSON, D. LEITH HALE PUU KOAE | FARM PLAN / STRH APP / MOLOKAI REVIEW OF HALE PUU KOAE STRH APPLICATION | FRMP - 20150061 RFC - 20150197 | D. LEITH ANDERSON D LEITH ANDERSON | 06/29/2015 12/14/2015 | | OPEN OPEN | WAIKIKI LOPEZ |
| 2510070540000 | MANAHALE ESTATE LLC MANA HALEI ESTATE | FARM PLAN / MOLOKAI REVIEW MANA HALEI LLC STRH APPLICATION | FRMP - 20150065 RFC - 20150113 | MANA HALEI ESTATE LLC JIM WAYNE | 07/01/2015 07/14/2015 | | OPEN OPEN | WAIKIKI LOPEZ |
| 2510070660000 | MANA HALEI ESTATE SUP/MAUNALOA | MANA HALEI ESTATE SUP/MAUNALOA | RFC - 20150155 | JIM WAYNE | 09/29/2015 | | OPEN | LOPEZ |
| 2510080340000 | SCHWARTZ, ROBERT/KAT | STORAGE SHED-MOLOKAI | AUA - 20130003 | SCHWARTZ, ROBERT | 01/18/2013 | | OPEN | WAIKIKI |
| 2510080350000 | PERELL, JOHN SID | FARM PLAN-MAUNALOA, MOLOKAI | FRMP - 20130021 | PERELL, JOHN SID & ELIZABETH CAROL | 02/26/2013 | | OPEN | WAIKIKI |
| 2520100070000 | HAMAMOTO, DAVID | FARM PLAN / STRH USE / MOLOKAI | FRMP - 20150050 | HOWARD H. HAMAMOTO | 05/14/2015 | | OPEN | WAIKIKI |
| 2520090180000 | COUNTY CIVIL DEFENSE | EMERGENCY WARNING SIRENS/MOLOKAI | SMX - 20140506 | COUNTY OF MAUI | 10/21/2014 | | OPEN | LOPEZ |
| 2520100070000 | HAWAIIAN HOMELANDS | HAWAIIAN HOMELANDS WELL 4- 0801-001 & 002 | RFC - 20150169 | DLNR-CWRM | 10/28/2015 | | OPEN | LOPEZ |
| 2520110070000 | KAULUWAI I & 2 WELLS | KAULUWAI I & 2 WELLS | RFC - 20150181 | DEPT OF HAWAIIAN HOMELANDS | 11/20/2015 | | OPEN | LOPEZ |
| 2520120290000 | AGRIGENETICS WELL | AGRIGENETICS, INC. WELL | RFC - 20160053 | DLNR-CWRM | 02/23/2016 | | OPEN | LOPEZ |
| 2520120290000 | MOLOKAI PUB UTILITY | MOLOKAI PUB UTILITIES WELL NO 4- 0901-001 | RFC - 20150170 | DLNR-CWRM | 10/28/2015 | | OPEN | LOPEZ |
| | MAUI DEPT OF WATER | MAUI DEPT OF WATER WELL NO 4- 0801-003 | RFC - 20150171 | DLNR-CWRM | 10/28/2015 | | OPEN | LOPEZ |
| | WELL 17 | WELL 17 (WELL NO. 4-0901-001) | RFC - 20150182 | MOLOKAI PUBLIC UTILITIES, INC. | 11/20/2015 | | OPEN | LOPEZ |
| | KUALAPU'U MAUKA | KUALAPU'U MAUKA (WELL NO. 4- 0801-003) | RFC - 20150183 | COUNTY DEPARTMENT OF WATER SUPPLY | 11/20/2015 | | OPEN | LOPEZ |
| 2520150010000 | MOLOKAI H.S. SCIENCE | VARIANCE APPTITLE 19.36A.010/HOOLEHUA | BVAV - 20150004 | KASHIWAI, DUANE | 09/19/2014 | | OPEN | MIKOLAY |
| | MOLOKAI HIGH SCHOOL | RESIDENTIAL TO PUBLIC/QUASI- | CPA - 20150004 | STATE DEPARTMENT OF | 06/10/2015 | | OPEN | LOPEZ |

Open PD - Projects by TMK Report

Entry Date: 05/05/2012 - 05/05/2016

Permit Type: %
TMK: 2.5%



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

| <u>TMK</u> | <u>Project</u> | <u>Permit Name</u> | <u>Permit #</u> | <u>Applicant Name</u> | <u>Entry Date</u> | <u>Completion Date</u> | <u>Status</u> | <u>Project Lead</u> |
|---------------|----------------------|--|-----------------|--|-------------------|------------------------|---------------|---------------------|
| 2520150010000 | MOLOKAI HIGH SCHOOL | PUBLIC SCIENCE FACILITY UPGRADES/MOLOKAI | EAC - 20140001 | EDUCATION STATE OF HAWAII, DEPARTMENT OF EDUCATION | 01/07/2014 | | OPEN | STICKA |
| 2520170030000 | KANAKALOLOA CEMETERY | KANAKALOLOA CEMETERY PROJECT/MOLOKAI | EAC - 20150008 | GROUP 70 INTERNATIONAL | 07/24/2015 | | OPEN | LOPEZ |
| 2520310110000 | MOLOKAI BASEYARD | MOLOKAI BASEYARD | LPAP - 20160007 | RICHARD H MIYABARA | 03/05/2016 | | OPEN | CABAIS |
| 2530010600000 | SPRINT/NEXTEL MOLOKA | REMOVE & REPLACE ANTENNAS/MOLOKAI | SMX - 20150087 | SPRINT NEXTEL HAWAII | 02/23/2015 | | OPEN | LOPEZ |
| 2530010750000 | PADDLERS SOLAR PANEL | RAISED SOLAR PANEL STRUCTURE / MOLOKAI | SMX - 20150406 | JERALD JOHNSON | 09/22/2015 | | VOID | LOPEZ |
| 2530010770000 | NEW HORIZON ENTERPRI | MAKOA TRUCKING; INTERIM TO M- I/KKA | CIZ - 20120006 | CHRIS MEBILLE | 05/16/2012 | | OPEN | LOPEZ |
| 2530020060000 | KAUHA CENTER | INTERIOR/EXTERIOR REMODEL/KAUNAKAKAI | CTB - 20140014 | MOLOKAI STORES, LLC | 10/01/2014 | | OPEN | LOPEZ |
| 2530020120000 | KAHUA CENTER | INTERIOR/EXTERIOR REMODEL/KAUNAKAKAI | SMX - 20140270 | MOLOKAI STORES, LLC | 05/13/2014 | | OPEN | LOPEZ |
| 2530020810000 | MOLOKAI COMMUNITY | ADDITION/ALTERATION | OSP - 20120002 | LASUA, LAWRENCE | 05/09/2012 | | CLSD | CRITCHLOW |
| 2530020810000 | MOLOKAI COMMUNITY | ADDITION/ALTERATION | OSP - 20120002 | LASUA, LAWRENCE | 05/09/2012 | | CLSD | CRITCHLOW |
| 2530020810000 | WADA COMMERCIAL BLDG | COMMERCIAL, RETAIL & HOTEL BLDG/KKAI | CP - 20130002 | STANLEY A. WADA | 04/03/2013 | | OPEN | LOPEZ |
| 2530020810000 | WADA COMMERCIAL BLDG | COMMERCIAL, RETAIL & HOTEL BLDG/KKAI | SMI - 20130003 | STANLEY A. WADA | 04/03/2013 | | OPEN | LOPEZ |
| 2530050060000 | KAPAHULEHUA, KIMOKEO | SOLAR FARM/MOLOKAI | SMX - 20130048 | RICKY J MCGOVERN | 01/31/2013 | | OPEN | LOPEZ |
| 2530060280000 | MOLOKAI COMMUNITY HE | PARKING LOT LANDSCAPE PLAN/MOLOKAI | LPAP - 20120015 | LUIGI MANERA | 05/31/2012 | | OPEN | STICKA |
| 2530070120000 | MCHC SEWER REPAIR | SEWER REPAIR/KAUNAKAKAI | SM3 - 20150006 | MOLOKAI OHANA HEALTH CARE | 03/17/2015 | | OPEN | LOPEZ |
| 2530070120000 | MONIZ, ESTHER | ATF DEMOLITION OF PROPERTY/MOLOKAI | SMX - 20150066 | ESTER MONIZ | 02/11/2015 | | OPEN | LOPEZ |
| 2530080140000 | ROBERT MATSON, JR. | ENCLOSE CARPORT/KAUNAKAKAI | SMX - 20150473 | ROBERT MATSON JR. | 10/29/2015 | | OPEN | LOPEZ |
| 2540020130000 | MOLOKAI SHORES SOLAR | ATF INSTALLATION SOLAR PANELS / | SMX - 20150313 | NEIGHBORHOOD POWER | 07/22/2015 | | OPEN | LOPEZ |

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Permit Type: %

TMK: 2.5%



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|---------------|--|--|--------------------------------------|--|--------------------------|------------------------|---------------|---------------------|
| 2540020130000 | | MOLOKAI | | CORPORATION | | | | |
| 2540030360000 | KPHA PARK | PLUMBING REPAIRS, RE-ROOFING/MOLOKAI | SMX - 20160164 | JUANITA COLON | 04/12/2016 | | OPEN | LOPEZ |
| 2540050240000 | WUERTZ, STEVEN | NEW DWELLING/MOLOKAI | SMX - 20120543 | ROBERT ROBINSON | 12/17/2012 | | OPEN | LOPEZ |
| 2540070090000 | KAPA AKEA FLOOD GASPAR RESIDENCE | EARLY CONSULTATION/KAUNAKAKAI DEMOLITION & RECONSTRUCTION SFR/MOLOKAI | RFC - 20160092 SMX - 20140540 | MUNEKIYO HIRAGA, INC. KEEFE GASPAR | 05/04/2016 11/05/2014 | | OPEN OPEN | LOPEZ LOPEZ |
| 2540140010000 | VAN GEMERT, ROBERT/L | 1ST FARM DWELLING | FRMP - 20120073 | VAN GEMERT, ROBERT & LORRAINE | 09/27/2012 | | OPEN | WAIKIKI |
| 2540140160000 | CUSHMAN,HA | ADDITION/ALTERATION-GARAGE & STORAGE | FRMP - 20120077 | CUSHMAN, HAROLD & JACQUELYN | 10/18/2012 | | OPEN | WAIKIKI |
| 2540150440000 | KOLB, DAVID & ALICE | FARM PLAN/KAUNAKAKAI | FRMP - 20140018 | KOLB, DAVID & ALICE | 03/04/2014 | | OPEN | WAIKIKI |
| 2540160430000 | SPENCER, JOHN G. | AGRICULTURAL USES/KAWELA, MOLOKAI | AUA - 20130017 | SPENCER, JOHN GEOFFREY | 09/05/2013 | | OPEN | WAIKIKI |
| 2550010320000 | CULLEN, CLIFT | FARM PLAN/MAIN FARM DWELLING/MOLOKAI | FRMP - 20150031 | CLIFT CAIRNCROSS CULLEN | 03/13/2015 | | VOID | WAIKIKI |
| 2570030210000 | LANIKAI | STRH APPLICATION/KAUNAKAKAI | STMO - T20160001 | THERESA THOMAS | 03/03/2016 | | OPEN | LOPEZ |
| 2570040070000 | DUNBAR SUBDIVISION DUNBAR SUBDIVISION | MCC SECTION 18.16.060 & 18.20.040/MOLOKA PROPOSED 3 LOT SUBDIVISION/MOLOKAI | BVAV - T20120019 SMX - 20130566 | WAYNE I ARAKAKI ENGINEER LLC KIP DUNBAR | 11/29/2012 12/04/2013 | | CLSD OPEN | BALBERDI LOPEZ |
| 2570040200000 | HALE KAINALU STRH HALE KAINALU STRH | HALE KAINALU STRH/MOLOKAI HALE KAINALU STRH/MOLOKAI | STMO - T20150005 STMO - T20150006 | ROBERT A. HASKIN ROBERT A. HASKIN | 11/09/2015 11/09/2015 | | OPEN OPEN | LOPEZ LOPEZ |
| 2570070550000 | KAINEHE | REVIEW OF STRH APPLICATION | RFC - 20160006 | ZELIE K DUVAUCHELLE | 01/06/2016 | | OPEN | LOPEZ |
| 2570070610000 | HALE LE LANI | REVIEW OF STRH APPLICATION | RFC - 20160095 | MARK PUCCINELLI | 05/05/2016 | | OPEN | LOPEZ |
| 2570080060000 | CURTIS/GOLEBIESKI LUCKY SEVEN MAKANI | WARD CURTIS & PATRICIA GOLEBIESKI-FDP CONSTRUCT HOME, CARPORT/KAUNAKAKAI | FDP - T20160028 SMX - 20150328 | WARD CURTIS WADE CURTIS AND PATRICIA A. GOLEBIESKI | 04/20/2016 08/02/2015 | | OPEN OPEN | HIGA LOPEZ |

Open PD - Projects by TMK Report

Entry Date: 05/05/2012 - 05/05/2016
Permit Type: %
TMK: 25%



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

| <u>TMK</u> | <u>Project</u> | <u>Permit Name</u> | <u>Permit #</u> | <u>Applicant Name</u> | <u>Entry Date</u> | <u>Completion Date</u> | <u>Status</u> | <u>Project Lead</u> |
|---------------|----------------|--------------------------------|-----------------|-----------------------|-------------------|------------------------|---------------|---------------------|
| 2570080370000 | MOANI MELCHER | CONSTRUCTION OF HOMEKAUNAKAKAI | SM6 - 20160002 | MOANI MELCHER | 05/04/2016 | | OPEN | LOPEZ |

Grand Total: 56



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

Planning Department - Completed Projects by TMK Report

Completion Date: 04/05/2016 - 05/05/2016

Permit Type: %

TMK: 25%

Does not include permit types: LTR, SPC and S.

| <u>TMK</u> | <u>Project</u> | <u>Description</u> | <u>Permit #</u> | <u>Applicant Name</u> | <u>Entry Date</u> | <u>Completion Date</u> | <u>Status</u> | <u>Project Lead</u> |
|---------------|-----------------|--------------------------------------|-----------------|-----------------------|-------------------|------------------------|---------------|---------------------|
| 2510030110030 | SUSAN BADALUCCO | SUSAN BADALUCCO-INTERIOR RENOVATIONS | SM5 - 20160106 | SUSAN BADALUCCO | 05/04/2016 | 05/04/2016 | DONE | LOPEZ |
| | SUSAN BADALUCCO | SUSAN BADALUCCO-INTERIOR RENOVATIONS | SMX - 20160038 | SUSAN BADALUCCO | 02/02/2016 | 05/04/2016 | DONE | LOPEZ |
| 2570080370000 | MOANI MELCHER | MOANI MELCHER NEW SFR | SMX - 20160117 | MOANI MELCHER | 03/17/2016 | 05/05/2016 | DONE | LOPEZ |

Grand Total: 3