

**MAUI PLANNING COMMISSION  
ACTION MINUTES  
FEBRUARY 28, 2017**

**A. CALL TO ORDER**

The regular meeting of the Maui Planning Commission was called to order by Vice-Chairperson Sandra Duvauchelle at approximately 9:05 a.m., Tuesday, February 28, 2017, 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 each public hearing.)

1. MS. CRYSTAL SCHMITT of MAUI DRAGON FRUIT FARM requesting an amendment to the current State Land Use Commission Special Permit, Conditional Permit, and Ordinance 4295 to allow for the transient vacation rental use of a two (2)-bedroom farm dwelling in the State Agricultural District at 833 Punakea Loop, TMK: 4-7-001: 044, Lahaina, Island of Maui. (SUP2 2014/0011) (CP 2014/0005) (G. Flammer)

**It was moved by Mr. Carnicelli, seconded by Mr. Hedani, then**

**VOTED: To Approve the Amendment to the Current State Land Use Commission Special Permit and Recommend Approval of the Amendment to the Conditional Permit and Ordinance 4295 to the County Council as Recommended by the Department.**  
**(Assenting – L. Carnicelli, W. Hedani, L. Hudson, K. Robinson,  
P. Canto, S. Castro)**  
**(Dissenting - R. Higashi)**  
**(Excused – M. Tsai)**

2. MS. LORRAINE GRACE requesting a State Land Use Commission Special Permit in order to operate a five (5)-bedroom short-term rental home operation, Pali Uli Short-Term Rental Home, in two (2) dwellings located in the State Agricultural District at 150 Door of Faith Road, TM: 2-9-007: 057-0001, 0002, & 0003, Huelo, Island of Maui (SUP2 2016/00013) (G. Flammer)

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

**VOTED: To Approve the State Land Use Commission Special Permit as Recommended by the Department.**  
**(Assenting – P. Canto, L. Carnicelli, L. Hudson, K. Robinson,**

**S. Castro, W. Hedani, R. Higashi)**  
**(Excused – M. Tsai)**

3. MS. ROBYN KAHALELEHUA of CENTERLINE SOLUTIONS on behalf of VERIZON WIRELESS requesting a County Special Use Permit for the H12 Project order to install a 65 ft. transmitter tower and related improvements in the County Agriculture District at 1500 Kaupakalua Road, TMK: 2-7-013: 175, Haiku, Island of Maui. (CUP 2016/0006) (R. Quigless)

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

**VOTED: To Approve the County Special Use Permit as Recommended by the Department.**  
**(Assenting – L. Carnicelli, K. Robinson, L. Hudson, P. Canto**  
**S. Castro, W. Hedani, R. Higashi)**  
**(Excused – M. Tsai)**

**D. UNFINISHED BUSINESS**

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 Kaokoia Way at TMK: 2-8-002: 034, Haiku, Island of Maui. (SUP2 2016/0008) (BBPH T2016/0004) (C. Yoshida/K. Wollenhaupt) (Public hearing was conducted at the November 7, 2016 meeting. The matter was deferred as the Commission was unable to take an action. The matter was considered at the Commission's November 22, 2016 meeting and the matter was deferred to the February 28 meeting as the Commission was unable to take action at the November 22 meeting.)

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.

The Commission may take action on the requests.

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

**The Motion to Approve the Land Use Commission Special Permit and Bed and Breakfast Home Permit, FAILED.**  
**(Assenting – P. Canto, R. Higashi, S. Castro)**  
**(Dissenting – L. Carnicelli, L. Hudson, W. Hedani)**  
**(Excused – M. Tsai, K. Robinson)**

The Commission then went into Executive Session.

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

**VOTED: To Approve the Land Use Commission Special Permit and Bed and Breakfast Home Permit as Recommended by the Department.  
(Assenting – L. Carnicelli, L. Hudson-Abstained, P. Canto, S. Castro, R. Higashi)  
(Dissenting – W. Hedani)  
(Excused – M. Tsai, K. Robinson)**

**E. COMMUNICATIONS**

1. Discussion on Rule Making as it relates to filing and digital copies, Chapter 91, HRS. (Maui Planning Commission Chair Max Tsai) (Deferred from the February 14 meeting.)

The Commission may take an action on this request.

This matter was deferred as Chair Tsai was not in attendance.

**F. ACCEPTANCE OF THE ACTION MINUTES OF FEBRUARY 14, 2016 and PORTION OF DECEMBER 13, 2016 MINUTES ITEM C-1**

**It was moved by Mr. Carnicelli, seconded by Mr. Castro, then**

**VOTED: To Accept the Action Minutes of February 14, 2016 and Portion of December 13, 2016 Minutes Item C-1.  
(Assenting – L. Carnicelli, S. Castro, L. Hudson, P. Canto, W. Hedani, R. Higashi)  
(Excused – M. Tsai, K. Robinson)**

**G. DIRECTOR'S REPORT**

1. MR. WILLIAM SPENCE, Planning Director, notifying the Maui Planning Commission pursuant to Commission's SMA Rules of the following Special Management Area (SMA) Emergency Permit:
  - a. Approval letter dated February 2, 2017 to MS. SANDY SZYMANSKI, President of the KAHANA REEF AOA requesting an SMA Emergency Permit to implement temporary mitigative measures to control sink hole and failed lanai at 4471 Lower Honoapillani Road, TMK: 4-3-005: 009, Kahana, Island of Maui. (SM3 2017/0002) (J. Buika)

**For notification and review purposes only.**

2. SMA Minor Permit Report

3. SMA Exemptions Report

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

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

4. Discussion of Future Maui Planning Commission Agendas

a. March 14, 2017 agenda items

**H NEXT REGULAR MEETING DATE: MARCH 14, 2017**

**I. ADJOURNMENT**

The meeting was adjourned at 2:56 p.m.

Submitted by,

Carolyn Takayama-Corden  
Secretary to Boards & Commissions II

**RECORD OF ATTENDANCE**

**Present**

Pua Canto  
Lawrence Carnicelli  
Stephen Castro  
Sandy Duvauchelle, Vice-Chairperson  
Wayne Hedani  
Richard Higashi  
Larry Hudson  
Keaka Robinson (excused from the afternoon session)

**Excused**

Max Tsai, Chairperson

**Others**

Will Spence, Director, Planning Department  
James Giroux, Deputy Corporation Counsel, Department of the Corporation Counsel  
Rowena Dagdag-Andaya, Deputy Director, Department of Public Works (on-call)