

**MAUI PLANNING COMMISSION  
REGULAR MINUTES  
NOVEMBER 7, 2016**

**A. CALL TO ORDER**

The regular meeting of the Maui Planning Commission was called to order by Chairperson Max Tsai at approximately 9:09 a.m., Monday, November 7, 2016, Planning Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui.

A quorum of the Commission was present. (See Record of Attendance.)

**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. JOHN DUNBAR** requesting a Land Use Commission Special Permit and a Bed and Breakfast Home Permit in order to operate the Maui Adventure Villa, a five (5)-bedroom bed and breakfast in two (2) dwellings in the State Agricultural District at 192 Kaokoa Way at TMK: 2-8-002: 034, Haiku, Island of Maui. (SUP2 2016/0008) (BBPH T2016/0004) (C. Yoshida/K. Wollenhaupt)

Maui Planning Commission review is triggered by the fact that there is a permitted bed and breakfast home operation located within 500 ft. of the subject property.

It was moved by Mr. Hudson, seconded by Ms. Canto, and

The Motion to Deny the Land Use Commission Special Permit and the Bed and Breakfast Home Permit, **FAILED**.

(Assenting – L. Hudson, P. Canto, K. Robinson)

(Dissenting – R. Higashi)

(Excused – L. Carnicelli, W. Hedani, S. Duvauchelle, S. Castro)

Then the following motion was made:

It was moved by Mr. Higashi, seconded by Mr. Robinson, and

The Motion to Approve the Land Use Commission Special Permit and the Bed and Breakfast Home Permit, **FAILED**.

(Assenting – R. Higashi)

(Dissenting – L. Hudson, P. Canto, K. Robinson)

(Excused – L. Carnicelli, W. Hedani, S. Duvauchelle, S. Castro)

The matter was then deferred to the November 22, 2016 meeting when more members would be present.

**D. NEW BUSINESS**

1. **VINTAGE RENTALS, LLC** requesting comments on the Draft Environmental Assessment prepared in support of the Community Plan Amendment request from Single Family Residential to Business/Commercial for the Paia Trade Center project to renovate a 948-square foot single family residence to a commercial building at 150 Luna Place, TMK: 2-6-005: 005, Paia, Island of Maui. (EA 2016/0001) (CPA 2016/0002) (CIZ 2016/0001) (SMX 2016/0003) (C. Thackerson)

The Chapter 343, HRS trigger for the Environmental Assessment is the community plan amendment.

The applicant has also submitted applications for a community plan amendment, a change in zoning, and a Special Management Area Assessment. These applications will be scheduled for further review after the Chapter 343, HRS process has been completed.

The Commission may act on the following:

To declare itself to be the accepting authority of the Final Environmental Assessment in anticipation of a Findings of No Significant Impact (FONSI) determination.

- a. Provide its comments on the Draft Environmental Assessment.

The Commission provided their comments on the Draft Environmental Assessment.

**E. COMMUNICATIONS**

1. **CRAIG P. WAGNILD and MICHAEL C. CARROLL** of **BAYS LUNG ROSE & HOLMA**, attorneys for **DENNIS SCHOBER** submitting a Petition for Reconsideration or Modification of Condition No. 8 dated September 26, 2016 of State Land Use Commission Special Use Permit No. SUP2 2016/0004 on the Maui Planning Commission's August 23, 2016 action on the **DENNIS SCHOBER's** request for a State Land Use Commission Special Use Permit for a short-term rental home operation in the State Agricultural District at 78 North Lauhoe Place, TMK: 4-7-012: 013, Lahaina, Island of Maui. (SUP2 2016/0004) (STWM 2016/0003) (T. Furukawa)
  - a. **CRAIG P. WAGNILD and MICHAEL C. CARROLL** of **BAYS LUNG ROSE & HOLMA** Attorneys for **DENNIS SCHOBER** submitting a

**Notice of Submission of the Original Declaration of DENNIS SCHOBER dated September 30, 2016.**

**It was moved by Ms. Canto, seconded by Mr. Hudson, and**

**The Motion to Modify the Condition, FAILED.  
(Assenting – P. Canto, L. Hudson, R. Higashi)  
(Dissenting – K. Robinson)  
(Excused – L. Carnicelli, W. Hedani, S. Duvauchelle, S. Castro)**

Then the following motion was made:

**It was moved by Mr. Robinson, seconded by Mr. Higashi, and**

**The Motion to Deny the Request to Reconsider the Condition, FAILED.  
(Assenting – K. Robinson, P. Canto, R. Higashi)  
(Dissenting – L. Hudson)  
(Excused – L. Carnicelli, W. Hedani, S. Duvauchelle, S. Castro)**

The matter was then deferred to the next meeting of November 22, 2016.

2. **MR. STEVEN MARLETTE of MC ARCHITECTS on behalf of WAILEA VILLAGE CENTER requesting a Step I Planned Development Approval for the transfer of zoning land uses within the same parcel, Step II and Step III Planned Development Approvals for the renovation and expansion of the existing golf shop, restaurant, retail buildings and parking lot located at 100 Wailea Ike Drive, TMK: 2-1-008: 118, Wailea, Island of Maui. (PD1 2016/0001) (PD2 2016/0001) (PD3 2016/0003) (C. Thackerson)**

The Commission may take action on these requests.

**It was moved by Mr. Robinson, seconded by Ms. Canto, then**

**VOTED: To Defer Action on the Step I Planned Development Approval for the Transfer of Zoning Land Uses Within the Same Parcel; and Approval the Step II and Step III Planned Development for the Renovation and Expansion of the Existing Golf Shop, Restaurant, Retail Buildings and Parking Lot Located at 100 Wailea Ike Drive as Recommended by the Department.  
(Assenting – K. Robinson, P. Canto, L. Hudson, R. Higashi, M. Tsai)  
(Excused – L. Carnicelli, W. Hedani, S. Duvauchelle, S. Castro)**

- F. **ACCEPTANCE OF THE ACTION MINUTES OF THE OCTOBER 25, 2016 REGULAR MEETING AND OCTOBER 25, 2016 SPECIAL MEETING, MAY 10, 2016 REGULAR MINUTES AND PORTION OF THE SEPTEMBER 13, 2016 REGULAR MEETING, ITEM E.**

**It was moved by Mr. Higashi, seconded by Mr. Hudson, then**

**VOTED: To Accept the Action Minutes of the October 25, 2016 Regular Meeting and October 25, 2016 Special Meeting, May 10, 2016 Regular Meeting and Portion of the September 13, 2016 Meeting, Item E.  
(Assenting – R. Higashi, L. Hudson, K. Robinson, P. Canto, M. Tsai)  
(Excused – L. Carnicelli, W. Hedani, S. Duvauchelle, S. Castro)**

**G. DIRECTOR’S REPORT**

- 1. SMA Minor Permit Report**
- 2. SMA Exemptions Report**

**It was moved by Mr. Higashi, seconded by Mr. Robinson, then**

**VOTED: To Accept the SMA Minor and SMA Exemption Reports  
(Assenting – R. Higashi, K. Robinson, L. Hudson, P. Canto, M. Tsai)  
(Excused – L. Carnicelli, W. Hedani, S. Duvauchelle, S. Castro)**

It was indicated by the Commission that the Open SMX Report no longer was needed to be included in the agenda packet.

- 3. Discussion of Future Maui Planning Commission Agendas**
  - a. November 22, 2016 agenda items**

Mr. Spence went over the items scheduled for the November 22, 2016 meeting.

**H. NEXT REGULAR MEETING DATE:** November 22, 2016

**I. ADJOURNMENT**

The meeting was adjourned at 1:48 p.m.

Submitted by,

Carolyn Takayama-Corden  
Secretary to Boards & Commissions II

**RECORD OF ATTENDANCE**

**Present**

Pua Canto  
Richard Higashi  
Larry Hudson  
Keaka Robinson  
Max Tsai, Chairperson

**Excused**

Lawrence Carnicelli  
Stephen Castro  
Sandy Duvauchelle, Vice-Chairperson  
Wayne Hedani

**Others**

Will Spence, Director, Planning Department  
James Giroux, Deputy Corporation Counsel, Department of the Corporation Counsel