

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

**UNOFFICIAL AGENDA – HYPERLINKS TO MEETING MATERIALS ADDED  
FOR INFORMATIONAL PURPOSES ONLY**

DATE: DECEMBER 13, 2016  
TIME: 9:00 A.M.  
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building,  
250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Max Tsai (Chair), Sandra Duvauchelle (Vice-Chair), Pua Canto,  
Lawrence Carnicelli, Stephen Castro, Wayne Hedani, Richard Higashi,  
Larry Hudson, 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 public hearing.)

1. MR. WILLIAM SPENCE, Planning Director transmitting Council Resolution No. 16-100 referring to the Maui Planning Commission a proposed bill to amend the West Maui Community Plan designation from Park to Business and a proposed bill to change the zoning from PK General Park designation to B-2 Community Business District for portions of properties situated at TMK: 4-4-001: 010 and 4-4-014: 006, Lahaina, Maui, Hawaii. (CPA 2016/0003) (CIZ 2016/0004) (P. Fasi)

The proposed land use entitlements involve an area of about 0.049 acres of land.

[CPA 2016/0003 Report and Recommendation](#)

2. MR. THOMAS PARKER of the CENTRAL FEDERAL LANDS HIGHWAYS DIVISION, FEDERAL HIGHWAYS ADMINISTRATION, U.S. DEPARTMENT OF TRANSPORTATION requesting a Special Management Area Use Permit and Shoreline Setback Variance for the Lahaina Bypass 1B-2 Design Build Project along the right of way located mauka of the existing Honoapiilani Highway between Hokiokio Place and the former Olowalu Landfill at TMK: 4-7-1: 22 (por.), 30 (por.), 39 (por.), 4-7-003: 32 (por.), 4-7-13: 2 (por.), 5 (por.), 8 (por.), 10 (por.), 11 (por.), 12 (por.); 4-7-14: 1 (por.), 2 (por.) 3 (por.), 4 (por.), 5 (por.), 6 (por.), 7 (por.), 8 (por.), 9 (por.), 10 (por.), 011 (por.), and 14 (por.), Launiupoko, Island of Maui. (SM1 2016 /0008) (K. Scott)

[SM1 2016/0008 Recommendation](#)

[SM1 2016/0008 Report and Exhibits](#)

3. MR. MICHAEL BASKIN of SEASHORE PROPERTIES LLC requesting a County Special Use Permit to operate a nine (9) bedroom transient vacation rental (Paia Inn) with 1<sup>st</sup> floor lobby on property situated at 93 Hana Highway, TMK: 2-6-002: 027, Paia, Island of Maui. (CUP 2015/0006) (K. Wollenhaupt)

[CUP 2015/0006 Report](#)

[CUP 2015/0006 Exhibits](#)

[CUP 2015/0006 Recommendation](#)

[CUP 2015/0006 Request for Deferral](#)

#### D. COMMUNICATIONS

1. ISAAC HALL, attorney for FRANCINE AARONA submitting on November 29, 2016 a Petition to Deny Applications because the proposed uses are prohibited by the Community Plan or in the alternative to intervene on the following:

MR. MICHAEL BASKIN of SEASHORE PROPERTIES LLC requesting a County Special Use Permit to operate a nine (9) bedroom transient vacation rental (Paia Inn) with 1<sup>st</sup> floor lobby on property situated at 93 Hana Highway, TMK: 2-6-002: 027, Paia, Island of Maui. (CUP 2015/0006) (CTB 2015/0009) (SMX 2015/0522) (K. Wollenhaupt)

The Commission may take action on this request.

Should the Commission grant the Petition to Intervene, then they may also take action on the following:

- a. Selection of the Hearings Body/Hearings Officer
- b. Selection of the Mediator

Should the Commission act to deny the intervention request, then they could act on the application requests.

[CUP 2015/0006 Petition to Deny Applications](#)

- E. ACCEPTANCE OF THE ACTION MINUTES OF THE NOVEMBER 22, 2016 MEETING AND REGULAR MINUTES OF THE JUNE 28, 2016 MEETING AND OCTOBER 25, 2016 SPECIAL MEETING

[11/22/16 Action Minutes](#)

- F. DIRECTOR'S REPORT

1. SMA Minor Permit Report
2. SMA Exemptions Report
3. Discussion of Future Maui Planning Commission Agendas
  - a. January 10, 2017 agenda items

G. NEXT REGULAR MEETING DATE: January 10, 2017

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 December 13, 2016 was on November 29, 2016.

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 AND/OR EMAILED TESTIMONY REQUESTED SHOULD BE RECEIVED AT LEAST TWO (2) BUSINESS DAYS BEFORE THE MEETING TO ENSURE 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.

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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 AND/OR EMAILS 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.  
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